

TOWNSHIP COMMITTEE MEETING – JUNE 20, 2013

Mayor Houghtaling called the meeting to order at 4:30 p.m. and requested the Clerk to call the roll. The following members were present: J. Randy Bishop, Mary Beth Jahn, Kevin B. McMillan and Mayor Eric J. Houghtaling. Absent: Dr. Michael Brantley

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

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

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

Mayor Houghtaling announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press and The Coaster on June 13, 2013, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

PRESENTATION OF MAYOR'S BALL PROCEEDS TO MARY'S PLACE BY THE SEA

The Mayor presented a check in the amount of \$50,000 from the Mayor's Ball to Michelle Gannon and Clare Freda from Mary's Place By The Sea.

PROCLAMATION

The Mayor proclaimed the month of July as Recreation and Parks Month in the Township of Neptune.

REPORT OF THE CLERK

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

A letter from the Gables Residents Association thanking the Department of Public Works for their continued hard work and clean-up effort as a result of Hurricane Sandy.

Rosemary Gray sent letters of thanks to the following for recent donations and contributions to the Senior Center: Thomas Donohue, Ellen & Benjamin Famiglietti, Joyce Ingram, Forever Young Group, Doris O'Neil, Eileen Antonides, Brenda Jackson, Don Bartlett, Ed Wyzykowski, Eleonore & Harry Merriman and Mary Lee.

COMMENTS FROM THE DAIS

Ms. Jahn offered congratulations to Mary's Place, Mayor Houghtaling, and the Mayor's Ball Committee for their great work on the Mayor's Ball.

The Mayor expressed his thanks to the Mayor's Ball Committee. He stated that he attended the Raise the Roof event in Ocean Grove and it was great event.

PUBLIC COMMENTS ON RESOLUTIONS

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

Dorothy Argyros, 2100 Rutherford Avenue, stated that the Committee is considering a resolution to perform environmental remediation at the former Welsh Farms site. She asked why the same sampling hasn't been done at the former Exxon site at Routes 33 and 35 which has toxic soil. Mr. Bascom responded that the Township acquired the Welsh Farms property through Green Acres; therefore, an environmental study and remediation is required. The Township does not own the former Exxon site so it is the responsibility of the NJDEP. Mr. Bascom added that the soil at the former Exxon site was tested and found to be normal. Ms. Argyros stated that is not true. Ms. Jahn added that Exxon site was not contributing to the contaminated soil in that area. The problem originates to the west of the site. Mr. Bascom stated that there is on-going remediation at the BP Amoco and Getty stations and there was a complete remediation performed at the Exxon site with clean soil placed at the site.

Ms. Argyros asked for what “appropriate authority” referred to in the resolution designating the OEM Coordinator the appropriate authority in the Police Department. Mr. Bascom stated that the Deputy Chief will work with the OEM Coordinator (himself) on policy and procedural matters in the Police Department.

ORDINANCE NO. 13-23 - ADOPTED

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

ORDINANCE NO. 13-23

BOND ORDINANCE PROVIDING FOR THE EMERGENCY WATERSHED PROTECTION MEASURES PROGRAM, INCLUDING WESLEY AND FLETCHER BASINS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,500,000 THEREFOR (INCLUDING A GRANT RECEIVED OR EXPECTED TO BE RECEIVED IN THE AMOUNT OF \$1,122,000) AND AUTHORIZING THE ISSUANCE OF \$359,100 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

The Mayor requested public comments on the above ordinance. There being no comments, he closed the public hearing.

