

TOWNSHIP COMMITTEE MEETING – DECEMBER 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.

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 a request from Neptune Fire District #1 for a salary increase for the Fire Commissioners. The District submitted salary information from other districts in support of their request. Mr. Gadaleta stated that the request is a 40% salary increase. Dr. Brantley asked if the submitted salary information was for fire districts that are comparable to Neptune. Mr. Bishop suggested that Mr. Gadaleta discuss the matter with the Commissioners. The Mayor stated that he does not like to compare with other Fire Districts because the Commissioners were aware of the annual salary when they ran for elected office. Mr. Gadaleta stated that he will obtain more information on the districts that were used as comparables. Ms. Jahn requested Mr. Gadaleta also confirm that the District is not in need of anything else such as equipment.

The Mayor stated that many residents are requesting a second green recycling container. The Township charges for a second refuse container, but asked the Committee what should be done in this instance because there is no cost to the Township to dispose of recycling. He suggested that the Township and resident share in the \$90 cost of the container with the Township's share being borne through the Recycling Tonnage Grant. The Mayor recommended 60% of the cost to the homeowner and 40% to the Township. The Committee indicated agreement and Mr. Cuttrell will prepare the necessary resolution for the Reorganization meeting.

Mr. Gadaleta reviewed a list of pending capital items and provided a status for each. Mr. Bascom stated that there is a chance that change order can be done to repair an additional portion of the Wesley Lake wall. Mr. Gadaleta stated that he is looking into the possibility of an interlocal agreement to use an electrician on staff with the City of Asbury Park for the installation of Broadway lighting.

Mr. Bascom stated that the Police Department has been regularly performing traffic/speeding enforcement. Four additional Special officers have been doing traffic enforcement around schools and habitual speeding areas. Mr. Bascom added that he found portable speed tables/cushions that can be moved around to different streets. He is still researching the options and will bring more information to the Committee at a later date.

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

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

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exist,

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

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:

Personnel – 2014 appointments  
Litigation – Update on pending litigation

Potential Litigation – Responsible Contractor/quality assurance policy/ordinance  
Contract negotiations – Extension of Housing Incentive Program for Schoolhouse Square

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.

The Committee reviewed appointments for the 2014 reorganization meeting.

The Committee indicated agreement to extend the Housing Incentive Program for Schoolhouse Square and took action by resolution during the business portion of the meeting.

Dr. Brantley stated that he and Mr. Gadaleta have been working on revisions and updates to the Township's personnel ordinance. A draft copy will be sent to the Committee members for review.

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 November 25th. All were in favor.

#### REPORT OF THE CLERK

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

Letters from Donato Saponaro, Principal, Shark River Hills School, and Pam East, 3<sup>rd</sup> Grade Teacher, thanking Mayor Houghtaling for conducting a lesson on local government and inviting Mrs. East's 3<sup>rd</sup> grade students to lead the Flag Salute at the last Township Committee meeting.

#### COMMENTS FROM THE DAIS

Randy Bishop stated he attended various events such as Neptune's First Aid holiday party, Toys for Tots Drive which was conducted by our local police, the Senior Center Open House, the West Neptune holiday party which was wonderful. He also attended the joint meeting between Brookdale Community College Trustees and Neptune Board of Education. He applauded both for launching the Poseidon Project which would allow 25 students who were eligible to qualify in getting both their high school diploma and associates agree at the same time. He attended the Ocean Grove Homeowners Association event which was a special thank you to Fran Paladino who will be leaving Ocean Grove and moving to Florida. He stated Mr. Paladino has been valuable to the community

and to the governing body because he served on the Committee for a short time. He also stated he had a great time with MURC at their Jeans and Jewels event. He also announced the retirement of Noel Clark after 18 years of employment with the Township. Today he also visited Santa at the VFW Post 2639. He thanked Dan and the First Lady for representing both him and the Mayor at a Chamber of Commerce Dinner while they went to a meeting.

Mary Beth Jahn commended the Police Department for their Toy and Food Drive. She also thanked Mayor Houghtaling for his kindness and for being us through a tough year.

Kevin McMillan stated he attended the Toys for Tots event, the West Neptune holiday event in which Mike Golub did all of the cooking, and MURC's Gems and Jewels event. He commended Mayor Houghtaling for doing a great job this year. He wished everyone a happy New Year and the best of health.

