

TOWNSHIP COMMITTEE MEETING – FEBRUARY 25, 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.

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

Mayor 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 the renewal of the Shore Link Shuttle van service for the summer months. Ms. Jahn stated that the Township participated for the last two years. The shuttle provided service from the train stations into the local shore towns. There was very little ridership from the Bradley Beach and Asbury Park train stations into Ocean Grove. The annual cost is \$5,000, the service was not well promoted, there was no partnership with NJ Transit, and the Ocean Grove Chamber of Commerce is not benefiting from the service. Ms. Jahn recommended that the Township decline participation in the service this year. The Mayor stated that he also noticed that no one was riding on the shuttle; therefore, he agrees with Ms. Jahn's assessment. The Committee concurred that the contract will not be renewed.

Mr. Bascom stated that the Recovery Action Committee continues to work on the base flood elevation ordinance. The clean-up from Sandy is concluding and the demolition of the marina docks is starting. The Township continues to work with our insurance carrier and FEMA to identify funding. The Township is also submitting letters of interest for elevation projects, new bulkhead, silt removal, elevation of existing bulkhead and armoring pumping stations. The Township has submitted \$3 million in eligible expenses and has received \$1.8 million, with another \$1 million expected shortly. The parks and playgrounds are getting equipment. The ratable loss due to Sandy is around \$6 million, but that figure may increase a bit more because land values may also be impacted. Mr. Anthony stated that he forwarded amendments to the flood ordinance in the General Code and the base flood elevation section of the Zoning Code.

The Committee discussed extending the waiver on construction permit application fees. Mr. Bishop stated that the waiver is due to expire on February 28<sup>th</sup>, but many residents still do not know what they are doing because of insurance and contractor delays. The Mayor stated that he wants a long term plan as to how this will be handled. Mr. Bascom stated that a person with damage as a result of Sandy can file the application whether they are ready to proceed at this time or not, and amend the application later without fee. He recommended that the Township make an effort to get the information out to the affected property owners and urge them to file for their construction permits immediately. Mr. Bishop suggested that the volunteer assessment teams can distribute a flyer with this information and indicate the absolute deadline for the fee waiver. The Mayor asked about homes that will have to elevate. Mr. Gadaleta stated residents will have four years to elevate, but those residents should apply for the construction permit immediately to obtain the fee waiver. The Committee indicated that the fee waiver should be extended to March 28<sup>th</sup>, but that would be the final extension.

Mr. McMillan stated that Dawn Thompson, Recreation Director, has asked for an ordinance amendment to prevent smoking in public parks. Mr. Bishop added that the Township has a grant to help with signs and education regarding this issue. The Committee asked Mr. Cuttrell to prepare the appropriate ordinance for introduction.

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 – Vacancies on Board of Adjustment and Environmental/Shade Tree Commission.

Contract negotiations – F.O.P Local #19 contract.

Contract negotiations - Appointment of Consultant for Community Rating System Program.

Litigation – Parkview Inn.

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

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

Mr. Gadaleta recommended that the RFQ from Agnoli Engineering be accepted for the position of Community Rating System Program Consultant. He has prior experience working with the firm in Pompton Lakes and they are realizing a 25% reduction in flood insurance premiums. The Township should be ready to submit in October and attain a Level 6 or 7 which would result in a 20% reduction in flood insurance premiums for our residents.

Mr. Anthony reported that he has sent a Notice of Default to the owners of the Parkview Inn for not complying with the settlement agreement.

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, Dr. Michael Brantley, Mary Beth Jahn, Kevin B. McMillan, and Mayor Eric J. Houghtaling.

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

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

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

Mayor 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 Mr. McMillan, to approve the minutes of the meeting held on February 11th. All were in favor, except Ms. Jahn who abstained.

#### PRESENTATION

Mr. Gadaleta announced that the Statewide Insurance Fund has presented awards to the Township of Neptune for outstanding claim reporting, investigation and cooperation. Former Business Administrator Philip Huhn, who was specifically recognized for his efforts during his tenure

with the Township, accepted an award and Stephanie Oppegaard, Administrative Assistant to the Business Administrator, who coordinates the claims process for the Township also accepted an award. Mr. Huhn thanked the Committee for his 14 years of service as Business Administrator.