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

CONSENT AGENDA

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

AUTHORIZE REVOCABLE LICENSE AGREEMENT TO PERMIT THE REPLACEMENT OF A RETAINING WALL WITHIN THE MUNICIPAL RIGHT-OF-WAY ADJACENT TO 526 SOUTH RIVERSIDE DRIVE

WHEREAS, Thomas Xenakis and Janice Aglieti with property located at 526 South Riverside Drive, Block 405, Lots 49-51, on the tax map of the Township of Neptune has requested a Revocable License Agreement for the installation of a new segmental block of retaining wall to replace an existing wall to the same dimensions within a municipal right of way; and,

WHEREAS, Thomas Xenakis and Janice Aglieti are seeking a license to provide for the installation of the aforesaid wall, subject to its removal, should the controlling authority need access to the aforesaid right of way,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes a Revocable License Agreement with Thomas Xenakis and Janice Aglieti, a true copy of such proposed agreement is attached hereto as Exhibit “A” subject to conditions of the agreement with payment to the Township of Neptune of \$300.00 to cover legal fees and a payment to Gene J. Anthony, Esq. of \$70.00 covering the recording costs, and subject to all other requirements for permits and zoning compliance; and,

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute the Agreement, and return to the Township Attorney for recording.

AUTHORIZE THE REFUND OF MUNICIPAL MARINA SUMMER DOCKAGE DEPOSIT

WHEREAS, Norman Samodovitz submitted a deposit for summer dockage at the Municipal Marina for a 38 foot sailboat; and,

WHEREAS, it has been determined that the Marina travel lift is unable to lift this boat due to its weight; and,

WHEREAS, Mr. Samodovitz has indicated he will be moving his boat elsewhere and has requested a refund; and,

WHEREAS, the Harbor Master recommends a refund of the deposit,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the Harbor Master be and hereby is authorized to cancel and refund the amount of \$400.00 to Norman Samodovitz 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 and Auditor.

ACCEPT THE RESIGNATION OF HARRY J. CONOVER AS A DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township Committee has received a letter from Harry J. Conover resigning as a Driver in the Department of Public Works effective June 21, 2013,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Harry J. Conover as a Driver in the Department of Public Works is hereby accepted effective June 21, 2013; and,

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

ACCEPT THE RESIGNATION OF JOSEPH PALMISANO AS A DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Director of Public Works received a verbal resignation from Joseph Palmisano resigning as a Driver in the Department of Public Works effective May 31, 2013,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Joseph Palmisano as a Driver in the Department of Public Works, not in good standing, is hereby accepted effective May 31, 2013; and,

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

RECLASSIFY JASON PYLE AS A PERMANENT FULL-TIME DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Jason Pyle was hired as a Driver in the Department of Public Works on September 10, 2012; and,

WHEREAS, he has performed his duties in a satisfactory manner and the Public Works Director has recommended that he be reclassified on a permanent full-time basis,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Jason Pyle be and he is hereby reclassified as a permanent full-time Driver effective immediately; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Public Works Director, Business Administrator, Chief Financial Officer and AFSCME Local #1844.

AUTHORIZE THE TEMPORARY STREET CLOSINGS IN CONNECTION WITH NATIONAL NIGHT OUT

WHEREAS, the National Night Out event will be held on Tuesday, August 6, 2013; and,

WHEREAS, the Police Department has recommended that certain streets be temporarily closed for the safety of the participants; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following streets shall be closed to vehicular traffic and designated as no parking on Tuesday, August 6, 2013 between the hours of 4:00 PM to 9:00 PM:

- 1) Atkins Avenue between Corlies Avenue and Embury Avenue.
- 2) Embury Avenue between Memorial Drive and Atkins Avenue.

3) Division Street between Pharo Street and Atkins Avenue.

BE IT FURTHER RESOLVED, that the Department of Public Works is hereby requested to supply the necessary barricades to close said streets; and,

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

AUTHORIZE AN AMENDMENT TO THE 2013 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE CLEAN COMMUNITIES PROGRAM

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2013 in the sum of \$7,872.81 which is now available from a NJDEP Clean Communities Grant in the amount of \$7,872.81; and,

BE IT FURTHER RESOLVED that the like sum of \$7,872.81 is hereby appropriated under the caption of FY2013 Clean Communities Program; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a NJDEP Clean Communities Program Grant in the amount of \$60,009.42 (\$52,136.61 was anticipated in the 2013 adopted budget); and,