Dr. Michael Brantley stated he attended MURC's Gems and Jewels event and he really enjoyed himself and was glad that it was successful.

Mayor Houghtaling stated the Township gave a proclamation to Lucinda Heinlein for twenty five years of service on a volunteer board. He attended the West Neptune Christmas Dinner, Toys for Tots, open house at the Senior Center. He had the opportunity to sign a document for the Board of Education and Brookdale. He attended the Ocean Grove Homeowners Breakfast and Fran Paladino was recognized quite nicely. He attended MURC's Jeans and Jewels which was very well attended. He stated their event was the best one they had so far and it's getting better and better. He also saw a play called Scrooge at the Art Center. He announced that Noel Clark retired and she had tears in her eyes because she was leaving. He went on to say that it's been a privilege being the Mayor of this town and it was his goal to make the residents proud of Neptune Township and he's looking forward to next year.

#### PUBLIC COMMENTS ON RESOLUTIONS

The Mayor requested public comments regarding resolutions presented on this agenda and they were as follows:

Gail Oliver, Neptune City, asked for details on the grant application for West Lake Avenue Streetscape improvements. The Mayor stated that the grant includes lighting, streetscape and other decorative features. Ms. Oliver asked that permanent trash cans also be included.

#### ORDINANCE NO. 13-43 - ADOPTED

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

##### ORDINANCE NO. 13-43

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-21 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY REMOVING A HANDICAPPED PARKING ZONE ON BEACH 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; Jahn, aye; McMillan, aye; and Houghtaling, aye.

#### ORDINANCE NO. 13-44 - ADOPTED

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

##### ORDINANCE NO. 13-44

AN ORDINANCE VACATING DEDICATED BUT UNIMPROVED STREETS IN THE TOWNSHIP OF NEPTUNE KNOWN AS A PORTION OF HIGHLAND AVENUE AND MAGNOLIA STREET

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

ORDINANCE NO. 13-45 - ADOPTED

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

ORDINANCE NO. 13-45

AN ORDINANCE CREATING AND SETTING THE SALARY RANGE FOR NEW JOB TITLES AND AMENDING THE SALARY RANGES FOR ALL OTHER EXISTING JOB TITLES OF THE TOWNSHIP OF NEPTUNE AND REPEALING ALL PARTS OF PREVIOUS ORDINANCES INCONSISTENT HEREWITH

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

ORDINANCE NO. 13-46 - ADOPTED

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

ORDINANCE NO. 13-46

ORDINANCE AUTHORIZING DEED OF DEDICATION AND AGREEMENT WITH NEPTUNE TOWNSHIP BOARD OF EDUCATION FOR BLOCK 344, LOTS 46-54 AND BLOCK 342 LOTS 11-18 AND 24

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

ORDINANCE NO. 13-47 - ADOPTED

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

ORDINANCE NO. 13-47

AN ORDINANCE TO AUTHORIZE INSTALLATION OF DARK FIBER-OPTIC CABLE AND OTHER TELECOMMUNICATIONS RELATED FACILITIES BY CROSS RIVER FIBER, INC., ("CROSS RIVER") OVER THE PUBLIC RIGHTS-OF-WAY

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

APPOINT TRACEY JAMES AS CLEAN COMMUNITIES COORDINATOR - TABLED

Mr. Bishop offered a motion, seconded by Dr. Brantley, to table a resolution to "Appoint Tracey James as Clean Communities Coordinator". All were in favor.

CONSENT AGENDA

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

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT

WHEREAS, the properties listed below reflect overpayments; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to refund the taxes as stated herein; and,

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
9052	8	CORPUZ	12 SHERWOOD DR	2013	1,864.25
9008	10	STOCKTON	4 GARY DR	2013	249.98
417	13	DE NICOLA	118 CLINTON PL	2013	250.00
117	1348	MERICIS	126 MAIN AVE	2013	2,258.08
262	50	JONES	1917 RUTHERFORD	2013	250.00
195	164	HINDS	266 FISHER AVE	2013	614.89
459	24	CARRINGTON	405 WALKER RD	2013	2,180.17
175	501	LOPEZ	1331 EMBURY AVE	2013	1,432.13
301.20	7	RUDOLPH	309 W END AVE	2013	950.19
492	649	AVALE	209 IVINS RD	2013	1,919.08
421	69	SHERMAN	423 GLENMERE AVE	2013	1,913.86
27	365	MCKAY	36 ATLANTIC AVE	2013	1,044.36
1306	3	TYRRELL	106 WILLOW DR	2013	1,094.50

