

TOWNSHIP COMMITTEE MEETING – JULY 8, 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, 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.

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:

Mr. Cuttrell explained that the Township is being asked to adopt an ordinance to guaranty financing to the Ocean Grove Fire District by the Monmouth County Improvement Authority. He stated that the Fire District formulates its own annual budget and has taxing powers so there is no threat of default by the District. He estimated that financing through the Improvement Authority will save about \$30,000 on interest costs for the lease of a new pumper.

Mr. Anthony stated that he sent an opinion letter in regards to rent control and a sample ordinance that is similar to other municipalities in Monmouth County. Any tenant is subject to rent control when their current lease expires. Rent increases would be limited to the increase in the consumer price index. For new tenants, the landlord can charge the market rate and then the rent increases are controlled. The theory behind rent control is that once a person moves into an apartment, the tenant is disadvantaged to negotiate a new rate. Mr. Bishop stated that this also gives the tenant the right to go to the Rent Control Board to complain or ask for a reduction in rent if services are reduced either temporarily or permanently. Ms. Jahn asked if landlords can avoid rent control by using month-to-month leases. Mr. Anthony stated no, because an increase in rent is only allowed once a year no matter the length of the lease. A tenant can only be removed for cause and once the lease expires, the landlord must offer a renewal. Mr. Anthony reiterated that this only applies to non-seasonal/non-transitory rentals. Also, the landlord has a mechanism to pass on capital improvement expenses as an unanticipated expense. The landlord would appear before the Rent Board for approval and the increase would be proportional among all the tenants over a period of years. Ms. Jahn asked if the landlord can demand an increase in security deposit. Mr. Anthony stated that security deposit is covered under a separate law but is capped at 1 ½ months rent. The landlord can ask for increases as rent increases. Once a tenant leaves the apartment, the security is returned with interest. The Mayor asked if a landlord can raise the rent prior to rent control taking effect. Mr. Anthony stated that the landlord can raise the rent but the increase cannot be above the rental value and cannot be unconscionable. Case decisions show that any increase above 10% is questionable. The Committee asked that the rent control ordinance be placed on the next regular meeting for introduction.

Mr. Bishop left the meeting.

Mr. Bascom stated that Cityworks is ready to start on the next building of the West Lake Avenue Redevelopment Project. They are seeking HMFA financing; therefore, a payment in lieu of taxes (PILOT) agreement is required for affordable housing. The proposed PILOT calls for a payment of 10.5% of revenues and declares that this is part of the Township's COAH obligation and must stay as affordable housing to maintain the PILOT. Mr. McMillan asked if local contractors will be used for the construction. Mr. Bascom stated that the construction element must conform to HMFA regulations.

The Mayor stated that he is concerned with some of the things going on at the Wawa construction site at Routes 33 and 35 and only one of the outstanding issues has been resolved. Mr. Gadaleta stated that he also visited the site and saw that that gate was wide open to the site. The Engineer sent a letter to contractor telling him to resolve the issues. Mr. Gadaleta added that in reference to the odor coming from the storm drains, the NJDOT has turned the matter over to their division that looks into such matters. The contractor is currently working on drainage at the site and Township staff will continue to monitor. The Mayor stated that he is concerned that these items continue to be unresolved and there is a two foot gap in the fence surrounding the site. Mr. Anthony recommended that Code Enforcement can look into the matter and the performance bond can also be looked at. Ms. Jahn stated that the contractor is not taking the Township seriously and it is time to issue some type of violation.

Mr. Bascom stated that a meeting was held with FEMA and the Township will be participating in a computerized system with its FEMA paperwork. The Hazardous Mitigation Program is proceeding and a meeting is upcoming with the State to discuss possible acquisitions in the flood zone. Meetings and discussions continue in regards to the boardwalk issue. Mr. Gadaleta stated that private property recovery is still proceeding slowly and a meeting will be scheduled to see if the Township can help in getting the process moving faster.

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

Mr. McMillan 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:

Contract negotiations – Use and Occupancy Agreement for Green Acres encroachment
Personnel – Housing Authority vacancy and Environmental/Shade Tree alternate member

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

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

The Committee asked that a resolution appointing Carol Foster to the Housing Authority be added to the next regular meeting agenda.

The Committee instructed Mr. Anthony to file a motion to the bankruptcy court to consent to an inspection of the Parkview Inn.

Mr. Bascom stated that he will present recommendations for the hiring of four police officers in the next week. There were 56 applicants received and interviews were conducted. Nine individuals have been scheduled for second interviews. Of the total applicant pool, eleven are Neptune residents and two of these are in the final nine candidates.

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: Mary Beth Jahn, Kevin B. McMillan, and Mayor Eric J. Houghtaling. Absent: Dr. Michael Brantley (J. Randy Bishop arrived just prior to the resolution to pay bills)

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.

