

## TOWNSHIP COMMITTEE MEETING – FEBRUARY 11, 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, Kevin B. McMillan and Mayor Eric J. Houghtaling. Absent: Mary Beth Jahn. (Dr. Michael Brantely arrived during the open workshop session).

Also present at the dais were Richard J. Cuttrel, Municipal Clerk; Vito D. Gadaleta, Township Administrator; and Michael J. Bascom, Chief Financial Officer. (Gene Anthony, Township Attorney, arrived at the end of the open workshop session)

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:

Maureen Gillespie, JSUMC Public Relations Manager and Stacy Donovan, "Paint the Town Pink" Coordinator. Ms. Donovan stated that JSUMC coordinates an annual "Paint the Town Pink" in May to promote an annual mammography awareness/wellness campaign. Dr. Brantley arrived. The event has evolved into a fund raiser ("Pink Fund") to provide mammographies for women without insurance. There are now 17 towns involved in Monmouth and Ocean Counties. The program involves various contests in the community and encourages the color pink on businesses, cars, houses, etc. The Committee indicated that the Township is willing to participate fully in the program.

Mr. Gadaleta stated that the Township is a member of the federal flood insurance program also known as the Community Rating System (CRS). As a municipality participates in the CRS, the flood insurance premiums for residents are affected. Currently, the Township is at a Level 10 and the goal is to attain Level 6 or 7 status. This would result in a 20% reduction in flood insurance rates. Achieving that level is a matter of codifying things that the Township is already doing such as routine storm drain maintenance, flood mitigation and maintenance of Township properties. Mr. Gadaleta added that a RFQ has been prepared and advertised for a Consultant to give Township staff guidance with the program. The Consultant would direct the Township into programs and initiatives to achieve a lower level and; therefore, a greater reduction in flood insurance premiums. The Township plans on being ready to submit an application in October get to the Level 6 or 7 status.

The Committee discussed joint participation with the Board of Education on community newsletters. The Committee agreed to participate in three newsletters in March, early summer and Fall.

The Mayor stated that he received a letter regarding grants for preservation of historic structures. He believes that the Welsh Farms site may be eligible. Mr. Bascom stated that he would review the requirements and assign it to one of the Township's grant writers.

The Mayor received paperwork regarding a \$25,000 grant for businesses damaged by Sandy. Mr. Bascom stated that this information is on the Township web site, but the terms of the Township' existing UDAG Program are better in both interest rates and length of loan.

The Committee reviewed their calendar for upcoming events and designated a Committee person for each upcoming homeowners association meetings. Mr. Bascom also scheduled departmental budget hearings so that each Committee member could attend with their respective departments.

Mr. Bascom stated that a request for \$1.8 million has been submitted to FEMA for reimbursement for debris removal. The Township already received \$1.8 million and this additional request would cover 90% of the total cost associated with debris removal. The protective measures worksheets and public building worksheets are complete and Witt Associates has reviewed this paperwork and will facilitate submittal to FEMA. There is a resolution on the regular agenda to hire an Architect for the Marina Building. Work continues on the removal of sand and sediment from the storm water system and the last of the sand is being removed from Ocean Grove streets. Representatives from the township met regarding the availability of CDBG funds for revolving loans for business enhancements/improvements and the Ocean Grove boardwalk. Meetings continue with the DEP regarding dredging. The Recovery Action Committee (RAC) met and will issue a recommendation on base flood elevations. There is a meeting scheduled to provide information to

owners of substantially damaged homes. Mr. Bishop added that a damage assessment group will be coming to the Township to volunteer their expertise.

Mr. Anthony arrived.

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:

Potential Litigation – Hours of operation for retail establishments located within proximity to parks/playgrounds  
Litigation – PBA Local #74 litigation vs. Township

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; McMillan, aye; and Houghtaling, aye.

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

Mr. Gadaleta stated that the Snow Management Program was in operation for the first time on February 8<sup>th</sup> and was a great success in keeping track of plowing operations.

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, Kevin B. McMillan, and Mayor Eric J. Houghtaling. Absent: Mary Beth Jahn

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 Dr. Brantley, to approve the minutes of the

meetings held on January 1<sup>st</sup>, January 14<sup>th</sup> and January 28<sup>th</sup>. All were in favor.