#### REPORT OF THE CLERK

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

The 2012 Environmental/Shade Tree Commission annual report.

Monmouth County Board of Health January 15<sup>th</sup> meeting agenda.

Senior Center monthly statistics for January.

A note from Diana Griffith thanking the Public Works Department for their efforts during and after Hurricane Sandy.

Committeeman McMillan received a letter of thanks from West Side Christian Academy for his participation in the National African-American Read-In Chain.

An e-mail from Stella Young and her neighbor commending the Public Works Department for doing a fantastic job during the recent snowstorm.

#### COMMENTS FROM THE DAIS

Randy Bishop stated the Mayor's Youth Cabinet would be holding a spaghetti fundraiser on March 7<sup>th</sup>. He went on to state that he attended the West Neptune Homeowner's Association and the Gables Association. He stated he spoke at a class in Brookdale and discussed his experience as a Congressional Aide in Washington. He stated he also met with Senator Beck regarding the rebuilding of the boardwalk in Ocean Grove and he was pleased that it would be rebuilt. He stated politics did not belong on the Dais. He congratulated both Mr. McMillan and Dr. Brantley on their recent nominations to the Assembly and Senate.

Mary Beth Jahn congratulated both Mr. McMillan and Dr. Brantley on their recent nominations to Assembly and Senate. She went on to state that she attended the Ocean Grove Homeowner's Association meeting which was a forum on tax appeals. She stated there was a lot of good information for the residents to have. She also stated she attended the 10<sup>th</sup> annual Black History Celebration and felt it was really great and was well organized and she was proud to have the township host it.

Kevin McMillan stated he had the opportunity to attend the Black History celebration and had the pleasure of giving the closing comments on behalf of the Mayor. He stated a great time was had by all and they had the opportunity to see faces that they would not normally see until a year. He also had the opportunity to attend the League Legislative Committee Meeting which was in Trenton. He announced that on Friday, March 15<sup>th</sup> there would be a Women in Municipal Government Day held in a Princeton Hotel and on March 5<sup>th</sup> there would be an Economic Development Program for Local Officials. He stated he would pass the information on to Mr. Cuttrell.

Dr. Michael Brantley stated he attended a meeting that discussed how all the lakes in various towns could be restored. He stated by the time the meeting was over Wesley Lake was on the top of the list. He went on to state that Wesley Lake had a lot of silt in it and it's not that deep and the storm did not put all of the silt in there. He stated there was funding that could help them get rid of the silt especially if there was silt in the lake prior to Hurricane Sandy. He stated he was happy to find out that most of the people that they needed to contact had already been contacted by Mr. Bascom. On February 19<sup>th</sup> they had a Wesley Lake Commission meeting and right now they are doing fundraising and hopefully by March they will have something in place. He attended a MURC meeting and they are doing a fine job and they are getting a lot of work done. He stated he was happy to be nominated to run for Senate for the 11<sup>th</sup> district and he would work hard for everyone to make sure that all of their voices were heard.

Mayor Houghtaling stated he had the pleasure of having the Commissioner of the DEP here along with State and Federal Representatives to talk about the situation regarding the boardwalk. He stated it was a very informative meeting and somewhat promising. He stated the Commissioner stated they would try and do all that they could to help with the FEMA process. He stated they had discretionary money that could help out with the temporary

process to get things going in the summer time and to give sand where it's needed. He went on to state that they received assurance that if they did not get the funding that they needed the project could possibly start in September and the Camp meeting would still have to re-file with FEMA. He stated he attended the Gables Homeowner's meeting and they've been asking for years to have someone from Code Enforcement to attend a meeting and this year it finally happened and it made the residents happy and the Code Official did a nice job. He also stated that the Department of Banking and Insurance was in this very building to discuss with residents the problems they've been experiencing with their insurance and how they can deal with one another. They also had a program called Hope and Healing to help people deal with their problems because these were trying times. He had a meeting for the Mayor's Ball which will be held on May 31<sup>st</sup> and they would like to accept Mr. Fornino's challenge to exceed \$25,000. He met with the veterans groups, the MURC Trustees. He stated the Committee supported the efforts of MURC and wish to continue a relationship with them. He attended the annual black history ceremony and commended everyone on doing a wonderful job. He reminded everyone was the filing deadline for FEMA damage and SBA loans.