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

AUTHORIZE THE CANCELLATION OF MARINA UTILITY BALANCE

WHEREAS, the following Marina Utility budget appropriation balance remains unexpended:

Capital Outlay	100,000.00
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WHEREAS, it is necessary to formally cancel said balance so that the unexpended balance may be credited to marina utility surplus; and,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the above listed unexpended balance of \$100,000.00 in the Capital Outlay line item in the Marina Utility be and is hereby cancelled; and,

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

AUTHORIZE THE REFUND OF A WINTER STORAGE FEE AT THE MUNICIPAL MARINA

WHEREAS, Barry DePeppe has made a payment in the amount of \$1,435.00 for 2013-2014 winter storage at the Municipal Marina; and,

WHEREAS, the Harbor Master advises that the Marina cannot haul his boat out of the water for storage due to the weight of the vessel and recommends a refund of the payment for winter storage,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the Harbor Master be and hereby is authorized to refund the Winter Storage payment in the amount of \$1,435.00 as stated herein; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Harbor Master, Deputy Tax Collector, Assistant Purchasing Agent and Auditor.

EMPLOY PART-TIME ON-CALL ELECTRICAL INSPECTOR

WHEREAS, due to vacations and/or workload there is a need in the Construction Department for an on-call part-time Electrical Inspector to work as needed; and,

WHEREAS, the Construction Official has made a recommendation to employ a certified inspector who has previously worked in the Department in a part-time temporary capacity; and,

WHEREAS, funds for this purpose will be provided in the appropriation entitled Construction S&W, known as Account \_\_\_\_\_, 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 employment of David Wone as a part-time per diem Electrical Inspector in the Construction Department, not to exceed twenty (20) hours per week, with no health benefits, effective December 24, 2013, at an hourly salary of \$26.78; and,

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

AUTHORIZE TOWNSHIP ENGINEERING CONSULTANT TO PREPARE PLANS AND SPECIFICATIONS FOR VETERANS MEMORIAL PARK

WHEREAS, the Township of Neptune is undertaking a project to create Veterans Memorial Park at the site of the former Welsh Farms dairy on Old Corlies Avenue; and,

WHEREAS, it is necessary for a Township Engineering Consultant to prepare plans and specifications in connection with this project; and,

WHEREAS, the Township Engineer recommends that T&M Associates perform said work; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 13-40, 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 T&M Associates to perform the services as stated herein at an amount not to exceed \$26,600.00; and,

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

AUTHORIZE EXECUTION OF AN AGREEMENT WITH KEITH BONCHI, ESQ. IN CONNECTION WITH IN REM FORECLOSURE PROCEEDINGS

WHEREAS, the Township Committee previously adopted a 2013 Tax Foreclosure List; and,

WHEREAS, there exists a need to retain an attorney for In Rem Tax Foreclosure proceedings as authorized by the Township Committee; and,

WHEREAS, the Tax Collector has recommended the appointment of Keith Bonchi, Esq. to prosecute In Rem Tax Foreclosure proceedings for the Township; and,

WHEREAS, the amount of this contract is less than the threshold for which a formal bid is required and less than the amount for which a resolution is required; however, the Township Committee wishes to authorize execution of an agreement outlining the terms and services to be provided; and,

WHEREAS, the costs associated these services will be paid out of the redemption monies received from the In Rem Tax Foreclosure proceedings,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes execution of an agreement with Keith Bonchi, Esq., to perform In Rem Tax Foreclosure proceedings as authorized by the Township Committee's adoption of the 2013 Tax Foreclosure List at an amount not to exceed \$10,000.00 to be paid out of the redemption monies received from the In Rem Tax Foreclosure proceedings; and,

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

AUTHORIZE FOURTH MODIFICATION OF MORTGAGE AND MORTGAGE NOTE BETWEEN TRF DP RIDGE AVENUE, LLC AND THE TOWNSHIP OF NEPTUNE

WHEREAS, the Township of Neptune is the owner and holder of a certain Promissory Note

totaling \$400,000.00 secured by a certain Mortgage for such sum made by TRF DP Ridge Avenue, LLC to the Township dated February 19, 2009 and recorded April 8, 2009 in Mortgage Book 8766, Page 4660 on the real estate described in said Mortgage; and,

