

## TOWNSHIP COMMITTEE MEETING – JULY 22, 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. (Dr. Michael Brantley arrived during the open workshop session.

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.

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:

Bernard Haney, Tax Assessor, provided a presentation on the Assessment Demonstration Program which is a new assessment program to more accurately reflect property assessment values. The entire assessment calendar will be changed and the tax appeal deadline will now be by January 15<sup>th</sup> instead of April 1<sup>st</sup>. Therefore, appeals will be heard before the municipal budget is adopted so there will be a final assessment base and real rate to work with. The new system will allow municipalities to continually inspect property so that the upcoming revaluation in 2015 will be the last revaluation the township will ever have to do. 20% of the Township will be inspected each year and assessments will be adjusted annually. This will create a stable ratable base and tax rate and will increase the ability to win tax appeals because there will no longer be equalized values.

Dr. Brantley arrived.

Mr. Bascom stated that the Township will pay for the inspection of 20% of properties annually which Mr. Haney estimates at about \$40,000 per year after the 2015 revaluation. Ms. Jahn asked Mr. Haney if this new system will eliminate the potential of "sticker shock" of a township wide revaluation. Mr. Haney responded yes.

The Committee discussed rescheduling the September 9<sup>th</sup> due to a conflict with another event. Several dates were considered which each posing a challenge; therefore, the Committee will wait until the date gets closer and decide whether to cancel the meeting or reschedule on a different night.

Mr. Gadaleta stated that site remediation at the Welsh Farms site is still underway and the tank removal will occur shortly. Ms. Hoffmann is preparing specifications for the demolition of the rear part of the building and removal of the asphalt. The question is whether the front of the structure should be saved. Mr. Bishop stated that the residents want the front of the structure to remain and he agrees. Ms. Jahn stated that preservation efforts for the building can parallel the creation of Veterans Park on the property. Dr. Brantley and Mr. McMillan agreed that the front of the structure has historical value. The Mayor stated that the perimeter of the property needs to be cleaned and the asphalt removed along with the demolition of the back of the building.

Mr. Bascom stated that the HMEG program is now available for homeowners who wish to elevate their homes; however, funding through this program is not available to homeowners that have already elevated. The Township's Flood Mitigation Project is moving forward at the Concourse and bids were received for the Wesley Lake wall/dredging of Wesley and Fletcher Lakes. The tide flex valves will be installed on the outfall pipes along South Riverside Drive within the next 30 days. Mr. Gadaleta stated that a meeting was held with Blue Acres about the possibility of the state acquiring 21 damaged or vacant properties in the flood zone. This is not an eminent domain situation, a purchase price is offered to the property owner and the owner has the option whether or not to accept.

Dr. Brantley stated that a streetlight has not been functioning since Sandy at Summerfield and Monroe Avenues. Also, there are a lot of cars and suspicious activity taking place near Knox Boulevard and Belmar Avenue.

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

Mr. McMillan offered the following resolution, moved and seconded by Mr. Bishop, 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 – Police Department hirings

3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.

4. This Resolution shall take effect immediately.

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

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

Mr. Bascom stated that there is a resolution on tonight's agenda to hire four police officers. The recommendations were sent to the Committee a week ago. The notice that the Township was seeking applicants was sent out to the homeowners groups and via social media. A new employment application was also used. Two of the four individuals being recommended for hire are currently Special Law Enforcement Officers. Deputy Chief Hunt stated that the new application is 26 pages and can be completed on-line. The Police Department Command Staff interviewed 40 candidates and narrowed the field to nine. Mr. Bascom and the Command Staff gave second interviews to the nine and recommend four for hire. Dr. Brantley stated that he likes the transparency in the process. The four candidates were brought into the conference room where they had the opportunity to be introduced to the Township Committee and professional staff.

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. McMillan offered a motion, seconded by Ms. Jahn, to approve the minutes of the meeting held on May 13th. All were in favor.

#### REPORT OF THE CLERK

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

Tax Collector's monthly statement for June.

Minutes of the April 22<sup>nd</sup> meeting of the Senior Advisory Council.

A letter from David Mooij, Superintendent of Schools, thanking Deputy Chief Hunt for providing officers to control traffic in connection with the funeral James Terrell.

A letter from a Neptune resident thanking Police Officer Bryan Maher, Detective David Gamble and Detective Kevin O'Donnell for investigating and recovering items stolen on a robbery.

The 200 Club of Monmouth County presented awards to several of emergency responders in recognition of the meritorious service and life saving efforts: Police Officers Nicholas Taylor, Christopher Nishkoch, Shaun Hubbard, and Sgt. Scott Cox received merit awards. Officer Robert O'Heney, Sgt. Michael D'Amico, and Lt. Robert Mangold received Commendation awards and the ANSWER Water Rescue Team was recognized for life saving efforts during boat crash.