APPROVAL OF MINUTES

Mr. McMillan offered a motion, seconded by Ms. Jahn, to approve the minutes of the meetings held on April 8th and April 22nd. All were in favor.

REPORT OF THE CLERK

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

Rosemary Gray sent letters of thanks to the following individuals and organization for recent donations to the Senior Center: Christopher Gifford, Ruth & Michael Harrigan, Darrell Bozarth, Don Bartlett, Ruby Wright, Peg Steneck, Patti Amberg, Elizabeth Burns, Rutgers Master Gardeners, Frances Nikovits, Valaida Albert & Loretta Allen, Villas Gardening Club and P.B.A. Local #74.

COMMENTS FROM THE DAIS

Mary Beth Jahn expressed her condolences to the friends and family on the passing of Mr. James Terrell. She stated he did so much for the children and the people of the Township. He was not flashy and got great results. He really was for the redevelopment of mid-town and his passing was unbelievable. She welcomed the World Changers for coming to help a lot of people who received property damage due to Super Storm Sandy.

Kevin McMillan stated he attended the League of Municipalities legislative committee meeting. He also stated he had the pleasure of attending the fourth of July parade in Ocean Grove and every year it gets better and better. He stated it was very hot but they made it through. He also stated that he attended the viewing of Mr. Terrell as well. He stated he was truly a giant and was a man who loved his family. He stated Neptune would definitely miss him and his presence would not be forgotten.

Mayor Houghtaling stated he attended the grand opening of Celerion even though it's been in Neptune for many years with different locations. He stated they requested the students at Neptune High School provide a mural, which they did and it's now posted in their lobby. He stated he also attended the 75th anniversary of Mt. Olive Church and he spoke from the pulpit. He felt it was very humbling. He went on to state that Neptune's High School graduation was another success with well over 300 students graduating. He stated the numbers were picking up. He also stated that he marched in the fourth of July parade and it was very enjoyable. He reported they've completed the paving on Green Grove Road from Hwy 33 to Route 66 and repaved or replaced sidewalks where needed. They also provided curbs and fixed drains. At Heritage Estates the developer did not want to do the final pavement but through the efforts of the Township it was done and was included in the pavement. That development really looks nice. He met with the homeowners of Seaview Island and discussed concerns such as speeding. He spent a great portion of this day with the Terrell Family. He felt Mr. Terrell deserved a lot of respect for the things he's done for the community. He stated he would be missed and he wished his family the best. He concluded by welcoming the World Changers group and stated he visited a site and the elderly couple was really happy and he hoped to visit other sites as well.

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 the resolution regarding West Lake Avenue Building B2 is very good and suggested that the Township require that affordability must last at least 30 years. Ms. Argyros stated that in regards to the resolution regarding waiving fees for World Changers projects, she read the World Changers mission statement and they are a religious organization. She questioned whether the Township should sponsor their participation every year because it brings into question the separation of church and state.

Hank Coakley, Valley Road, asked if the items discussed in executive session could be divulged. Mr. Anthony stated that discussion the items would be premature.

Michael Fornino, 120 Fulham Place, asked for information on the resolution to purchase energy generation services. Mr. Bascom stated that the Township is buying electric power for the municipal complex. Mr. Fornino asked if this was also being done with natural gas. Mr. Bascom stated not yet. The Township is using new state regulations for electricity.

Tassie York, 10th Avenue, asked about the hiring of an on-call Tourism Representative because she did not see the job opening posted on-line. Mr. Cuttrell stated that the position is to fill in for a total of eight hours this summer when all three Tourism Representatives are not available. Ms. York stated that the job still should have been advertised.

ORDINANCE NO. 13-24 - APPROVED

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

ORDINANCE NO. 13-24

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-21 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A HANDICAPPED PARKING ZONE ON ABBOTT AVENUE

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

ORDINANCE NO. 13-25- APPROVED

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

ORDINANCE NO. 13-25

AN ORDINANCE AUTHORIZING THE GUARANTY BY TOWNSHIP OF NEPTUNE, NEW JERSEY OR PAYMENT OF PRINCIPAL AND INTEREST ON THE CAPITAL EQUIPMENT LEASE REVENUE BONDS, SERIES 2013 (THE TOWNSHIP OF NEPTUNE FIRE DISTRICT #2 PROJECT) OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY

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

Mr. Cuttrell stated that the Public Hearings on Ordinances 13-24 and 13-25 will be held on Monday, July 22, 2013.

CONSENT AGENDA

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

WAIVE MUNICIPAL PORTION OF CONSTRUCTION PERMIT FEES AND DUMPSTER FEES FOR WORLD CHANGERS REHABILITATION PROJECTS

WHEREAS, World Changers is performing roof rehabilitation projects that require construction permits and dumpsters; and,

WHEREAS, World Changers is a non-profit volunteer organization providing home improvement projects at various locations throughout the Township; and,

WHEREAS, the Township Committee desires to authorize a waiver of the construction permit and dumpster fees associated with these projects,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby waives the municipal portion of the construction fee permits and all dumpster fees for repairs being performed by World Changers for the reasons as stated herein; and,

BE IT FURTHER RESOLVED, that this resolution does not waive the requirement to obtain applicable construction permits and the performance of construction inspections; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Construction Official and Community Programs Coordinator.