WHEREAS, said Note and Mortgage requires principal payment in the amount of \$14,285.71 to the Township of Neptune upon closing of the sale of each of the final twenty-eight (28) residential units of the fifty-eight (58) unit project as that term is defined in a certain Redevelopment Agreement as amended and dated as of February 11, 2008 between the Township and TRF DP Ridge Avenue, LLC; and,

WHEREAS, in December, 2011, TRF DP Ridge Avenue, LLC requested as a result of the down housing market to amend the aforesaid Promissory Note and Mortgage to allow each purchaser of housing units to assume \$20,000.00 as the total debt to the Township reducing TRF DP Ridge Avenue, LLC's obligation by \$714.29 for each unit applicable to the sale of units only between January 1, 2012 and June 30, 2012 in order to encourage the sale of such units; and,

WHEREAS, the Township Committee adopted Resolution #12-65 on January 9, 2012 which authorized execution and adoption of an amended Note and Mortgage Note to allow for this program between January 1, 2012 and June 30, 2012; and,

WHEREAS, the Township Committee adopted Resolution #12-274 on July 9, 2012 which authorized execution and adoption of a second amended Note and Mortgage Note to allow for this program between July 1, 2012 and December 31, 2012; and,

WHEREAS, the Township Committee adopted Resolution #13-257 on May 13, 2013 which authorized execution and adoption of a second amended Note and Mortgage Note to allow for this program between January 1, 2013 and December 31, 2013; and,

WHEREAS, the Township desires to extend this program through December 31, 2014,

NOW THEREFORE BE IT RESOLVED, that the Mayor and Township Committee of the Township of Neptune hereby authorizes the execution and adoption of a fourth amended Note and Mortgage Note from the original Note and Mortgage Note of February 9, 2009 so as to allow between January 1, 2014 and December 31, 2014 only that new purchasers of units in the Ridge Avenue Redevelopment Area also known as Schoolhouse Square provide the Township with a Secondary Mortgage of \$20,000.00 as part of the total debt due and owing from TRF DP Ridge Avenue, LLC to Neptune Township under the \$400,000.00 Note and Mortgage of February 9, 2009 reducing TRF DP Ridge Avenue, LLC's obligation to the Township by \$714.29 for each unit; and,

BE IT FURTHER RESOLVED that the Township Committee hereby authorizes the Mayor and Clerk to execute the amended Modified Mortgage and Mortgage Note prepared by TRF DP Ridge Avenue, LLC and reviewed by the Township Attorney; and,

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

#### AUTHORIZE A PUBLIC AUCTION OF SURPLUS VEHICLES

WHEREAS, there are vehicles owned by the Township of Neptune which are no longer of use to the Township and the Director of Public Works, Purchasing Agent and Business Administrator have recommended that they be sold; and,

WHEREAS, the Township of Neptune will auction said vehicles through an on-line auction in compliance with state rules and regulations for a period of five days from January 18, 2014 through January 22, 2014, inclusive; and,

WHEREAS, the Municipal Clerk shall provide proper advertisement and notice in accordance with state statute in addition to posting the auction information on the Township's web site; and,

WHEREAS, said vehicles to be sold are as follows:

YEAR	MAKE	VIN #	DESCRIPTION
1999	GMC	1GTDT14XXXK514572	SMALL PICKUP
2000	FORD	1FDAF56F51EB40671	MASON DUMP
2000	FORD	1FMZU72E54ZC41441	SUV
1965	LAC	LAC1023865	TILT BED TRAILER