Mr. Bishop requested a motion from the Committee that the Township continue to waive permit fees relating to Super Storm Sandy through March 28<sup>th</sup> and that would be the final extension deadline. They would contact the property owners that the Township has deemed affected by the storm through the mail.

Mr. Bishop offered a motion, seconded by Mr. McMillan to extend the waiver of the construction permit fees for damage caused by Hurricane Sandy through March 28<sup>th</sup> along with an effort to notify the impacted residents of the extension. All were in favor.

#### PUBLIC COMMENTS ON RESOLUTIONS

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

Hank Coakley commented on Resolution #13-122 by questioning what was a consultant for a Community Rating System Program and who sat on it.

Mr. Gadaleta stated a Community Rating System Program is part of the national flood insurance program and municipalities who participate in it has the opportunity to develop flood and hazard mitigation in the community. He stated the Township does participate and they do look for insurance at a very low rate. However, everyone knows that they will see a major change and substantial increases in premiums and the committee has requested that we move forward by hiring a consultant to guide us in our participation and as we improve we will get a reduction in premiums.

Dorothy Argyros commented on Resolution #13-121 stated she was leery of planning for someone else's property and questioned whether eminent domain would be used.

Mayor Houghtaling stated there would be no eminent domain and informed her that there would be a meeting this Wednesday from 3-7pm at the County Connection on Route 66 in Neptune.

Mrs. Argyros commented on Resolution #13-128 & Resolution #13-129 and stated other municipalities are trying to cut prices to save the taxpayers money by laying off police officers but we continue to hire them. She stated she found it puzzling that Mr. Furman was mentioned in both resolutions. She questioned what has he done to deserve all this and are these compatible with each other, or are they paying him off or something.

Mayor Houghtaling stated these were part-time positions for special officers and they work at the discretion of the Chief and they receive no benefits.

Mrs. Argyros commented on Resolution #13-128 by questioning whether they hired people before they investigated their background because the resolution states that they are hiring four people contingent upon a successful physical and background check.

Mr. Cuttrell stated the resolution only starts the process and now they can schedule the physical and have the background done.

Mrs. Argyros stated if they failed then they would not be hired.

Mr. Cuttrell stated that was correct.

Mrs. Argyros commented on Resolution #13-131 which awarded the bid for Hazardous

Materials Simulation Aids. She stated she did not understand it and questioned what it was about.

Mr. Bascom stated that they discussed this at several meetings and this was the equipment that they acquired under one of the grants that she questioned for hazardous materials and individuals would practice with this for real life situations.

Mrs. Argyros went on to question Resolution #13-135 by asking what was the UDAG Reciprocal Trust and why were they paying money out of this account.

Mr. Bascom stated it was a loan that they provided to one of the Town's businesses.

Mike Fornino stated he was pleased that the Township was taking up the challenge of raising money for Mary's Place as his wife was a breast cancer survivor. He also commented on Resolution #13-121 and questioned what area would this cover.

Mr. Cuttrell stated it included both Asbury Park and Bradley Beach.

Mr. Fornino also commented on Resolution #13-132 by questioning where would the metric boards go and what were they for.

Mr. Bascom stated they were portable message boards that would be moved throughout the Township.

Mr. Fornino questioned whether the vehicle mentioned in Resolution #13-134 was replacing an existing car.

Mr. Bascom stated it was replacing a vehicle that was involved in a crash and was totaled.

Mr. Fornino also questioned whether the Township received a certified financial statement from the applicant for the UDAG loan that was mentioned in Resolution #13-137.

Mr. Bascom stated it was a requirement.

Sam Reale the attorney for Longwood Hospitality t/a the Hampton Inn introduced himself to the Township Committee and commended the Police Department and Mr. Cuttrell's office for assisting him in the process of obtaining a liquor license. He also introduced a managing member Mr. Silver.