CONFIRM THE COMPLETION OF SITE PLAN IMPROVEMENTS AT HERITAGE ESTATES BY TRAVELERS INDEMNITY CO. AND RELEASE ALL SURETY BONDS AND DEVELOPERS ESCROW IN ACCORDANCE WITH APPROVED SETTLEMENT AGREEMENT

WHEREAS, Dykeman Associates, Inc. filed a performance guarantee written by Gulf Insurance Company in the amount of \$649,363.30 guaranteeing the performance of site improvements at the project known as Fairways at Heritage Estates, located on Green Grove Road (Block 10000, Lot 6); and,

WHEREAS, a subsequent resolution adopted by the Township Committee reduced the amount of said bond to \$164,809.08; and,

WHEREAS, on March 25, 2013, the Township Committee adopted resolutions to affirm default of Dykeman Associates for roadway improvements and to enter into a Settlement Agreement with Travelers Indemnity Company (as successor in interest for Gulf Insurance Company) to make necessary repairs and pave roadways within the Fairways at Heritage Estates development; and,

WHEREAS, on July 1, 2013, the Township Engineer certified that the required improvements were complete; and,

WHEREAS, in accordance with the Settlement Agreement, Travelers Indemnity Company is now entitled to the release of the performance bond and payment of the cash performance guarantee posted by the Developer in the amount of \$18,312.12 together with any accrued interest being held by the Township,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby confirms the completion of site plan improvements at Heritage Estates by Travelers Indemnity Company in accordance with the terms of a Settlement Agreement executed on March 25, 2013; and,

BE IT FURTHER RESOLVED, that the release of the performance bond as stated herein is hereby authorized to Travelers Indemnity Company; and,

BE IT FURTHER RESOLVED, that the remaining balance in the cash performance guarantee account in the amount of \$18,312.12, plus any accrued interest, be and is hereby authorized to be paid to Travelers Indemnity Company; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Township Engineer, Township Attorney, Construction Official and Travelers Indemnity Company.

AUTHORIZE THE ENDORSEMENT OF THE TAX SALE CERTIFICATE AFFECTING BLOCK 8000, LOT 5 (3122 WEST BANGS AVENUE)

WHEREAS, all the taxes, costs and interest have been paid on the Tax Title Lien Certificate affecting the property listed below,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and they are hereby authorized to endorse for cancellation the Tax Title Lien Certificate affecting Block 8000, Lot 5 (3122 West Bangs Avenue); and,

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

AUTHORIZE AN AMENDMENT TO THE 2013 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE MUNICIPAL COURT ALCOHOL EDUCATION, REHABILITATION AND ENFORCEMENT 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 \$3,377.58 which is now available from the Municipal Alcohol Education & Rehabilitation Program in the amount of \$3,377.58; and,

BE IT FURTHER RESOLVED that the like sum of \$3,377.58 is hereby appropriated under the caption of Municipal Alcohol Education & Rehabilitation Program; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Courts Municipal Court Alcohol Education, Rehabilitation and Enforcement Program in the amount of \$3,377.58; 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.

ACCEPT THE RESIGNATION OF MICHAEL PANTELEON AS A SPECIAL LAW ENFORCEMENT OFFICER IN THE POLICE DEPARTMENT

WHEREAS, the Township Committee has received a letter from Michael Panteleon resigning as a Special Law Enforcement Officer – Class II in the Police Department effective June 20, 2013,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Michael Panteleon as a Special Law Enforcement Officer – Class II in the Police Department is hereby accepted effective June 20, 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., and Deputy Chief of Police.

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 023

WHEREAS, Saif Khan is the owner of Neptune Township Taxi Medallion No. 023; and,

WHEREAS, he has notified the Taxi License Coordinator of the intent to sell and transfer ownership of said medallion to Zafar Khan; and,

WHEREAS, the Taxi License Coordinator has certified that all requirements of transfer have been satisfied,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted for the transfer of Taxi Medallion License No. 023 to Zafar Khan; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Taxi License Coordinator and Municipal Clerk.