1989	SERCO	WMTR88891	SEWER TRAILER
2002	CCC	1CYCAA3792T045530	RECYCLER
2000	CCC	1CYCAA272YT044861	RECYCLER
1996	ODB	SCL801TM2512962176	LEAF VAC TRAILER
2000	FORD	1FMZU72E21ZA45138	SUV
1994	FORD	2FDKF38G9RCA75162	MASON DUMP
1997	FORD	1FTHF36H0VEB95124	PICKUP
1995	FORD	1FDLF47F8SEA77214	MASON DUMP
	CHEVY	1GCFK24K3RE282520	PICKUP
1992	CHEVY	1GBP7H1JXNJ107949	CAB & CHASSIS
2000	FORD	1FTRX18LYNB71572	EXTENDED CAB PICKUP
1994	ODB	SCL800TM2511941713	LEAF VAC TRAILER
	TORO	60788-30591	LAWN MOWER
1995	CHEVY	1GNDDT13W7SK210320	SUV
1973	CUS	CUS43973	3 AXEL TRAILER
2000	FORD	1FDAF57F81EA81064	MASON DUMP
1998	GMC	1GDKC34F2XF018079	UTILITY BODY
	AEROMATE	45VXA02B9PW003576	STEP VAN
	6X6	BRIDGE CARRIER	6X6 BRIDGE CARRIER
2006	CHEVY	2G1WS551569370693	MARKED CAR
2008	CHEVY	2G1WS57MX91268980	MARKED CAR
2006	CHEVY	2G1WS551469373990	MARKED CAR
2006	CHEVY	2G1WS551969373659	MARKED CAR
2006	CHEVY	2G1WS551169367936	MARKED CAR
2007	CHEVY	2G1WS553689232228	MARKED CAR
2000	FORD	1FMZU72E21ZA50307	MARKED CAR
2007	CHEVY	2G1WS553289231822	MARKED CAR
2000	FORD	2FAFP71W71X116340	UNMARKED CAR
2002	CADILAC	1G6KD54Y42U113751	UNMARKED CAR
2001	TOYOTA	JTEHH20V916000995	UNMARKED CAR
2007	HOSTAR	HYDRAULIC TRAILER	Hydraulic Trailer
1993	FORD	1FTJX35M2PKB10057	OLD MONIC TRUCK
1994	FORD	1FMFU18L8VLA91734	SUV

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

1. that the above listed vehicles are declared as surplus and not needed for public use,
2. that the execution of a contract with Auction Liquidation Services to provide on-line auction services is hereby approved,
3. that the sale of the above vehicles is hereby authorized through an on-line auction from January 18, 2014 at 9:00 A.M. to January 22, 2014 at 6:00 P.M. at www.usgovbid.com, the details of which will be provided in the required legal advertisements and on the Township web site,
4. that the said vehicles are being offered "as is - where is";
5. that should any vehicle be unsuccessfully sold at auction, disposal of such vehicle is hereby authorized in accordance with state law,

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

AUTHORIZE SUBMISSION OF A NJEDA STREETSCAPE REVITALIZATION PROGRAM GRANT APPLICATION FOR WEST LAKE AVENUE STREETSCAPE IMPROVEMENTS – PHASE II

WHEREAS, the New Jersey Economic Development Authority Streetscape Revitalization Grant Program offers grants to municipalities to assist in rebuilding and support recovery of economic activity in commercial corridors in the most impacted towns and cities throughout the State; and,

WHEREAS, this program will provide financial assistance to support improvements such as, but not limited to, streetscapes, lighting, sidewalks, code-related and other physical upgrades to commercial areas in a minimum amount of \$125,000 and a maximum amount of \$1.5 million per project; and,



WHEREAS, the Township Engineer and Community Programs Coordinator have recommended the submission of an application for West Lake Avenue Streetscape Improvements - Phase II for streetscape improvements on West Lake Avenue from the intersection of Rt. 35 to approximately 150ft east of Myrtle Avenue; and,

WHEREAS, the grant application will seek funding for the total project cost of \$800,114.00 (with no match required),

THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the submission of an application to the New Jersey Economic Development Authority Streetscape Revitalization Grant Program for funding of West Lake Avenue Streetscape Improvements – Phase II; and,

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

APPOINT SPECIAL LAW ENFORCEMENT OFFICER – CLASS II IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

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

WHEREAS, the Deputy Chief of Police and Acting Police Director have made their recommendation to appoint an existing Special Law Enforcement Officer – Class I to Class II status to enable said Officer to be enrolled on required Class II training at the Monmouth County Police Academy; and,

WHEREAS, funds will be provided 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 Marcus A. Neal be and are is appointed as a Special Law Enforcement Officer – Class II for the purpose of attending the Special Law Enforcement Officer Class II Academy with part-time employment as a Class II Officer provided by the Township upon successful completion of the Academy; and,

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

AUTHORIZE THE REFUND OF A SUMMER DOCKAGE FEE AT THE MUNICIPAL MARINA

WHEREAS, due to Hurricane Sandy, some boat slips at the Municipal Marina were not available for a portion of the 2013 summer dockage season; and,

WHEREAS, the Municipal Marina provided a prorated credit towards 2014 summer dockage of affected boat owners; and,

WHEREAS, a customer at the Municipal Marina will not be returning for the 2014 summer dockage season and has requested a refund of said 2014 summer dockage credit; and,

WHEREAS, the Harbor Master recommends that a refund be issued,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the Harbor Master be and hereby is authorized to refund a 2014 summer dockage fee in the amount of \$540.19 to Nick Meyer for the reason as stated herein; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Harbor Master, Deputy Tax Collector, Assistant Purchasing Agent and Auditor.