#### CONSENT AGENDA

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

#### AUTHORIZE THE ISSUANCE OF A PLENARY RETAIL CONSUMPTION LIQUOR LICENSE (HOTEL/MOTEL EXCEPTION) TO LONGWOOD HOSPITALITY, LLC T/A HAMPTON INN & SUITES, 4 MCNAMARA WAY

WHEREAS, Longwood Hospitality, LLC has filed an application for a Plenary Retail Consumption License under the provisions of N.J.S.A. 33:1-12.20 which permits a municipality to issue a new license outside of the population cap for a hotel or motel containing at least one hundred (100) guest sleeping rooms; and,

WHEREAS, Longwood Hospitality, LLC proposes to operate this facility as a Hampton Inn & Suites, 4 McNamara Way, which has at least one hundred (100) guest sleeping rooms; and,

WHEREAS, the application has been made with the Township Clerk and the appropriate filing fees have been paid to the Township and the New Jersey Division of Alcoholic Beverage Control; and,

WHEREAS, all procedures for a liquor license 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 issuance of a plenary retail consumption liquor license under the Hotel/Motel provisions of Title 33 to Longwood Hospitality, LLC t/a Hampton Inn & Suites located at 4 McNamara Way, Neptune, NJ; 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.

ACCEPT DONATION OF A 2004 FORD EXPLORER FROM NEPTUNE TOWNSHIP FIRE DISTRICT #1

WHEREAS, Neptune Township Fire District #1 has declared that a 2004 Ford Explorer owned by the District is no longer needed by the District and is therefore surplus equipment; and,

WHEREAS, the Township of Neptune Public Works Department is in need of such a vehicle; and,

WHEREAS, the Township's Fleet Maintenance Contractor has inspected said vehicle and found that it is in good condition; and,

WHEREAS, the Fire District has offered the vehicle to the Township of Neptune at no cost,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby accepts a donation of a 2004 Ford Explorer bearing vehicle identification number 1FMZU72K44UA88449 from Neptune Township Fire District #1 at no cost to the Township for use by the Neptune Township Public Works Department; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Business Administrator, Assistant C.F.O, Public Works Director and Neptune Township Fire District #1.

AUTHORIZE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH TOGETHER NORTH JERSEY TO PARTICIPATE IN THE CONSORTIUM TO DISCUSS PLANNING CONCEPTS FOR THE MEMORIAL DRIVE CORRIDOR

WHEREAS, the U.S Department of Housing and Urban Development (HUD) created the Sustainable Communities Regional Planning Grant Program in an effort to support metropolitan and multi-jurisdictional planning efforts that integrate various land use concepts, economic and workforce development and infrastructure plans to empower jurisdictions to consider the interdependent challenges of economic growth, access to opportunity, public health, and environmental impact simultaneously; and,

WHEREAS, various agencies with the State of New Jersey in the areas of planning, transportation and community development collaborated on a grant application to create Together North Jersey; and,

WHEREAS, in November, 2011, HUD announced that the grant application submitted by Together North Jersey had been selected for an award in the amount of \$5 million; and,

WHEREAS, this award includes for a planning initiative, Connecting Community Corridors, to scope future improvements for the revitalization of the Memorial Drive corridor in Neptune Township, Asbury Park and Bradley Beach; and,

WHEREAS, Neptune Township is a participant in Connecting Community Corridors through the Together North Jersey consortium for this initiative; and,

WHEREAS, as part of the application process, the Together North Jersey partners agreed to enter into a formal Memorandum of Understanding to participate in a consortium for this purpose,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby accepts authorizes the execution of a Memorandum of Understanding to participate in the Together North Jersey/Connecting Community Corridors consortium to discuss concepts for improvements to the Memorial Drive corridor consistent with the purpose and parameters of the HUD grant received by Together North Jersey; and,

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

APPOINT CONSULTANT FOR COMMUNITY RATING SYSTEM PROGRAM

WHEREAS, the Township of Neptune desires to appoint a Consultant for the Community Rating System to provide consulting services to maximize the Township's CRS rating and reduce

residential and commercial National Flood Insurance Program premium rates through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Township accepted Requests for Proposals for said position on February 21, 2013 and desires to make an appointment from the proposals received; and,