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

AUTHORIZE THE RENEWAL OF LIQUOR LICENSES FOR THE 2013-2014 LICENSING YEAR

WHEREAS, the following liquor licensees have completed the renewal application and a New Jersey State Sales Tax Clearance Certificate has been received by the Clerk's Office,

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses, and Club Licenses in the Township of Neptune be and are hereby renewed for the period July 1, 2013 to June 30, 2014:

<u>LICENSE NUMBER</u>	<u>NAME</u>	<u>ADDRESS</u>
1334-33-013-002	Mom's Kitchen, Inc. t/a Mom's Kitchen	1129 Fifth Avenue
1334-44-022-002	VPK, Inc. t/a Alpha Liquors	1515 West Lake Avenue
1334-36-038-001	Longwood Hospitality, LLC t/a Hampton Inn & Suites	4 McNamara Way
1334-31-036-001	Shark River Hills Fire Company #4, Inc.	200 Brighton Avenue

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control, and Municipal Clerk.

AUTHORIZE CORRECTED AMENDMENT TO APPROVED 2013 MUNICIPAL BUDGET

WHEREAS, the local municipal budget for the year 2013 was approved on the 25th day of March, 2013; and,

WHEREAS, the public hearing on said budget has been held as advertised on April 22, 2013, and,

WHEREAS, an amendment to said approved municipal budget was authorized on April 22,

2013 and the municipal budget was also adopted on April 22, 2013; and,

WHEREAS, it is necessary to reauthorize said amendment with a correction,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, of the County of Monmouth, that the following amendments to the approved budget of 2013 be made:

	From	To
GENERAL REVENUES		
3. Miscellaneous Revenues – Section G: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Other Special Items:		
Reserve for FEMA (Hurricane Sandy)	775,000.00	1,250,004.00
Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations	2,052,497.95	2,527,501.95

SUMMARY OF REVENUES

3. Miscellaneous Revenues:		
Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations	2,052,497.95	2,527,501.95
Total Miscellaneous Revenues	9,849,864.13	10,324,868.13
5. Subtotal General Revenues	14,567,847.21	15,042,851.21
7. Total General Revenues	40,065,753.68	40,540,757.68

8. GENERAL APPROPRIATIONS

(E) Deferred Charges and Statutory Expenditures- Municipal Excluded from “CAPS”		
Special Emergency Authorizations – 5 Years	720,000.00	1,195,004.00
(H-2) Total General Appropriations for Municipal Purposes Excluded from “CAPS”	6,781,213.68	7,256,217.68
(L) Subtotal General Appropriations	37,165,753.68	37,640,757.68
9. Total General Appropriations	40,065,753.68	40,540,757.68

SUMMARY OF APPROPRIATIONS

(E) Total Deferred Charges	720,000.00	1,195,004.00
Total General Appropriations	40,065,753.68	40,540,757.68

DEDICATED SEWER UTILITY BUDGET

10. DEDICATED REVENUES FROM SEWER UTILITY

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services		
FEMA Disaster Assistance – Hurricane Sandy	105,000.00	140,000.00

Total Sewer Utility Revenues 6,674,600.00 6,709,600.00

11. APPROPRIATIONS FOR SEWER UTILITY

Deferred Charges and Statutory Expenditures:

DEFERRED CHARGES:

Special Emergency Authorizations 100,000.00 135,000.00

TOTAL SEWER UTILITY APPROPRIATIONS 6,674,600.00 6,709,600.00

DEDICATED MARINA UTILITY BUDGET

11. APPROPRIATIONS FOR MARINA UTILITY

Disaster Assistance – Restoration of Marina Facilities 500,000.00 300,000.00

Deferred Charges and Statutory Expenditures:

DEFERRED CHARGES:

Special Emergency Authorizations 200,000.00 400,000.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for her certification of the local municipal budget so amended and that a copy be forwarded to the Chief Financial Officer and the Township Auditor.