EMPLOY TEMPORARY PART-TIME CUSTOMER SERVICE REPRESENTATIVE

WHEREAS, due to extended medical leaves of current employees, there is a need in the Construction Department for a temporary part-time Customer Service Representative; and,

WHEREAS, the Business Administrator has made a recommendation to employ an individual experienced in the construction process in a temporary part-time capacity; and,

WHEREAS, funds for this purpose will be provided in the appropriation entitled Construction S&W, known as Account \_\_\_\_\_, 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 employment of Maureen Clare be and is hereby confirmed as a temporary part-time Customer Service Representative in the Construction Department, not to exceed fifteen (15) hours per week, with no health benefits, from December 10, 2013 through January 31, 2014, at an hourly salary of \$12.67; and,

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

**EMPLOY PUBLIC SAFETY OFFICERS ON A PART-TIME BASIS**

WHEREAS, there is a need for an additional part-time hourly Public Safety Officers; and,

WHEREAS, applicants have been interviewed and the Deputy Chief of Police and Acting Police Director have 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,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Travis Tuytjens, Jamie Walkley and Barbra Coleman be and are hereby employed as Public Safety Officers on a part-time basis, pending favorable results of the required physical, effective December 24, 2013, at an hourly rate as set by Resolution of the Township Committee; and,

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

**AUTHORIZE THE TRANSFER OF 2013 BUDGET APPROPRIATIONS**

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of current year appropriations during the last two months of the fiscal year; and,

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

	TO	FROM
Tax Assessment Administration S&W	7,500.00	
Uniform Construction Code S&W	4,500.00	
Police Department S&W	167,000.00	
Police Department OE	25,000.00	
Public Health Services S&W	3,500.00	
Recreation Svcs and Programs S&W	7,500.00	
Senior Citizens Programs S&W	45,000.00	
Municipal Court OE	5,500.00	
General Administration S&W		30,000.00
Financial Administration OE		4,000.00
Data Processing OE		3,000.00
Legal OE		5,000.00
Engineering Services OE		20,000.00
Economic Development Agencies OE		3,000.00
Planning Board OE		3,000.00
Community Programs OE		5,000.00
Uniform Construction Code OE		5,000.00
Other Code Enf Functions OE		3,000.00
Workers Comp OE		20,000.00
Group Ins OE		20,000.00
Vehicle Maintenance OE		10,000.00
Recreation Svcs and Programs OE		5,000.00
Maint of Parks OE		25,000.00
Publicity & Tourism OE		2,000.00
Celebration of Public Events		2,000.00

Water OE	5,000.00
Natural Gas OE	5,000.00
Telecommunications OE	5,000.00
Solid Waste Disposal OE	80,000.00
Municipal Court S&W	5,500.00

BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that 2013 Budget Appropriations 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.

AUTHORIZE RESOLUTION OF THE MATTER OF BIVENS V. TOWNSHIP OF NEPTUNE

WHEREAS, this matter arose as a result of an action under docket number MON-L-0799-11; and,

WHEREAS, the parties have resolved all issues and the Township Committee has reviewed the confidential agreement,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the governing body authorizes and approves the terms of this resolution of all issues between the parties; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator and Labor Attorney.

AWARD BID FOR BULKY WASTE DISPOSAL

WHEREAS, on December 19, 2013, the Purchasing Agent received bids for the award of a contract for bulk waste removal services; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that the bid be awarded to the lowest bid submitted by Mazza & Sons, 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 will be provided in the municipal budget 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 a contract be awarded to Mazza & Sons, Inc. for bulk waste removal services based on their lowest responsible bid of \$77.50 per ton in 2014 and \$80.50 per ton in 2015; 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 Director of Public Works.