WHEREAS, funds will be provided in the Special Emergency Appropriation – General Fund and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a contract to engage the services of Agnoli Engineering to serve as Township Consultant for the Community Rating System Program at the terms as indicated in said contract on file in the Office of the Municipal Clerk; and,

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

AUTHORIZE TEMPORARY NO PARKING IN CONNECTION WITH THE ANNUAL CRAFT SHOW

WHEREAS, the annual Craft Show is planned for the Pathway in Ocean Grove on Saturday, June 15, 2013; and,

WHEREAS, for the safety of the participants and to permit an area to unload goods, a temporary no parking zone is necessary,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the establishment of temporary no parking zones on Saturday, June 15, 2013, between the hours of 5:00 A.M. and 6:00 P.M. at the following locations:

- 1) the north side of eastbound Ocean Pathway and the south side of westbound Ocean Pathway from Central Avenue to Ocean Avenue
- 2) both sides of Beach Avenue between eastbound Ocean Pathway and westbound Ocean Pathway
- 3) the west side of Ocean Avenue between eastbound Ocean Pathway and westbound Ocean Pathway
- 4) the east side of Central Avenue between eastbound Ocean Pathway and westbound Ocean Pathway

BE IT FURTHER RESOLVED, that Beach Avenue between eastbound Ocean Pathway and westbound Ocean Pathway shall be closed to vehicular traffic on Saturday, June 15, 2013, between the hours of 5:00 A.M. and 6:00 P.M.; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Director of Public Works, Ocean Grove Fire Official and Business Administrator.

AUTHORIZE THE EXECUTION OF A LEASE AGREEMENT WITH THE OCEAN GROVE CHAMBER OF COMMERCE TO OPERATE A TOURISM BUREAU IN A PORTION OF 45 PILGRIM PATHWAY

WHEREAS, the Township of Neptune operates a Tourism Bureau during the summer months at 45 Pilgrim Pathway through a lease agreement with the Ocean Grove Chamber of Commerce; and,

WHEREAS, the Township of Neptune desires to renew said lease for a portion of 45 Pilgrim Pathway for the 2013 summer season; and,

WHEREAS, the Township agrees to pay the Chamber of Commerce a total of \$1,320.00 for use of the office space from May 15, 2013 to October 15, 2013 (\$264.00 per month); and,

WHEREAS, funds will be provided for the first three months of 2013 in the 2013 Temporary Budget in the appropriation entitled \_\_\_\_\_, known as Account No. \_\_\_\_\_ and funds for the balance of 2013 will be provided in the Budget for the year 2013, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Lease Agreement, a copy of which is on file in the Office of the Municipal Clerk, with the Ocean Grove Chamber of Commerce for use of a portion of

45 Pilgrim Pathway as a Tourism Bureau from May 15, 2013 to October 15, 2013 at a total cost of \$1,320.00 (\$264.00 per month); and,

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

APPOINT MEMBER TO THE NEPTUNE TOWNSHIP HOUSING AUTHORITY

BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby appoints Winifred Johnson to the Neptune Township Housing Authority for an unexpired five year term expiring March 31, 2015; and,

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

APPOINT MEMBER TO THE BOARD OF ADJUSTMENT

BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby appoints William Frantz to the Board of Adjustment for an unexpired four year term expiring December 31, 2014; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Board of Adjustment Administrative Officer.

AUTHORIZE EXECUTION OF A TREATMENT WORKS APPLICATION FOR A SANITARY SEWER FORCE MAIN AND EXTENSIONS TO SERVICE THE SIGNATURE PLACE AT NEPTUNE DEVELOPMENT ON JUMPING BROOK ROAD

WHEREAS, Chase Partners, LLC has submitted a Treatment Works Application to construct approximately 712 linear feet of force main and 1420 linear feet of sewer line extensions to connect to an existing sewer main on Jumping Brook Road to service the Signature Place at Neptune development on Jumping Brook Road; and,

WHEREAS, the Township Engineer has reviewed said application and has certified that available capacity exists,

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 force main and sanitary sewer extensions to service the Signature Place at Neptune development on Jumping Brook Road; and,