EXTEND DEADLINE FOR PAYMENT AND PROVIDE CANCELLATION OR CREDIT OF A PORTION OF SUMMER DOCKAGE FEES AT THE MUNICIPAL MARINA

WHEREAS, due to the ongoing repairs and improvements at the Municipal Marina as a result of damage from Hurricane Sandy, the start of the summer dockage season was delayed until July 1, 2013; and,

WHEREAS, in consideration the Harbor Master recommends that the deadline for payment for 2013 summer dockage fees be extended from May 31st to July 31st; and,

WHEREAS, in addition, the Harbor Master recommends that the official start of the 2013 summer dockage season be established as July 1st instead of the usual April 1st date; and,

WHEREAS, the length of the 2013 summer dockage season is therefore 62.5% of a normal summer dockage season and the amount of summer dockage fee should reflect a corresponding reduction,

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

- 1) The deadline for full payment of 2013 summer dockage fees be and is hereby extended

from May 31st to July 31st.

2) Late fees shall be charged for payments made after July 31st in accordance with rates established by Resolution #12-395.

3) Due to the shortened summer dockage season, the amount of 2013 summer dockage fees shall be set at 62.5% of the amount of summer dockage fees established by Resolution #12-395.

4) Customers who have paid fees in full, or paid an amount in excess of the revised fee amount, will receive a credit for the excess payment towards either 2013 winter storage fees or 2014 summer dockage fees. Summer dockage fees in excess of the 62.5% amount will be cancelled for customers who have not paid in full.

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

SUPPORT APPLICATION OF TRF DEVELOPMENT PARTNERS FOR NEIGHBORHOOD ENHANCEMENT PROGRAM FUNDING FOR SCHOOLHOUSE SQUARE

WHEREAS, the State of New Jersey has announced the availability of Neighborhood Enhancement Program funding as part of the Hurricane Sandy Recovery Program; and,

WHEREAS, TRF Development Partners has indicated their desire to apply for funding under this program to reduce the purchase price of homes constructed at the Schoolhouse Square housing project; and,

WHEREAS, this funding would further redevelopment in Neptune Township and provide much needed affordable homeownership opportunities,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby supports the application of TRF Development Partners' application for Neighborhood Enhancement Program funding in the amount of \$392,000 to enhance the affordability of homes in the Schoolhouse Square Project; and,

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

PLACE LIEN ON VARIOUS PROPERTIES

WHEREAS, Ordinance #843 of the Township of Neptune states that where a violation or condition exists on any property in the Township of Neptune that is of such a nature as to constitute an immediate threat to life, health, safety and the well being of residents in this township unless abated without delay, the Director of Code Enforcement may abate the violation or condition immediately or order the owner, operator or occupant to correct the violation or condition within a three-day period; and

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

WHEREAS, the Director of Code Enforcement has notified the Township Committee of the Township of Neptune that the owners of said property have failed to correct the condition/violation as ordered; and

WHEREAS, the Director of Code Enforcement has had the condition corrected in accordance with Article IV, Section 6.2 (a) of Ordinance #843 at a total cost as indicated below,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Tax Collector be and is hereby authorized to place the following costs as a lien against the following properties; and,

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
9003/12	723 John Terrace	\$ 380.00
9005/16	12 Kenneth Terrace	285.00
9007/24	712 Doris Terrace	380.00
9012/11	801 Ruth Drive	190.00
487/281	200 Hillside Drive	190.00

20/572	28 Main Avenue	190.00
9057/2	5 Sherwood Drive	550.00
7005/6	12 Coral Way	354.75
304.23/6	309 Hollywood	409.75
169/172.03	405 ½ Atkins Avenue	186.75
158/8	10 Vanderbilt Place	186.75
274/84.01	1549 8 th Avenue	186.75
204/237	1310 ½ 8 th Avenue	186.75
167/327	604 Ridge Avenue	124.50
201.01/28	1309 11 th Avenue	622.50
394/44	508 Lakewood Road	633.60
6002/11	103 Olive Street	206.80
440/33	508 Couse Road	167.20
6000/13	106 Olive Street	514.80
196/4	159 Myrtle Avenue	230.00
193/202	402 Fisher Avenue	415.00
215/107	155 Fisher Avenue	415.00
217/95	203 Fisher Avenue	622.50
7019/2.01	3454 West Bangs Avenue	830.00
253/25	1918 Milton Avenue	415.00
175/516	1205 Embury Avenue	440.00
266.03/197	1914 Greenwood Avenue	415.00
335/38	3002 Highway 33	440.00
194/4	313 Myrtle Avenue	924.00
192/68.01	Summerfield Avenue	497.20
189/97.01	503 Fisher Place	184.80
10021/9	17 Toomin Drive	602.80
3029/18	801 Halton Court	677.60
9005/4	734 Gail Drive	604.45

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

EMPLOY ON-CALL TOURISM REPRESENTATIVE FOR THE 2013 SUMMER SEASON

WHEREAS, there is a need for an on-call Tourism Representative in the Tourism Bureau for the 2013 Summer Season; and,