#### PUBLIC COMMENTS ON RESOLUTION TO HIRE FOUR POLICE OFFICERS

The Mayor requested public comments regarding a resolution to hire police officers and they were as follows:

Dorothy Argyros, 2100 Rutherford Avenue, stated that the Township is hiring many police officers and their salaries are very high. She wants to know that these officers are truly needed.

Mr. Bascom thanked the Police Department Command Staff for conducting the interviews of the candidates for police officer. He added that the process was far more open than in the past.

#### EMPLOY FOUR POLICE OFFICERS ON A PROBATIONARY BASIS

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

WHEREAS, due to retirements, there are vacancies in the position of Police Officer; and,

WHEREAS, candidates were interviewed by the Police Department command staff; and,

WHEREAS, the Acting Police Director and Deputy Police Chief have made their recommendations; and,

WHEREAS, funds in the appropriation entitled Police S&W, known as Account No. 240-010 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Darrell Harris, Ryan Chippendale, Robert Hagerman and Daniel Werner be and are hereby employed as probationary Police Officers in the Police Department, pending favorable results of physical and psychological examinations, at an annual base salary of \$36,743.00, and to perform such other duties as prescribed by the Chief of Police effective July 23, 2013; 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, Mandy To, and P.B.A. Local 74.

The resolution was adopted on the following vote: Bishop, aye, adding that he will continue to do things that protect the citizens of this Township; Brantley, aye, adding that the hiring process is transparent and different than in the past. He complimented all who were involved in moving these changes forward; Jahn, aye, adding that the Committee has a long history of protecting the citizens of Neptune; McMillan, aye, adding his thanks to Mr. Bascom and Deputy Chief Hunt; and Houghtaling, aye, adding his thanks to Mr. Bascom and Deputy Chief Hunt.

Mr. Bascom introduced each officer by providing background information on each. Mayor Houghtaling administered the Oath of Office to each officer who were accompanied by family members.

#### COMMENTS FROM THE DAIS

Randy Bishop expressed his condolences to the family of Commander Roland Boone. He stated he was an incredible individual and friend who served his country. He also stated the last two weeks has consisted with World Changers. They've had 621 young people between the ages of 14-20

descent on Neptune and do 46 sites with over 100 projects to help those in need and these kids pay \$309 to come for the privilege of doing the work and sleeping on the floor of the high school. He stated they were a wonderful group and the residents of Neptune benefit from them. He thanked the Board of Education and the school district for the use of the school for which a payment will be made to the school. He thanked his peers for their continued support of the program, Roberta Grace, Michael Snuerr, DPW and Monique Burger. He also stated he went to the MLK Soul Food cook off and it was incredible. He stated Touch A Truck was a lot of fun and thanked the Recreation Department for setting it up. He also went to see the senior citizen choir sing at Francis Asbury Manor. He concluded by stated that both he and the Mayor both met Missions 101 which was another group of kids that come to work on homes.

Mary Beth Jahn thanked World Changers for building a handicap ramp for one of her neighbors who was very happy to have it. She thanked Mr. Bishop for setting this project up. She also reported that she read an article in Philly.com about a picnic in Ocean Grove that was held on Friday and Ocean Grove United worked with the Ocean Grove Camp Meeting and the different groups came together and got along. She felt it was a good thing for the Township.

Kevin McMillan stated he attended the Meridian Homes Celebration. He thanked Mr. Cuttrell for drafting a letter at such a short notice. He also expressed his condolences to the family and friends of Commander Boone who would be sorely missed. He stated he attended the MLK Fundraiser and they had wonderful food.

Dr. Brantley stated he's been pretty busy and he attended the Terrell funeral and also the Boone funeral. He stated he was very good friends with the Boone Family and Commander Boone would be missed. He also stated he attended the retirement party of Reverend Henry Davis and presented him with a proclamation. He reported the Wesley Commission was moving along. He apologized to Diana Harris for not making a MURC meeting. He concluded by stating tonight they hired four police officers and in the past he brought up the perception that the community had regarding hiring practices and diversity and tonight was a reflection that things have changed and there's more transparency and he's happy with it.

Mayor Houghtaling expressed his condolences to the family of Commander Boone. He thanked Post 266 for being here to help the Township remember him. He stated he attended the barbeque for World Changers and the food was provided by the Food Bank. It was a great day with 621 young people. He also stated he went to their closing ceremony at Neptune High School. He stated there were a lot of people to thank and it was a great thing and we will welcome them back. He stated he had the privilege to attend the Fun Run in Shark River Hills and the MLK barbeque in which the food was great and you could eat and talk. He stated he attended the commissioning fleet in Shark River Hill's and he took a boat ride. He also attended Touch A Truck and thanked Dawn Thompson for setting it up and various other departments that assisted in some capacity. He attended the Ocean Grove get together picnic. It was well attended and the money would go to the Ocean Grove Camp Meeting. He stated he met with the members of Mission 101 and on Wednesday they would have their closing ceremony.