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

APPOINT SPECIAL LAW ENFORCEMENT OFFICERS IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

WHEREAS, there is a need for four Special Law Enforcement Officers – Class II in the Police Department on a part-time hourly basis; and,

WHEREAS, the positions were duly posted and applicants have been interviewed; and,

WHEREAS, the Chief of Police has made his recommendations; and,

WHEREAS, funds will be provided for the first three months of 2013 in the 2013 Temporary Budget and funds for the balance of 2013 will be provided in the Budget for the year 2013, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Evan Pollara, Robert Martiz, William Poling and Darrell Furman be and are hereby appointed as part-time Special Law Enforcement Officers - Class II, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, effective immediately, at an hourly rate as established by prior resolution of the Township Committee; and,

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



Police, Business Administrator, Chief Financial Officer, Assistant C.F.O., and Mandy To.

RECLASSIFY TWO SPECIAL LAW ENFORCEMENT OFFICERS TO THE POSITION OF SUPERVISING SPECIAL LAW ENFORCEMENT OFFICER

WHEREAS, the Township Committee has adopted Ordinance No. 13-04 which creates the part-time position of Supervising Special Law Enforcement Officer; and,

WHEREAS, the Chief of Police has made his recommendation to reclassify two existing Special Law Enforcement Officers – Class II to this position; and,

WHEREAS, funds will be provided for the first three months of 2013 in the 2013 Temporary Budget and funds for the balance of 2013 will be provided in the Budget for the year 2013, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that John Mattia and Darrell Furman be and are hereby reclassified and appointed to the position of part-time Supervising Special Law Enforcement Officers, and to perform such other duties as prescribed by the Chief of Police, effective immediately, at an hourly rate of \$20.00; and,

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

AUTHORIZE THE EXECUTION OF A SEWER MAINTENANCE AGREEMENT BETWEEN NEPTUNE TOWNSHIP AND 66 NEPTUNE REALTY, LLC

WHEREAS, 66 Neptune Realty, LLC, is the developer/owner of real property known as 3655 State Highway 66, Block 1508, Lot 1 in the Township of Neptune, County of Monmouth and State of New Jersey, and received a site plan approval from the Township of Neptune Planning Board on January 3, 2013 to develop the property with a free-standing restaurant use; and,

WHEREAS, the developer/owner has applied for a TWA Permit from the NJDEP to install a sanitary sewer force main along State Highway 66; and,

WHEREAS, the NJDEP requires that the Township own the sanitary sewer force main, and the developer/owner of the subject property assume full responsibility for the installation, maintenance and repair of the sanitary sewer force main pursuant to a Sewer Maintenance Agreement,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the Governing Body hereby authorizes the execution of the attached Sewer Maintenance Agreement as Exhibit “A” between Neptune Township and 66 Neptune Realty, LLC, to require that the developer/property owner install, maintain and repair a sewer main to be constructed on the State right-of-way on State Highway 66, and owned by Neptune Township, who will file the necessary TWA Permit for the installation of the aforesaid main; and,

BE IT FURTHER RESOLVED, that the Township Committee hereby authorizes the Mayor and Clerk to execute the Sewer Maintenance Agreement attached hereto as Exhibit “A,” and authorizes the Township Attorney to pursue all terms of the Agreement.

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

AWARD BID FOR HAZARDOUS MATERIALS SIMULATION AIDS

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

WHEREAS, on February 14, 2013, the Purchasing Agent received bids for the award of a contract to supply Hazardous Materials Simulation Aids for the Office of Emergency Management; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that the bid be awarded to the lowest bid submitted by BullEx, Inc.; and,

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

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

WHEREAS, funds for this purpose will be provided through an EMPG Grant and Ordinance No. 12-16 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a contract be awarded to BullEx, Inc. on their lowest responsible bid of \$53,345.00 to supply Hazardous Materials Simulation Aids for the Office of Emergency Management; and,

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

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

AUTHORIZE PURCHASE OF TWO FULL MATRIX MESSAGE BOARDS

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

WHEREAS, the Purchasing Agent solicited quotes for the purchase of two full matrix message boards; and,