DESIGNATE THE EMERGENCY MANAGEMENT COORDINATOR AS THE APPROPRIATE AUTHORITY PURSUANT TO THE POLICE DEPARTMENT RULES AND REGULATIONS

WHEREAS, the Neptune Township Police Department Rules and Regulations provides for the designation of an “Appropriate Authority” by the municipal governing body for the administration of rules, regulations and policies and to perform the duties of said title as prescribed in Article I of said Rules and Regulations,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Neptune Township Office of Emergency Management Coordinator be and is hereby designated as the “Appropriate Authority” and Acting Director within the Neptune Township Police Department and to perform such duties as prescribed and defined by the Rules and Regulations of the Neptune Township Police Department; and,

BE IT FURTHER RESOLVED, that certified copies of this resolution be forwarded to the Deputy Chief of Police and the Business Administrator.

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY 26-28 HIGHWAY 35, LLC FOR SITE IMPROVEMENTS AT ACCREDITED DERMATOLOGY AT 26-28 HIGHWAY 35

WHEREAS, on November 10, 2008, 26-28 Highway, LLC filed a performance bond written by American Southern Insurance Company in the amount of \$78,408.00 guaranteeing site improvements at Accredited Dermatology, 26-28 Highway 35 (Block 216, Lots 734-737); and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of October 22, 2012 and said performance bond can be released; and,

WHEREAS, 26-28 Highway 35, LLC has filed Maintenance Bond #B98816025286 written by American Southern Insurance Company in the amount of \$10,890.00 guaranteeing said site improvements for a period of two years; and,

WHEREAS, the Township Attorney has reviewed and approved said maintenance bond,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Maintenance Guarantee as stated above be and is hereby accepted and the performance bond is authorized to be released; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee on escrow with the Township be and is hereby authorized to be refunded; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Developer and Township Engineer.

AUTHORIZE TEMPORARY STREET CLOSING IN CONNECTION WITH THE COMMUNITY PRIDE BLOCK PARTY

WHEREAS, the Asbury Park/Neptune NAACP is planning their annual Community Pride Block Party in and around Midtown Commons Park on Saturday, August 10, 2013; and,

WHEREAS, the Police Department has recommended that a portion of West Lake Avenue be temporarily closed for the safety of the participants; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the West Lake Avenue between State Highway 35 and Drummond Avenue shall be closed to vehicular traffic and designated as temporary no parking on Saturday, August 10, 2013 between the hours of 8:00 AM to 4:00 PM; and,

BE IT FURTHER RESOLVED, that the Department of Public Works is hereby requested to supply the necessary barricades to close said street; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Deputy Chief of Police, Director of Public Works, Neptune Fire District #1 and Business Administrator.

AUTHORIZE THE CANCELLATION OF SEWER RENT (103 HIGHLAND AVENUE)

WHEREAS, the Deputy Tax Collector has requested the cancellation of sewer rent to the property listed below,

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

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
470/37	Kathleen & Michael Bascom	103 Highland Ave	2013	220.00

REASON: Building demolished

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

EMPLOY MARINA ATTENDANT ON A PART-TIME BASIS

WHEREAS, there is a need for a part-time hourly Marina Attendant for the 2013 summer season; and,

WHEREAS, the Harbor Master has made his recommendation to employ an individual who worked as a Marina Attendant in 2012; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Austin Latshaw be and is hereby employed as a Marina Attendant on a part-time seasonal basis, effective June 24, 2013, at an hourly rate of \$10.71 per hour, for not more than an average of twenty (20) hours per week; and,

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

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

APPOINT DEPUTY MUNICIPAL ASSESSOR

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

adopted:

WHEREAS, pursuant to N.J.S.A. 40:81-11, the Township of Neptune, as shall be appropriate to the form of government of the Township of Neptune, may provide for the appointment of a Deputy Municipal Assessor; and,