#### PUBLIC COMMENTS ON RESOLUTIONS

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

Michael Fornino, 120 Fulham Place, stated that the resolution authorizing the form and agreement with the Monmouth County Improvement Authority as an open piggy bank. Mr. Bascom stated that the list of items being purchased was previously provided. Mr. Fornino asked if the purchase of the Chevy Tahoe is necessary. Mr. Bascom stated that it is a SUV that will replace a police vehicle that carries tactical equipment.

Ms. Argyros asked what vehicle the Tahoe would be replacing. Mr. Bascom stated that it will replace a 1999 Ford. Ms. Argyros asked if the two resolution accepting grants required any matching funds. Mr. Bascom stated the Emergency Watershed Protection Project grant has changed from a 75% grant to a 90% grant and the Strategic Recovery Planning Report grant is a 100% grant.

#### ORDINANCE NO. 13-24 – ADOPTED

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

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 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. 13-25- ADOPTED

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

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 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. 13-26 - APPROVED

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

ORDINANCE NO. 13-26

AN ORDINANCE AMENDING VOLUME I, CHAPTER IV OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY CREATING RENT CONTROL, PROTECTIVE TENANCY AND A RENT LEVELING BOARD

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

ORDINANCE NO. 13-27 - APPROVED

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

ORDINANCE NO. 13-27

BOND ORDINANCE PROVIDING FOR THE ACQUISITION AND THE PAYMENT OF THE PURCHASE PRICE OF REAL PROPERTY BEING DESIGNATED AS BLOCK 173, LOT 31.01 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF NEPTUNE AND VARIOUS IMPROVEMENTS THEREOF, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$120,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$114,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 13-28 - APPROVED

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

approved:

ORDINANCE NO. 13-28

BOND ORDINANCE PROVIDING FOR THE PEDESTRIAN/BICYCLE LANE TRANSPORTATION ENHANCEMENT PROJECT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$700,000 THEREFOR (INCLUDING A GRANT RECEIVED OR EXPECTED TO BE RECEIVED IN THE AMOUNT OF \$580,000) AND AUTHORIZING THE ISSUANCE OF \$120,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

Mr. Cuttrell stated that the Public Hearings on Ordinances 13-26, 13-27 and 13-28 will be held on Monday, August 12, 2013.

CONSENT AGENDA

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

APPROVE THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LETTER OF REPRESENTATION AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY'S CAPITAL EQUIPMENT POOLED LEASE REVENUE BONDS, SERIES 2013 AND AUTHORIZING AN AUTHORIZED MUNICIPAL REPRESENTATIVE TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS (TOWNSHIP OF NEPTUNE FIRE DISTRICT #2 PROJECT)

WHEREAS, the Township of Neptune Fire District #2 (the "Board") desires to lease and permanently finance the cost of acquisition of certain capital equipment (the "Equipment") from The Monmouth County Improvement Authority (the "Authority"); and

WHEREAS, the Authority will provide for the financing of the cost of the acquisition of the Equipment by the issuance of its Capital Equipment Lease Revenue Bonds, Series 2013 (The Township of Neptune Fire District #2 Project) (the "Bonds") payable from rentals by the Board pursuant to a Lease and Agreement by and between the Board and the Authority (the "Lease"); and

WHEREAS, in order to induce the Authority to issue and deliver the Bonds and its Capital Equipment Pooled Lease Revenue Bonds, Series 2013, there has been prepared and submitted to the Township of Neptune, New Jersey (the "Municipality") a Letter of Representation in the form attached hereto as Exhibit A; and

WHEREAS, there has been prepared and submitted to the Municipality a Continuing Disclosure Agreement in the form appended hereto as Exhibit B for execution by the Municipality if the Authority shall determine that the Municipality is or will be an "obligated person" with respect to the Authority's Capital Equipment Lease Revenue Bonds, Series 2013 within the meaning of Rule 15c2-12 of the United States Securities and Exchange Commission (an "Obligated Person");

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP OF NEPTUNE AS FOLLOWS:

Section 1. That the Letter of Representation, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative (as that term is defined in the Lease) is hereby authorized to, and one of such officers shall execute the Letter of Representation, with such additions, deletions or modifications as such officer shall approve, and to deliver the same to the addressees designated on such Letter of Representation, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 2. That the Continuing Disclosure Agreement, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative is hereby authorized to, and one of such officers shall execute the Continuing Disclosure Agreement, with such additions, deletions or modifications as such officer shall approve, and to deliver the same upon the determination by the Authority that

the Municipality is or will be an Obligated Person, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3. That any Authorized Municipal Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the sale, issuance and delivery of the Bonds, the Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2013 and all related transactions contemplated by this resolution.