### REPORT OF THE CLERK

The Clerk stated that the following reports and communications are on file in his office: Monmouth County Board of Health agenda for the January 15<sup>th</sup> meeting.

A letter from the Ocean Grove Home Owners Association thanking Mayor Houghtaling for speaking at the Association's January meeting.

A letter from Ursula Torres thanking the Police and Fire Departments for their assistance when a water pipe burst in her home.

### COMMENTS FROM THE DAIS

Randy Bishop stated he attended the third session of the connecting corridor for the Memorial Drive project. They discussed some of the things that were on there and the hot spots. He also met with the Winding Ridge Tenant Association regarding ongoing concerns about their complex. He stated there would be a Spaghetti Dinner on Gully Road. He attended Pancake Day which was held at IHOP by IHOP for the Children's Miracle Network. He commended DPW and the entire staff for the work they did during the snow storm. He went on to state that they would be moving forward and would try and contact all of the homeowners who received damage during super Sandy's storm. He wished his partner Dan Margo a Happy Birthday.

Kevin McMillan also wished Dan a Happy Birthday. He stated he attended the Westside Academy Black History Program that was held at Monmouth University and it gave him the opportunity to read to Middle School students. He also attended the Neptune girl's basketball game vs Trenton Catholic and he was happy Neptune won the game. He commended Administration for their work during the storm. He appreciated the timely updates and the work done around town.

Dr. Michael Brantley stated the events he had scheduled were cancelled due to the snow storm. He stated he received nothing but compliments from his friends and neighbors regarding DPW because they were fast and thorough with the removal of the snow.

Mayor Houghtaling stated everyone has been going to meetings and it's a very bureaucratic system right now and Neptune is a Town that needs help. He stated FEMA denied funding to the Camp Meeting Association to rebuild the boardwalk. So right now they must regroup and resubmit the application to help them with funding and if it doesn't happen they must then go to plan c or d. He assured the residents that the Township would stay on top of this until the boardwalk is rebuilt. He stated that they had a meeting with members of the Governor's office right here in this building and today he was in Trenton meeting with the Governor's representatives as well where they had the same conversations and same problems as other towns. He felt our situation was a little different because we have the Camp Meeting Association but every town is reaching out to FEMA but we have to stay vigilant in what we are doing. He stated they would continue to try and get everything the Township is entitled to. He announced that May 31<sup>st</sup> was the Mayor's Ball and the proceeds would go to Mary's Place By the Sea which is a place for women with cancer. He went on to state that we've had our second snow storm for the budgeted year. We plowed the snow and a wonderful job was done. He stated there was a house fire in Shark River Hills in which Pat Brema passed away. He expressed his condolences to the Brema Family. He also stated that there was another house fire in which the entire home burnt down. He stated the family was displaced and the Red Cross assisted and the Township gave out Walmart cards to the family because they had small children.

### PUBLIC COMMENTS ON RESOLUTIONS

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

Michael Fornino, 120 Fulham Place, stated that the Township did a good job with snow removal. He asked if a financial statement was required from businesses applying for a UDAG loan. When he served on the UDAG Review Committee, he turned down an applicant because the financial statement had incorrect information. Mr. Fornino stated that he hopes the Township is diligent in granting this money.

Dorothy Argyros, 2100 Rutherford Avenue, asked that when federal funds are involved in a project such as a UDAG loan, the business is supposed to hire local people. She asked the

Township to be sensitive to the need for jobs and the need to hire locals and minorities. In regards to the animal control services contract, she asked if this contract will cover a problem with an animal on private property free of charge. Mr. Gadaleta stated if the unwanted animal is on private property, the owner is charged a fee by Associated Humane to remove the animal.

Heinz Weck, Ocean Grove, spoke on the resolution to approve a UDAG loan to the Headliner. He stated that the Township should assist the Headliner in any way possible.

Hank Coakley, Valley Road, asked for the requirements to be appointed a member of the Harbor Commission. The Mayor responded that a basic knowledge of marina operations is required.