WHEREAS, this on-call employee will work in the absence of the Tourism Representatives employed by Resolution #13-219 and will not result in an increase in the total number of employee hours in the Tourism Bureau; 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 Shirleen Dorman be and is hereby employed as an on-call Tourism Representative in the Tourism Bureau not to exceed an average of 25 hours per week effective July 9, 2013 and ending October 1, 2013, at \$12.54 per hour; and,

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

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
1302	11	KIERNAN	22 ELM DR	2013	1,426.25
237	5	DINKINS	1903 BROCKTON AV	2013	1,021.64
209	5	PARKER	1421 7 TH AVE	2013	778.36

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 SEWER RENT (101 ANELVE AVENUE)

WHEREAS, the 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, that the Tax Collector be and hereby is authorized to cancel Sewer Rent as stated herein; and,

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
188/1	Johnie & Katie McLean	101 Anelve Ave	2013	440.00

REASON: Property has been billed for five units and is now four units

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

ACCEPT THE RESIGNATION OF RICHARD BRENNAN AS AN ON-CALL BUS DRIVER IN THE SENIOR CENTER

WHEREAS, the Township Committee has received a letter from Richard Brennan resigning as an on-call Bus Driver in the Senior Center effective July 1, 2013,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Richard Brennan as an on-call Bus Driver in the Senior Center is hereby accepted effective July 1, 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., Mandy To and Senior Center Director.

AUTHORIZE THE PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE THROUGH AN ONLINE AUCTION WEBSITE

WHEREAS, Neptune Township has determined to proceed with the EMEX Reverse Auction in order procure electricity for Neptune Township; and,

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the "Act") authorizes the purchase of energy generation service for public use through the use of an online auction service; and,

WHEREAS, Neptune Township will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and,

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and,

WHEREAS, the auction will be conducted pursuant to the Local Unit Technology Pilot Program and Study Act,

WHEREAS, if the auction achieves a price of \$0.0960 / kWh or less for a 12 month term, a price of \$0.0932 or less for an 18 month term, or a price of \$0.0922 / kWh or less for a 24 month term; Neptune Township may award a contract to the winning supplier for the selected term,

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 on behalf of Neptune Township any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$0.0960 / kWh or less for a 12 month term, a price of \$0.0932 or less for an 18 month term, or a price of \$0.0922 / kWh or less for a 24 month term; and,

BE IF FURTHER RESOLVED, that a certified copy of the within Resolution be forwarded to the Business Administrator, Chief Financial Officer, Township Engineer and Assistant C.F.O.

RESCIND REFUND OF SUMMER DOCKAGE FEE AUTHORIZED BY RESOLUTION #13-282

WHEREAS, on June 10, 2013, the Township Committee adopted Resolution #13-282 which authorized the cancellation and refund of payments for summer dockage or kayak storage for several Municipal Marina clients; and,

WHEREAS, one of the individuals, Robert Forsyth, is now remaining at the Municipal Marina so it is necessary to rescind the previously authorized refund of summer dockage fees,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the refund of 2013 summer dockage fees, authorized by Resolution #13-282, to Robert Forsyth in the amount of \$553.00 as be and is hereby rescinded; and,

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

AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT AGREEMENT FOR THE DEVELOPMENT OF A STRATEGIC RECOVERY PLANNING REPORT

WHEREAS, the Township of Neptune desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$30,000.00 to develop a Strategic Recovery Planning Report,

THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune does hereby authorize the application for such a grant; and,

BE IT FURTHER RESOLVED, that the Township Committee recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Neptune and the New Jersey Department of Community Affairs; and,

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

Approved: July 8, 2013

Eric J. Houghtaling,
Mayor

Michael J. Bascom,
Chief Financial Officer

The resolutions of the Consent Agenda were approved on the following vote: Jahn, aye; McMillan, aye, except abstain on the resolution involving Heritage Estates; and Houghtaling, aye.

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH IMPROVEMENTS TO GREEN GROVE ROAD – PHASE II

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

WHEREAS, a contract was awarded to Lucas Construction Group in the amount of \$418,914.97 in connection with Improvements to Green Grove Road – Phase II; and,

WHEREAS, changes to the contract have been experienced as a result of using the unit pricing under said contract to pave New York Road and Albany Road as well as replacing 380 linear feet of sanitary sewer line and installing two new manholes on New York Road; and,

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

WHEREAS, funds for this purpose are available in Ordinances No. 11-25 and 13-14 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 Lucas Construction Group in connection with Improvements to Green Grove Road – Phase II resulting in a net increase of \$60,525.00 revising the total contract amount to \$479,439.97; and,

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

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

DECLARE THAT THE PROPOSED WEST LAKE AVENUE BUILDING B2 PROJECT MEETS AN EXISTING HOUSING NEED AND AUTHORIZE THE EXECUTION OF AN AGREEMENT FOR PAYMENT IN LIEU OF TAXES