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

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

WHEREAS, funds for this purpose will be provided in Ordinance No. 11-33 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of two (2) Solartech full matrix message boards be and is hereby authorized through Trico Equipment pursuant to their quote of \$15,690.00 for each message boards (total of \$31,580.00); and,

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

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

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH THE REPLACEMENT OF PLAYGROUND EQUIPMENT, SAFETY SURFACE AND FENCING IN SHARK RIVER MEMORIAL PARK

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

WHEREAS, on January 14, 2013, the Township Committee adopted Resolution #13-70 which authorized the replacement of playground equipment, safety surface and fencing destroyed by Hurricane Sandy at Shark River Memorial Park through authorized vendors under the State of New Jersey Cooperative Purchasing Program; and,

WHEREAS, changes to the contract have been experienced as a result of adding arch swings, benches and play surface material and installation; and,

WHEREAS, this change has been approved by the Township Engineer; and,

WHEREAS, funds for this purpose are available in the Special Emergency Appropriation and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby approves and authorizes Change Order #1 in the State Cooperative Purchasing Contract with Burke Construction (Contract A81430) and Whirl Construction Inc. (Contract A81412)

in connection with the replacement of playground equipment, safety surface and fencing destroyed by Hurricane Sandy at Shark River Memorial Park as follows:

	Original Amount	Change Order	Revised Amount
Burke Construction	\$22,400.00	\$ 9,383.84	\$31,783.84
Whirl Construction	\$60,291.00	\$ 4,434.60	\$64,725.60
TOTAL	\$82,691.00	\$13,818.44	\$96,509.44

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

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

AUTHORIZE THE PURCHASE OF A POLICE SEDAN UNDER THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM

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

WHEREAS, the Neptune Township Police Department wishes to purchase a 2013 Chevrolet Caprice police sedan through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

WHEREAS, Day Chevrolet has been awarded New Jersey State Contract No. A82926 for this equipment; and,

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

WHEREAS, the amount of the police sedan shall not exceed \$30,00.00; and,

WHEREAS, funds for this purpose are available from an insurance refund in Account No. \_\_\_\_\_, and Ordinance No. 11-33 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of a (one) 2013 Chevrolet Caprice police sedan through the New Jersey Cooperative Purchasing Program for the Neptune Township Police Department be and is hereby authorized at an amount not to exceed \$30,000.00; and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

Mr. McMillan 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	6,607,392.52
FEDERAL & STATE GRANT FUND	10,776.06
TRUST OTHER	28,097.55
GENERAL CAPITAL FUND	157,894.02

SEWER OPERATING FUND	26,138.02
SEWER CAPITAL FUND	60,735.50
MARINA OPERATING FUND	600.63
MARINA CAPITAL FUND	533.62
DOG TRUST	7,477.00
UDAG RECIPROCAL TRUST	100,000.00
LIBRARY TRUST	572.55
 BILL LIST TOTAL	 \$7,000,217.47

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; Brantley, aye; Jahn, aye, adding that \$2.5 million represents county tax, \$2.9 million is school tax, \$188,000 is Neptune fire taxes and \$52,000 is Ocean Grove fire taxes; McMillan, aye; and Houghtaling, aye.

AUTHORIZE DEED OF TRANSFER TO THE TRUST OF FREDERICK HEIGHT OF 314 ROBBINS ROAD, NEPTUNE, NEW JERSEY, A/K/A BLOCK 504, LOT 1116 ON THE TAX MAP OF THE TOWNSHIP OF NEPTUNE

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

WHEREAS, the Township of Neptune received a Final Judgment in Tax Sale Foreclosure on Block 504, Lot 1116 on the Tax Map of the Township of Neptune in the Superior Court of New Jersey Chancery Division, Monmouth County, under Docket No. F-583-58, recorded March 17, 1959 in Book 2903, Pg. 87 in the Clerk's Office of Monmouth County, based on the Final Judgment of the Superior Court of New Jersey, Chancery Division, Monmouth County; and

WHEREAS, the Township Committee of Neptune Township confirmed the sale and authorized the execution and delivery of a Deed in 1959, but failed to submit the appropriate Deed, or the same was not recorded, and therefore, needs to pass a new Resolution this date reauthorizing the execution and delivery of the Deed for a consideration of One Dollar (\$1.00); and