#### ORDINANCE NO. 13-02 - ADOPTED

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

##### ORDINANCE NO. 13-02

AN ORDINANCE AUTHORIZING THE GRANTING OF AN EASEMENT AND RIGHT-OF-WAY IN THE FRONT OF BLOCK 473, LOT 23

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

#### ORDINANCE NO. 13-03 - ADOPTED

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

##### ORDINANCE NO. 13-03

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A HANDICAPPED PARKING ZONE ON ABBOTT AVENUE AND DELETING A HANDICAPPED PARKING ZONE ON EMBURY AVENUE

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

#### ORDINANCE NO. 13-04 - ADOPTED

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

##### ORDINANCE NO. 13-04

AN ORDINANCE TO AMEND SALARY RANGE ORDINANCE NO. 11-48 BY CREATING PART-TIME HOURLY JOB TITLES AND SALARY RANGES FOR THE POSITIONS OF SUPERVISING SPECIAL LAW ENFORCEMENT OFFICER, CARPENTER AND ASSISTANT ENGINEER

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

Dorothy Argyros, asked for an explanation for each job title being created. The Mayor stated that the Supervising Special Law Enforcement Officer supervises and schedules all of the Special Officers, the Carpenter is on-call and will be used for various projects, and the Assistant Engineer will be helping the Engineering Department with all of the on-going projects as a result of the

storm.

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

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

#### CONSENT AGENDA

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

#### AUTHORIZE DONATION OF INFIELD GROOMER TO THE NEPTUNE LITTLE LEAGUE

WHEREAS, the Township is in possession of Toro Sandpro Infield Groomer that is hereby designated as surplus equipment due to the acquisition of a new Infield Groomer; and,

WHEREAS, the Neptune Township Little League has indicated a desire to acquire said Toro Sandpro Infield Groomer for use on the baseball fields at the Township owned Jumping Brook Ballfields; and,

WHEREAS, a vendor with knowledge of the value of this equipment has determined a current value of \$500.00 for this piece of equipment; and,

WHEREAS, the Neptune Township Little League will provide a governmental service by using the equipment on Township owned property for a Township purpose,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby declares a Toro Sandpro Infield Groomer as surplus equipment; and,

BE IT FURTHER RESOLVED, that the Township Committee authorizes the donation of said equipment to the Neptune Township Little League; and,

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

#### AWARD CONTRACT FOR ANIMAL CONTROL SERVICES

WHEREAS, the Business Administrator has negotiated with the organization supplying this service as required by NJSA 40:48-5.1; and,

WHEREAS, the current provider has proposed a rate of \$3.16 per capita which reflects no change over the rate charged in 2012; and,

WHEREAS, funds for this purpose will be provided in the 2013 Municipal Budget, when adopted, in the appropriation entitled Dog Account 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 the Mayor and Clerk be and are hereby authorized to execute an agreement with Associated Humane Societies for Animal Control for the year 2013 at a cost of \$7,477.00 per month based on a charge of \$3.16 per capita; and,

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

#### AMEND THE SALARY OF MELISSA ZUCCONI

WHEREAS, the Township Committee continues to encourage its employees to attend classes and seminars and obtain certifications in their respective field of study; and,

WHEREAS, the Township Committee awards an additional \$1,000 in annual compensation to any employee obtaining a certification in an area related to their specific job classification up to a maximum of two certifications; and,

WHEREAS, Melissa Zucconi, Assistant Purchasing Agent, has earned the designation of

Registered Public Purchasing Specialist; and,

WHEREAS, funds for this purpose 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 Melissa Zucconi shall receive an additional \$1,000.00 in annual salary effective immediately for receiving the Registered Public Purchasing Specialist designation; and,

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

APPOINT ARCHITECT FOR MUNICIPAL MARINA BUILDING

WHEREAS, the Township of Neptune desires to appoint a Municipal Marina Architect to provide architectural services for the reconstruction of the Municipal Marina Building destroyed by Hurricane Sandy 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 January 31, 2013 and desires to make an appointment from the proposals received; and,

WHEREAS, funds will be provided in the Special Emergency Appropriation in the Marina Utility 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 H2M Architects & Engineers to serve as Municipal Marina Architect for the purposes of the reconstruction of the Municipal Marina Building 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 Harbor Master, Business Administrator, Chief Financial Officer, and Assistant C.F.O.