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

WHEREAS, CityWorks West Lake, LLC (hereinafter referred to as the "Sponsor") proposes to construct a mixed use housing project containing 26 apartments for families known as West Lake Avenue Building B2 (hereinafter referred to as the "Project") pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1 et seq., and all applicable guidelines (the foregoing hereinafter referred to as the "HMFA Requirements") within the municipality of the Township of Neptune (hereinafter referred to as the "Municipality") on a site described as Lot 612-619, Block 218.02 as shown on the Official Assessment Map of the Township of Neptune, Monmouth County and commonly known as 1800-1806 West Lake Ave; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality; and

WHEREAS, the Sponsor has presented to the Municipal Committee a revenue projection for the Project which sets forth the anticipated revenue to be received by the Sponsor from the operation of the Project as estimated by the Sponsor and the Agency, a copy of which is attached hereto and made a part hereof as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Neptune (the "Committee") that:

- (1) The Committee finds and determines that the proposed Project will meet or meets an existing housing need;
- (2) The Committee does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provisions of the HMFA Requirements with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own and operate the Project; and
- (3) The Committee does hereby adopt the within Resolution with the further intent and purpose that from the date of execution of the Agency mortgage, the proposed Project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Requirements, provided that payments in lieu of taxes for municipal services supplied to the Project are made to the municipality in such amounts and manner set forth in the Agreement for Payments in Lieu of Taxes attached hereto as Exhibit "B"; and
- (4) The Committee hereby authorizes and directs the Mayor of the Township of Neptune to execute, on behalf of the municipality, the Agreement for Payments in Lieu of Taxes in substantially the form annexed hereto as Exhibit "B"; and
- (5) The Committee understands and agrees that the revenue projections set forth in Exhibit "A" are estimates and that the actual payments in lieu of taxes to be paid by the Sponsor to the municipality shall be determined pursuant to the Agreement for Payments in Lieu of Taxes executed between the Sponsor and municipality.

AGREEMENT FOR PAYMENT IN LIEU OF TAXES

THIS AGREEMENT, made this 8th day of July, 2013, between CityWorks West Lake, LLC, a limited liability company of the State of New Jersey, having its principal office at 122 West State Street, Trenton, NJ 08608 (hereinafter the "Sponsor") and the Township of Neptune, a municipal corporation in the County of Monmouth and State of New Jersey (hereinafter the "Municipality").

WITNESSETH

In consideration of the mutual covenants herein contained and for other good and valuable consideration, it is mutually covenanted and agreed as follows:

1. This Agreement is made pursuant to the authority contained in Section 37 of the New Jersey Housing and Mortgage Finance Agency Law of 1983 (N.J.S.A. 55:14K-1 et seq.) (hereinafter "HMFA Law") and a Resolution of the Council of the Municipality dated July 8, 2013, (the "Resolution") and with the approval of the New Jersey Housing and Mortgage Finance Agency (hereinafter the "Agency"), as required by N.J.S.A. 55:14K-37.

2. The Project is or will be situated on that parcel of land designated as Block 218.02, Lots 612-619 as shown on the Official Assessment Map of the Township of Neptune, and more commonly referred to as 1800-1806 West Lake Avenue, Neptune, New Jersey.

3. As of the date the Sponsor executes a first mortgage upon the Project in favor of the Agency (hereinafter referred to as the "Agency Mortgage"), the land and improvements comprising the Project shall be exempt from real property taxes, provided that the Sponsor shall make payments in lieu of taxes to the Municipality as provided hereinafter. The exemption of the Project from real property taxation and the sponsor's obligation to make payments in lieu of taxes shall not extend beyond the date on which the Agency Mortgage is paid in full, which, according to the HMFA Law, may not exceed fifty (50) years.

4. (a) For projects receiving construction and permanent financing from the Agency, the Sponsor shall make payment to the Municipality of an annual service charge in lieu of taxes in such amount as follows:

(1) From the date of the execution of the Agency Mortgage until the date of substantial completion of the Project, the Sponsor shall make payment to the municipality in an amount equal to _N/A_ (pursuant to the HMFA Law, the annual amount may not exceed the amount of taxes due on the property for the year preceding the recording of the Agency Mortgage). As used herein, "Substantial Completion" means the date upon which the Municipality issues the Certificate of Occupancy for all units in the Project.

(2) From the date of Substantial Completion of the Project and for the remaining term of the NJHMFA Mortgage, the Sponsor shall make payment to the Municipality in an amount equal to 10.5 percent of Project Revenues.

(b) For Projects receiving permanent financing only from the Agency, the Sponsor shall make payment to the Municipality in an amount equal to 10.5 percent of Project Revenues from the date of the Agency Mortgage and for the remaining term of the Agency Mortgage.

(c) As used herein, "Project Revenues" means the total annual gross rental or carrying charge or other income of the Sponsor from the Project less the costs of utilities furnished by the Project, which shall include the costs of gas, electricity, heating fuel, water supplied, and sewage charges, and less vacancies if any. Project Revenues shall not include any rental subsidy contributions received from any federal or state program.