WHEREAS, the present owner, the Trust of Frederick Height, and the prior owner, Frederick Height, are shown as the taxpayer on the subject property with the Tax Assessor's Office.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the Governing Body hereby authorizes the Township Attorney to prepare a Quit Claim Deed transferring property, all claims and title that the Township may have at the property located at Block 504, Lot 1116 on the Tax Map of the Township of Neptune, a/k/a 314 Robbins Road, Neptune Township, New Jersey, to the Trust of Frederick Height, and authorizes the Township Attorney to prepare said Deed of Transfer in consideration of One Dollar (\$1.00).

BE IT FURTHER RESOLVED, that the Township Committee hereby authorizes the Mayor and Clerk to execute the aforesaid Deed of Transfer, and submit the same to the attorney for the Trust of Frederick Height for recording in the Clerk's Office of Monmouth County at the sole cost and expense of the Trust of Frederick Height.

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

AWARD FAÇADE IMPROVEMENT LOAN/GRANT TO F&C AUTO SUPPLY

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

WHEREAS, the Township Committee created a Façade Improvement Loan/Grant Program by adoption of Ordinance 00-3; and,

WHEREAS, on February 13, 2013, the Façade Review Committee approved an application filed by F&C Auto Supply for two separate businesses located at 57 Route 35 for a \$10,000 grant and \$10,000 loan (\$5,000 grant/\$5,000 loan for each storefront); and,

WHEREAS, the Township Committee desires to authorize the award of said loan/grant as approved by the Façade Review Committee; and,

WHEREAS, funds will be provided from the U.D.A.G. Reciprocal Loan Account 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 an award of \$10,000/grant and \$10,000/loan (\$5,000 grant/\$5,000 loan for each of the two storefronts) be and is hereby approved under the Façade Improvement Loan/Grant Program for the business known as F&C Auto Supply, located at 57 Route 35, pursuant to the application approved by the Façade Review Committee on February 13, 2013; and,

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

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

#### PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Dorothy Argyros, 2100 Rutherford, stated that a police officer beat up a crippled gentleman and she wants to know how much that cost the taxpayers. In another incident, one of the officers involved, Officer Alston, struck a person's car from the rear and claimed the person changed lanes and stopped suddenly. The Driver indicated that they were stopped at a red light. Ms. Argyros distributed a report from the ACLU regarding Police Internal Affairs.

Bill Burdge, 114 Durand Road, asked if the State Police were delaying the bulkheading project because they have not signed off on the project. Mr. Bascom responded that this is true for the South Concourse bulkhead project, but the Township is working on resolving the issue. Mr. Bascom added that the Shark River Hills bulkhead project also was not approved, but that is being resubmitted under the FEMA mitigation program.

Hank Coakley, Valley Road, thanked the Committee for the information session at the American Legion and stated that the fundraiser at Kelly's was a great success.

Charles Layton, 96 Mt. Hermon Way, stated that parking garages are not eligible for FEMA funding which could be a problem with the North End Redevelopment project.

Warren Lapp, 350 Brighton Avenue, stated that the Shark River Hill Property Owners Association had a couple fundraising events. At the events, a petition was circulated urging the dredging of the river and over 200 signatures were obtained. He added that residents are helping each other through the recovery process and a total of \$6,800 was raised in three hours at Kelly's. The Association will continue to do fund raisers and sell sweatshirts and t-shirts moving forward.

Steve Frencher, 202 Lakewood Road, thanked the Committee for their help and for moving the deadline forward the construction permit fee waiver. He also thanked the Committee for tearing down the house on North Riverside Drive and noted that there are other vacant rundown homes on Valley Road.

Michael Fornino, Fulham Place, asked if there were any ordinances about reducing the amount of geese in Gables Park. Mr. Bishop stated that the Township will look into the costs to remove them.

Heinz Weck, Ocean Grove, thanked the Committee for filling the potholes on Central Avenue and noted that this is the first time that four Committee members will be running for elected office at the same time.

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

Richard J. Cuttrell,  
Municipal Clerk