AUTHORIZE THE REFUND OF AN OVERPAYMENT OF SUMMER LAND STORAGE AT THE MUNICIPAL MARINA

WHEREAS, Ms. Wyzkowski submitted payment in the amount of \$300.00 for summer land storage at the Municipal Marina; and,

WHEREAS, the Marina is not able to provide the service for the first quarter of 2013 but does intend to provide it on or about April 1, 2013 for the summer season rate of \$250.00; and,

WHEREAS, the Harbor Master wishes to refund the overpayment of \$50.00,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Harbor Master be and hereby is authorized to refund an overpayment of \$50.00 for a 2013 Summer Land Storage fee as stated herein; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Harbor Master, Chief Financial Officer Assistant CFO and Auditor.

AUTHORIZE EXECUTION OF A TREATMENT WORKS APPLICATION FOR A SANITARY SEWER FORCE MAIN TO SERVICE THE BRICK HOUSE TAVERN AT 3655 ROUTE 66

WHEREAS, Brick House Tavern has submitted a Treatment Works Application to construct approximately 1170 linear feet of force main and a pump station to connect to an existing sewer main on Route 66 to service a restaurant at 3655 Route 66; 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 pump station to service the Brick House Tavern at 3655 Route 66; and,

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

AUTHORIZE EXECUTION OF NEW JERSEY DEPARTMENT OF TRANSPORTATION UTILITY OPENING PERMIT APPLICATION IN CONNECTION WITH THE BRICK HOUSE TAVERN SANITARY SEWER CONNECTION

WHEREAS, the Developer of the Brick House Tavern at 3655 Route 66 requires a New Jersey Department of Transportation Utility Opening Permit to install a sanitary sewer connection under State Highway 66 in front of 3655 Route 66; and,

WHEREAS, State Highway Road Opening Permits are executed by the municipality; and,

WHEREAS, the Developer will be responsible for all fees in connection with obtaining said permit,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Municipal Clerk is hereby authorized to execute a New Jersey Department of Transportation Utility Opening Permit Application to allow for the installation of a sanitary sewer connection under State Highway 66 to service the Brick House Tavern; and.

BE IT FURTHER RESOLVED, that a certified copy of this resolution along with the executed application be forwarded to the Developer.

AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH JSAS HEALTH CARE, INC. FOR ADULT SUBSTANCE ABUSE SERVICES TO TOWNSHIP RESIDENTS

WHEREAS, JSAS Health Care, Inc. is a non-profit corporation, licensed and approved by the New Jersey Department of Health to provide ambulatory care services to substance abusers of all ages, on-site at its principal offices at 685 Neptune Blvd., Suite 101, Neptune, New Jersey or off-site in an approved and confidential setting, and,

WHEREAS, the Township desires to make available to its residents, a full range of substance abuse services, at no "out of pocket" cost to any individual resident and the Township will make available up to fourteen thousand dollars (\$14,000) in 2013 budgeted funds to pay for these services; and,

WHEREAS, JSAS Health Care, Inc. agrees to continue providing its services if the amount of the Township appropriation is exhausted; and,

WHEREAS, funds for this purpose 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 the Mayor and Clerk be and are hereby authorized to execute an agreement with JSAS Health Care, Inc., to provide substance abuse services to Township residents for the year of 2013 at an amount not to exceed \$14,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution and the agreement be forwarded to the Drug Alliance Coordinator, JSAS Health Care, Chief Financial Officer, Assistant C.F.O. and Business Administrator.

EXTEND DEADLINE FOR PAYMENT OF SUMMER DOCKAGE FEES AT THE MUNICIPAL MARINA

WHEREAS, summer dockage fees at the Municipal Marina are due in full no later than March 15, 2013, and,

WHEREAS, due to extenuating circumstances as a result of Hurricane Sandy, the Harbor Master recommends extending this deadline to April 15, 2013; and,

WHEREAS, the Harbor Commission approves of this extension,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the deadline for full payment of summer dockage fees at the Municipal Marina for the 2013

season be and is hereby extended to April 15, 2013; and,

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

PROVIDE REDUCED LEVERAGE RATIOS AND EXPEDITE APPLICATIONS TO THE UDAG LOAN PROGRAM FOR COMMERCIAL BUSINESSES IMPACTED BY HURRICANE SANDY