AWARD BID FOR RECYCLING OF WOOD MATERIALS

WHEREAS, on December 19, 2013, the Purchasing Agent received bids for the award of a contract for recycling of wood materials; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that the bid be awarded to the lowest bid submitted by Britton Industries, 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 will be provided in the municipal budget 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 a contract be awarded to Britton Industries, Inc. for recycling of wood materials based on their lowest responsible bid of \$9.05 per cubic yard of brush and \$6.99 per cubic yard of leaves for 2014

and 2015; 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 Director of Public Works.

AMEND THE SALARY OF GEORGE REID, JR, DUE TO AWARD OF PROFESSIONAL CERTIFICATION

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, George Reid, Jr., Public Works Foreman, has earned the designation of Certified Public Works Manager; and,

WHEREAS, funds for this purpose will be provided in the municipal budget under 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 George Reid, Jr. shall receive an additional \$1,000.00 in annual salary effective January 1, 2014 for receiving the Certified Public Works Manager designation; and,

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

APPOINT SCHOOL CROSSING GUARDS FOR THE 2013-2014 SCHOOL YEAR

WHEREAS, there is a need for additional School Crossing Guards for the 2013-2014 school year; and,

WHEREAS, funds are available for this purpose in the appropriation entitled Police - Salaries and Wages 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 Loren Moses, Avis Williams and Everett Mitchell be and they are hereby appointed as Crossing Guards for the 2013-2014 school year and to perform such other duties as prescribed by the Deputy Chief of Police, at an hourly rate of \$13.50; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Deputy Chief of Police, Business Administrator, Chief Financial Officer

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 DESILTING OF WESLEY LAKE BASIN

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

WHEREAS, on December 17, 2013, the Township Engineering Consultant received bids for the award of a contract for desilting of the Wesley Lake Basin; and,

WHEREAS, said bids were reviewed by the Township Engineering Consultant who has recommended that the bid be awarded to the lowest base bid submitted by Precise Construction, 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 in Ordinance No. 13-23 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 Precise Construction, Inc. on their lowest responsible base bid of \$342,600.00 for desilting of the Wesley Lake basin; 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., Township Engineer and Wesley Lake Commission.

The resolution was adopted on the following vote: Bishop, aye; Brantley, aye, adding that he is very happy and this was a long time coming; Jahn, aye; McMillan, aye; and Houghtaling, aye.

AWARD BID FOR DESILTING OF FLETCHER LAKE BASIN

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

WHEREAS, on December 17, 2013, the Township Engineering Consultant received bids for the award of a contract for desilting of the Fletcher Lake Basin; and,

WHEREAS, said bids were reviewed by the Township Engineering Consultant who has recommended that the bid be awarded to the lowest base and Alternate #1 bid submitted by Precise Construction, 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 in Ordinance No. 13-23 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 Precise Construction, Inc. on their lowest responsible base and Alternate #1 bid of \$383,400.00 for desilting of the Fletcher Lake basin; 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., Township Engineer and Fletcher Lake Commission.

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

AUTHORIZE THE PAYMENT OF BILLS

Ms. Jahn 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	3,561,244.51
FEDERAL & STATE GRANT FUND	6,092.34
TRUST OTHER	52,829.89
GENERAL CAPITAL FUND	12,500.64
SEWER OPERATING FUND	134,957.97
MARINA OPERATING FUND	3,387.46
MARINA CAPITAL FUND	17,517.58
DOG TRUST	7,477.00
LIBRARY TRUST	862.50

BILL LIST TOTAL

\$3,796,869.89

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 this total includes payments for fire districts, school district and county taxes; McMillan, aye; and Houghtaling, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Jack Breden, 94 ½ Heck Avenue, reviewed the statutory history of the Planning Board and Board of Adjustment. He stated that the Mayor should be a member of the Planning Board but in Neptune, an individual is appointed to serve as a Mayor's representative and serves in that capacity for the entire year. He believes the Mayor should sit as a member of the Planning Board.

Gail Oliver, Neptune City, addressed vandalism and Midtown Commons Park. She stated that the "no skateboarding" sign has been covered and decorations have been damaged. The tree is no longer lit at night. The vandals are not from this area and when the police respond, they should wait until the kids leave the area before they leave. She asked the Committee to do something to prevent this from reoccurring.

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

Richard J. Cuttrell,  
Municipal Clerk