WHEREAS, pursuant to N.J.S.A. 40A:9-146, every Deputy Municipal Assessor shall hold his or her office for a term of four years from the first day of July next following his or her appointment and vacancies other than due to expiration of term shall be filled by appointment for the unexpired term; and

WHEREAS, Annette Dawn Crozier possesses all necessary certifications pursuant to N.J.S.A. 54:1-35.30 and has been recommended to the Township Committee as the best candidate to carry out the duties of this position; 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, County of Monmouth, State of New Jersey, that Annette Dawn Crozier is hereby appointed to the position of Deputy Municipal Assessor of the Township of Neptune for a four year term commencing July 1, 2013 and ending June 30, 2017 at an annual salary of \$50,600.84 (which includes \$1,000.00 annually for attaining the Certified Tax Assessor designation); and,

BE IT FURTHER RESOLVED, that a certified copy of the within resolution be forwarded to The New Jersey Department of Treasury, Division of Taxation; Matthew Clark, Administrator, Monmouth County Board of Taxation; Bernard C. Haney, Assessor, Township of Neptune; and Annette Dawn Crozier, Deputy Assessor, Township of Neptune.

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

The Mayor administered the Oath of Office to Ms. Crozier.

CONFIRM THE PURCHASE OF THREE VEHICLES FOR THE CODE/CONSTRUCTION DEPARTMENT 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 Code/Construction Department wishes to purchase three Jeep Patriot vehicles 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, Hertrich Fleet Services, Inc. has been awarded New Jersey State Contract No. A83011 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 total cost of the three vehicles shall not exceed \$52,749.00; and,

WHEREAS, funds for this purpose are available from an insurance refund in Account No. 01-299-56 and 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 three Jeep Patriot vehicles through the New Jersey Cooperative Purchasing Program for the Code/Construction Department be and is hereby confirmed and authorized at an amount not to exceed \$52,749.00; 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; Jahn, aye; McMillan, aye; and Houghtaling, aye.

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH NORTH RIVERSIDE DRIVE PUMP STATION IMPROVEMENTS

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

WHEREAS, a contract was awarded to DeMaio Electrical Co. Inc, in the amount of \$495,000.00 in connection with North Riverside Drive Pump Station Improvements; and,

WHEREAS, changes to the contract have been experienced as a result of reducing the size of the generator and modifying the electrical service equipment as required by JCP&L; and,

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

WHEREAS, funds for this purpose will be provided in the Special Emergency Appropriation – Sewer Utility and Ordinance Nos. 04-31, 05-25, 06-07, 08-51 and 12-14, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #1 in the contract with DeMaio Electrical Co. Inc. in connection with North Riverside Drive Pump Station Improvements resulting in a net increase of \$6,363.00 revising the total contract amount to \$501,363.00; and,

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

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

AUTHORIZE NAJARIAN ASSOCIATES TO PERFORM GROUNDWATER SAMPLING AND A REMEDIAL INVESTIGATION AT THE FORMER WELSH FARMS SITE ON OLD CORLIES AVENUE

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

WHEREAS, the Township desires to engage the services of Najarian Associates, an authorized Township Consulting Engineer to perform groundwater sampling and analysis and a remedial investigation at the former Welsh Farms property located at 703 Old Corlies Avenue and further described as Block 7013, Lot 11; and,

WHEREAS, in addition, Najarian Associates will provide tank and waste removal/disposal activities and complete soil sampling as identified during the preliminary investigation stage and subsequent site investigation; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. _____, 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 Najarian Associates to perform the services as stated herein at an amount not to exceed as follows:

Groundwater Sampling and Analysis - \$29,600.00
Remedial Investigation/Drain System & Tank Removal/Disposal - \$38,300.00

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.