(d) The amount of payment in lieu of taxes to be paid pursuant to paragraphs (a) or (b) and (c) above is calculated in Exhibit "A" attached hereto. It is expressly understood and agreed that the revenue projections provided to the Municipality as set forth in Exhibit "A" and as part of the Sponsor's application for an agreement for payments in lieu of taxes are estimates only. The actual payments in lieu of taxes to be paid by the Sponsor shall be determined pursuant to Section 5 below.

5. (a) Payments by the Sponsor shall be made on a quarterly basis in accordance with bills issued by the Tax Collector of the Municipality in the same manner and on the same dates as real estate taxes are paid to the Municipality and shall be based upon Project Revenues of the

previous quarter. No later than three (3) months following the end of the first fiscal year of operation after (i) the date of Substantial Completion (for projects receiving construction and permanent financing) or (ii) the date of the Agency Mortgage (for projects receiving permanent financing only) and each year thereafter that this Agreement remains in effect, the Sponsor shall submit to the Municipality a certified, audited financial statement of the operation of the Project (the "Audit"), setting forth the Project Revenues and the total payments in lieu of taxes due to the Municipality calculated at 6.28 percent of Project Revenues as set forth in the Audit (the "Audit Amount"). The Sponsor simultaneously shall pay the difference, if any, between (i) the Audit Amount and (ii) payments made by the Sponsor to the Municipality for the preceding fiscal year. The Municipality may accept any such payment without prejudice to its right to challenge the amount due. In the event that the payments made by the Sponsor for any fiscal year shall exceed the Audit Amount for such fiscal year, the Municipality shall credit the amount of such excess to the account of the Sponsor.

(b) All payments pursuant to this Agreement shall be in lieu of taxes and the Municipality shall have all the rights and remedies of tax enforcement granted to Municipalities by law just as if said payments constituted regular tax obligations on real property within the Municipality. If, however, the Municipality disputes the total amount of the annual payment in lieu of taxes due it, based upon the Audit, it may apply to the Superior Court, Chancery Division for an accounting of the service charge due the Municipality, in accordance with this Agreement and HMFA Law. Any such action must be commenced within one year of the receipt of the Audit by the Municipality.

(c) In the event of any delinquency in the aforesaid payments, the Municipality shall give notice to the Sponsor and NJHMFA in the manner set forth in 9(a) below, prior to any legal action being taken.

6. The tax exemption provided herein shall apply only so long as the Sponsor or its successors and assigns and the Project remain subject to the provisions of the HMFA Law and Regulations made thereunder and the supervision of the Agency, but in no event longer than the term of the Agency Mortgage. In the event of (a) a sale, transfer or conveyance of the Project by the Sponsor or (b) a change in the organizational structure of the Sponsor, this Agreement shall be assigned to the Sponsor's successor and shall continue in full force and effect so long as the successor entity qualifies under the HMFA Law or any other state law applicable at the time of the assignment of this Agreement and is obligated under the Agency Mortgage.

7. Upon any termination of such tax exemption, whether by affirmative action of the Sponsor, its successors and assigns, or by virtue of the provisions of the HMFA Law, or any other applicable state law, the Project shall be taxed as omitted property in accordance with the law.

8. The Sponsor, its successors and assigns shall, upon request, permit inspection of property, equipment, buildings and other facilities of the Project and also documents and papers by representatives duly authorized by the Municipality. Any such inspection, examination or audit shall be made during reasonable hours of the business day, in the presence of an officer or agent of the Sponsor or its successors and assigns.

9. Any notice or communication sent by either party to the other hereunder shall be sent by certified mail, return receipt requested, addressed as follows:

(a) When sent by the Municipality to the Sponsor, it shall be addressed to 122 West State Street, Trenton, NJ 08608 or to such other address as the Sponsor may hereafter designate in writing and a copy of said notice or communication by the Municipality to the Sponsor shall be sent by the Municipality to the New Jersey Housing and Mortgage Finance Agency, 637 South Clinton Avenue, P.O. Box 18550, Trenton, New Jersey 08650-2085.

(b) When sent by the Sponsor to the Municipality, it shall be addressed to the Township of Neptune, 25 Neptune Blvd. Neptune NJ 07753 or to such other address as the Municipality may designate in writing; and a copy of said notice or communication by the Sponsor to the Municipality shall be sent by the Sponsor to the New Jersey Housing and Mortgage Finance Agency, 637 South Clinton Avenue, P.O. Box 18550, Trenton, New Jersey 08650-2085.

10. In the event of a breach of this Agreement by either of the parties hereto or a dispute arising between the parties in reference to the terms and provisions as set forth herein, either party may apply to the Superior Court, Chancery Division, to settle and resolve said dispute in such fashion as will tend to accomplish the purposes of the HMFA Law.

11. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same

agreement. It shall not be necessary in making proof of this Agreement to produce or account for more than a sufficient number of counterparts to evidence the execution of this Agreement by each party hereto.

The resolution was adopted on the following vote: Jahn, aye, adding that this is a fabulous project; McMillan, aye; and Houghtaling, aye.

Mr. Bishop returned to the meeting.

AUTHORIZE THE PAYMENT OF BILLS

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

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following bills be paid if properly certified:

CURRENT FUND	398,276.20
FEDERAL & STATE GRANT FUND	13,472.00
TRUST OTHER	48,267.86
GENERAL CAPITAL FUND	128,822.23
SEWER OPERATING FUND	16,592.87
SEWER CAPITAL FUND	12,012.62
MARINA OPERATING FUND	13,045.72
MARINA CAPITAL FUND	62,034.00
DOG TRUST	7,477.00
UDAG RECIPRICAL TRUST	9,532.83
LIBRARY TRUST	2,227.83
BILL LIST TOTAL	\$711,761.16

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

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Dorothy Argyros, 2100 Rutherford Avenue, thanked the Mayor for coming to the Wawa site and joining in the picket. She distributed a packet of information for the Mayor, Land Use Department and Code/Construction Department as well as various elected officials and state agencies regarding the condition of the property at the Wawa site at Routes 33 and 35.

Dianna Harris, Willow Drive, thanked the Mayor, Dr. Brantley and Mr. McMillan for attending the funeral of James Terrell. She asked how affordable housing need is determined. Mr. Bascom stated that in the West Lake Avenue project resolution, the affordable housing number is from COAH.

Michael Fornino, 120 Fulham Place, stated that the passing of James Terrell is a great loss to the Township. He added that the matter involving payment to library employees for hours not worked on Saturdays was brought to the County Prosecutor. He stated that the Township Committee needs to correct this matter through the Library Board of Trustees and employees must punch out when they leave work. He said that Exxon has a No Further Action Letter from the state for the Wawa site at Route 33/35 so the story is over and they did what was needed.

Tassie York, 11th Avenue, stated that the Terrell family was happy to see the Mayor, Dr. Brantley and Mr. McMillan at the funeral. Mr. Terrell was a wonderful human being and the proclamation presented by the Township was wonderful. World Changers is doing a great job and she doesn't care about their religious affiliation. It is imperative to see that other people care so don't stop them from coming.

Laura Granelli, 113 Highland Avenue, asked if there is any movement to change the name of Riverside Park to Volunteer Park. The Mayor stated that the issue has not come up at a workshop meeting. Ms. Granelli expressed her thanks to the religious groups that arrived after Sandy to help Neptune residents.

Charles Leyton, Ocean Grove, asked for a status on the Parkview Inn. Mr. Bishop left the room. Mr. Anthony stated that a scheduled meeting was adjourned for a couple of weeks. He will file a motion to modify the stay to allow the Township access to inspect the building. In Municipal Court, there was a clear indication that Mr. Koplitz will not volunteer to allow access. Mr. Leyton asked if the fire alarm system is functioning. Mr. Anthony stated that the Board of Fire Commissioners is a Creditor and alarm system was working when last inspected.

Mr. Bishop returned.

Joan Venezia, 107 Mt. Hermon Way, stated that lighting on the boardwalk is lacking. The area needs to be safe and she asked the Township for assistance to help get the lights repaired. She heard that the lights to the north of the pavilion will be repaired by the end of July. Mr. Gadaleta stated that he reached out for JCP&L and our government service representative will provide an updated status this week.

Ms. Venezia asked why some intersections on Broadway have painted crosswalks and some do not. Mr. Bishop stated that the intersections with crosswalks were approved by NJDOT and have handicapped ramps facing Broadway. She asked why some intersections have painted yellow no parking boxes and some do not. Mr. Cuttrell stated that it depends on the width of the roadway. Ms. Venezia asked if there is a possibility to allow Ocean Grove residents to bag their leaves rather than to leave them in the gutter line where they can clog storm drains. The Mayor stated that he is waiting for input from the Ocean Grove Homeowners Association.

Heinz Weck, Ocean Grove, stated that the Headliner and Sunsets are now open. He thanked Leanne Hoffmann and Peter Avakian for the Broadway project because it is working great. He also stated that the potholes on Central Avenue have been filled.

Wayne T. Bell, 24 Seaview Avenue, asked about the Parkview Inn bankruptcy. Mr. Anthony reiterated his comments made to Mr. Leyton regarding the filing of a motion. Mr. Bell stated that Mr. Koplitz was measuring the building with some engineers and claims that he is starting to renovate the porch. Mr. Bell is worried about fire and the Township is not doing anything. Mr. Anthony stated that he is filing a motion tomorrow to gain access to the building.

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

Richard J. Cuttrell,
Municipal Clerk