WHEREAS, the Township of Neptune administers a UDAG Loan Program to provide businesses with low-interest loans to expand or improve their business; and,

WHEREAS, the Township desires to accept and expedite applications to the Program submitted by Neptune Township businesses that were damaged as a result of Hurricane Sandy; and,

WHEREAS, at the recommendation of the Economic Development Coordinator, the Township Committee desires to offer a lower leverage ratio to businesses that were impacted by Hurricane Sandy,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby agrees to accept and expedite applications under the terms and conditions of the existing UDAG Loan Program for businesses impacted by Hurricane Sandy and set a leverage ratio of \$1 for \$1 for loans awarded through the UDAG Loan Program to said businesses; and,

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

GRANT A LOAN TO 35 BREW, INC. T/A THE HEADLINER UNDER THE U.D.A.G. RECIPROCAL LOAN PROGRAM

WHEREAS, the Township Committee has resolved to expedite the review of commercial loan applications under the U.D.A.G. Reciprocal Loan Program for businesses damaged by Hurricane Sandy; and,

WHEREAS, 35 Brew, Inc. t/a The Headliner has applied for a UDAG Loan for renovations and repairs due to storm damage; and,

WHEREAS, the Economic Development Corporation has completed its review of the loan application and requests the Township Committee accept its recommendation,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune accepts the recommendation of the U.D.A.G. Reciprocal Loan Review Committee to grant a loan of \$100,000.00 to Brew 35, Inc. t/a The Headliner at an interest rate of 2% for a term of 120 months; and,

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

AUTHORIZE THE TRANSFER OF 2012 BUDGET APPROPRIATION RESERVES

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of previous year appropriations during the first three months of the fiscal year; and,

WHEREAS, the Chief Financial Officer has recommended that the following appropriation transfers be authorized;

FROM:

Admin OE	1,500.00
Finance S&W	3,600.00
MIS OE	3,000.00
Rev Admin S&W	2,500.00
Rev Admin OE	1,500.00
Assessment S&W	3,000.00

Assessment OE	4,000.00
Legal OE	5,000.00
Economic Dev OE	2,000.00
Zoning Bd OE	2,000.00
Historic Pres OE	1,500.00
Community Pr OE	4,500.00
Construction S&W	1,500.00
Construction OE	4,500.00
Code S&W	7,400.00
Code OE	4,000.00
Insurance OE	6,500.00
Work Comp OE	10,000.00
Group Ins OE	15,000.00
Dispatch OE	3,000.00
Roads S&W	14,000.00
Roads OE	2,500.00
DPW Admin S&W	7,000.00
Solid Waste S&W	7,000.00
Bldgs & Grds S&W	6,500.00
Bldgs & Grds OE	2,000.00
Vehicle Maint. OE	7,000.00
Veh Maint. IL OE	7,500.00
Health Svcs S&W	5,000.00
Env Shade tree OE	1,000.00
Animal Control OE	18,000.00
Recreation OE	2,000.00
Senior Ctr OE	5,000.00
Parks OE	3,000.00
Publicity S&W	1,000.00
Publicity OE	1,000.00
Telephone OE	10,000.00
Water OE	6,000.00
Nat Gas OE	20,000.00
Solid Waste OE	45,000.00
Pension OE	10,000.00

TO:

Admin S&W	44,500.00
Zoning S&W	27,500.00
Police S&W	177,000.00
Engineering OE	7,500.00
Unemployment OE	10,000.00

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the 2012 Budget Appropriation Reserves be transferred as stated herein; and,

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

**APPROVE UNEXCELLED FIRE COMPANY TO SOLICIT DONATIONS ON A PUBLIC ROADWAY**

WHEREAS, Ordinance No. 11-22 establishes procedures for qualified charitable organizations to solicit donations on public roadways; and,

WHEREAS, Unexcelled Fire Company has completed the required application and received approval from the NJDOT to solicit donations on a state highway; and,

WHEREAS, the Chief of Police has approved said request,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Unexcelled Fire Company be and is hereby authorized to solicit donations on State Highway 33 in front of Unexcelled Fire House at 1120 Corlies Avenue on the following dates and times:

May 24, July 4, July 5, July 19, August 2, August 16 and August 30 – 4:00 p.m. to 8:00 p.m.  
May 18, May 25, June 1, June 15, July 6 and August 31 – 8:00 a.m. to 6:00 p.m.  
May 26, July 7 and September 1 - 8:00 a.m. to 4:00 p.m.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Chief of Police and Unexcelled Fire Company.

AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH PREVENTION SPECIALISTS INC. TO PROVIDE REQUIRED TESTING FOR PUBLIC WORKS DRIVERS

WHEREAS, the Federal Department of Transportation requires random drug and alcohol testing of individuals that possess a commercial drivers license; and,

WHEREAS, all Drivers in the Department of Public Works possess a commercial drivers license and the Township desires to contract with an approved firm to perform required testing and reporting; and,

WHEREAS, funds for this purpose 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 the Mayor and Clerk be and are hereby authorized to execute an agreement with Prevention Specialists Inc. to provide required testing and reporting services for Township employees who possess a commercial drivers license; and,

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

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

APPOINT MEMBER TO THE NEPTUNE HARBOR COMMISSION

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

WHEREAS, due to the passing of Willis Wardell, there is a vacancy on the Harbor Commission,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that James Mowczan be and is hereby appointed to the Neptune Harbor Commission for an unexpired five year term expiring December 31, 2017; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Harbor Master.

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

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH THE PURCHASE OF FENCING, SAFETY SURFACE AND PLAYGROUND EQUIPMENT FOR VARIOUS PARKS

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

WHEREAS, on October 4, 2012, the Township Committee adopted Resolution #12-382 which authorized the purchase of fencing, safety surface and playground equipment for various parks from Whirl Construction, Inc. through State of New Jersey Cooperative Purchasing Program Contract A81412 in the amount of \$205,304.00; and,

WHEREAS, changes to the contract have been experienced as a result of adding an additional 1,200 square feet of safety surface at Midtown Commons Park; and,

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

WHEREAS, funds for this purpose are available in Ordinance No. 12-08 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 Whirl Construction Inc. (Contract A81412) in connection with the purchase of additional safety surface at Midtown Commons Park resulting in a net increase of \$13,184.00 revising the total purchase amount to \$218,588.00; and,

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; McMillan, aye; and Houghtaling, aye.

AUTHORIZE THE PAYMENT OF BILLS

Mr. Bishop offered the following resolution, moved and seconded by Mr. McMillan, 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	1,281,907.35
FEDERAL & STATE GRANT FUND	22,656.00
TRUST OTHER	79,124.60
GENERAL CAPITAL FUND	257,735.95
SEWER OPERATING FUND	61,871.86
MARINA OPERATING FUND	23,404.17
MARINA CAPITAL FUND	497.83
DOG TRUST	457.80
LIBRARY TRUST	1,477.71
BILL LIST TOTAL	\$1,729,133.27

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; McMillan, aye; and Houghtaling, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Kennedy Buckley, Broadway, extended compliments to the snow plow operator on Broadway for plowing the snow to the center median. He stated that every winter, cars are parked on the snow emergency side of the street and plowing cannot be done efficiently. The Township needs to tow these cars. In addition, residents need to shovel their sidewalks, it's the law and if it is not done, the Township should hire people to shovel and then lien the property.

Dorothy Argyros, 2100 Rutherford Avenue, stated that her street was clear of snow before she woke up on Saturday morning. She provided the Committee with information from the internet on the Williams case. She stated that settlements in lawsuits involving excessive force are happening a lot and America allows torture. The Bill of Rights is not being honored in this country and that is why she does not salute the flag.

Michael Fornino, 120 Fulham Place, stated that he is glad to hear that the Mayor's Ball is supporting Mary's Place and the Asbury Park Rotary Club raised \$25,000 at a wine tasting event for Mary's Place.

Lian Powlette, 1019 Eton Way, complimented the Township on a good job during the snowstorm. He submitted a letter from the Gables Residents Association requesting the planting of trees in Gables Park to replace the trees that were downed in Hurricane Sandy.

Hank Coakley, Valley Road, jokingly asked if the salt dome at Public Works was a wine cellar for former mayors in Monmouth County municipalities.

Heinz Weck, Ocean Grove, stated that the Pope is resigning and extended compliments to everyone for their performance during the snowstorm.

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

Richard J. Cuttrel,  
Municipal Clerk