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

EMPLOY CLERK-TYPIST/CUSTOMER SERVICE REPRESENTATIVE IN THE CODE/ CONSTRUCTION DEPARTMENT ON A PROBATIONARY BASIS

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

WHEREAS, there is a vacancy in the position of Clerk-Typist/Customer Service Representative in the Code/Construction Department; and,

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

WHEREAS, the Construction Official/Director of Code Enforcement has made his recommendation; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Heather Kepler be and is hereby employed as a Clerk-Typist/Customer Service Representative in the Code/Construction Department, on a probationary basis for a period of not less than 90 days and not exceeding one year, contingent upon favorable results of the required evaluations, effective June 24, 2013, at an annual salary of \$23,000.00; and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

Ms. Jahn offered the following resolution, moved and seconded by Mr. 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	3,982,131.94
FEDERAL & STATE GRANT FUND	4,661.14
TRUST OTHER	25,159.23
GENERAL CAPITAL FUND	235,466.56
SEWER OPERATING FUND	682.13
SEWER CAPITAL FUND	22,626.73
MARINA OPERATING FUND	17,467.53
MARINA CAPITAL FUND	46,500.00
DOG TRUST	514.20
LIBRARY TRUST	8,659.48
BILL LIST TOTAL	\$4,343,868.94

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

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

AUTHORIZE THE EXECUTION OF A MEMORANDUM OF AGREEMENT WITH AFSCME LOCAL #1844 FOR A SUCCESSOR COLLECTIVE BARGAINING AGREEMENT

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

adopted:

WHEREAS, the Collective Bargaining Agreement between the Township of Neptune and AFSCME Local #1844 expired on December 31, 2012; and,

WHEREAS, representatives from AFSCME Local #1844 and the Township of Neptune engaged in negotiations to develop a Successor Collective Bargaining Agreement; and,

WHEREAS, a Settlement has been reached between the two parties and a Memorandum of Agreement for a Successor Collective Bargaining Agreement has been prepared and endorsed by AFSCME Local #1844,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Memorandum of Agreement with AFSCME Local #1844 which details the changes in terms and conditions of employment to be contained in a Successor Collective Bargaining Agreement from the previous Bargaining Agreement with said Local for the term of January 1, 2013 and December 31, 2016; and,

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

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Vince McGuire, Willow Drive, asked about the possibility of installing speed humps on residential streets. The Mayor stated that he met with the Deputy Chief to discuss traffic calming. He has several ideas for enforcement; however, he is not in favor of speed tables at this time due to costs and concerns for emergency vehicles. Mr. Anthony stated that he is the Municipal Attorney in Eatontown where speed tables were installed. He stated that some of the negatives are accidents when first installed, particularly motorcycles; force traffic on to streets without the speed humps; and if you live next to the speed humps they cause vibration that can be felt in the home. Mr. McGuire asked if the Township installs curbs along streets in front of properties. The Mayor responded that curbs are the homeowners responsibility.

Michael Fornino, 120 Fulham Place, stated that there was an article in the Asbury Park Press about summer hours at the library and employees being paid for hours that are not worked and employees do not clock out when they leave work. There is rumor that there may be repercussions against the whistle blower. He also has learned that the Library Board is autonomous but the Committee could pressure them to do the right thing and also ask the Chairperson to step down. Mr. Anthony stated that the Township Committee has no control over the Library Board, they are a separate entity. Mr. Fornino stated that this is a poor reflection on the township. Mr. Gadaleta stated that he will look into the issue of employees not clocking out of work.

Dorothy Argyros, 2100 Rutherford Avenue, questioned that given the history of the Exxon property and knowledge of prior spills, why is the Township allowing ten gas pumps on the edge of homes with families living there. There are mounds of toxic dirt there and deep excavation has taken place on the property. She added that Avakian is not enforcing the rules and she wants them fired. There is a 16 foot gap in the fence and when she went there, the Neptune police told her to get off of the property.

Mr. McMillan left the meeting.

Ms. Jahn stated that there are a lot of people who are happy that a Wawa is coming to the location of the former Exxon station.

Heinz Weck, Ocean Grove, stated that Avakian is one of the best and is a very loyal person. He added that two people contacted him to say they are in favor of rent control, but they could not make this meeting to speak on the issue.

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

Richard J. Cuttrell,
Municipal Clerk