Section 4. All resolutions or proceedings, or parts thereof, in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed.

Section 5. This resolution shall become effective immediately.

APPROVE THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LETTER OF REPRESENTATION AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY'S CAPITAL EQUIPMENT POOLED LEASE REVENUE BONDS, SERIES 2013 AND AUTHORIZING AN AUTHORIZED MUNICIPAL REPRESENTATIVE TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS (NEPTUNE TOWNSHIP PROJECT)

WHEREAS, the Township of Neptune, New Jersey (the "Municipality") desires to lease and permanently finance the cost of acquisition of certain capital equipment (the "Equipment") from The Monmouth County Improvement Authority (the "Authority"); and

WHEREAS, the Authority will provide for the financing of the cost of the acquisition of the Equipment by the issuance of its Capital Equipment Lease Revenue Bonds, Series 2013 (Neptune Project) (the "Bonds") payable from rentals by the Municipality pursuant to a Lease and Agreement by and between the Municipality and the Authority (the "Lease"); and

WHEREAS, in order to induce the Authority to issue and deliver the Bonds and its Capital Equipment Pooled Lease Revenue Bonds, Series 2013, there has been prepared and submitted to the Municipality a Letter of Representative in the form attached hereto as Exhibit A; and

WHEREAS, there has been prepared and submitted to the Municipality a Continuing Disclosure Agreement in the form appended hereto as Exhibit B for execution by the Municipality if the Authority shall determine that the Municipality is or will be an "obligated person" with respect to the Authority's Capital Equipment Lease Revenue Bonds, Series 2013 within the meaning of Rule 15c2-12 of the United States Securities and Exchange Commission (an "Obligated Person"):

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE AS FOLLOWS:

Section 1. That the Letter of Representation, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative (as that term is defined in the Lease) is hereby authorized to, and one of such officers shall execute the Letter of Representation, with such additions, deletions or modifications as such officer shall approve, and to deliver the same to the addressees designated on such Letter of Representation, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 2. That the Continuing Disclosure Agreement in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative is hereby authorized to, and one of such officers shall execute the Continuing Disclosure Agreement, with such additions, deletions or modifications as such officer shall approve, and to deliver the same upon the determination by the Authority that the Municipality is or will be an Obligated Person, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3. That any Authorized Municipal Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or property for carrying out the sale, issuance and delivery of the Bonds, the Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2013 and all related transactions contemplated by this resolution.

Section 4. All resolutions or proceedings or parts thereof, in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed.

Section 5. This resolution shall become effective immediately.

DESIGNATE 2014 FLOATING HOLIDAY

WHEREAS, the current Collective Bargaining Agreement between AFSCME Local #1844 and the Township states that the Lincoln's Birthday holiday benefit can be moved to any other day of the year upon mutual agreement by the Union and the Township; and,

WHEREAS, the Township and AFSCME Local #1844 have requested that the 2014 Lincoln's Birthday holiday benefit be used on Friday, December 26, 2014; and,

WHEREAS, the Township Committee accepts this request,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the 2014 Lincoln's Birthday Holiday benefit will be utilized by Township employees on Friday, December 26, 2014, all employees will be off-duty for that day, with the exception of Police Officers, Communications Operators, custodial staff and library staff; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to all Department Heads and AFSCME Local #1844.

ACKNOWLEDGE THE RETIREMENT OF ANNA ANTON AS TRANSPORTATION COORDINATOR IN THE SENIOR CENTER

WHEREAS, the Township Committee has received a letter from Anna Anton indicating that she will be retiring from the position of Transportation Coordinator in the Senior Center effective immediately,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the retirement of Anna Anton as Transportation Coordinator in the Senior Center is hereby acknowledged effective immediately; 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 the Senior Center Director.

AUTHORIZE THE REFUND OF MUNICIPAL MARINA TRANSIENT SLIP DEPOSIT

WHEREAS, Christopher Vasto made a payment of \$400.00 for a deposit for a transient slip at the Municipal Marina; and,

WHEREAS, Mr. Vasto's slip at a different marina has been repaired and he is able to return to that location; and,

WHEREAS, the Harbor Master recommends a refund of said transient slip 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 a transient slip fee of \$400.00 to Christopher Vasto; 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 STEPHANIE SEYR AS A VIOLATIONS CLERK IN THE MUNICIPAL COURT

WHEREAS, the Township Committee has received a letter from Stephanie Seyr resigning as a Violations Clerk in the Municipal Court effective July 25, 2013,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Stephanie Seyr as a Violations Clerk in the Municipal Court is hereby accepted effective July 25, 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 the Municipal Court Administrator.

AUTHORIZE EXECUTION OF A GRANT AGREEMENT WITH THE U.S DEPARTMENT OF

AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE FOR AN EMERGENCY WATERSHED PROTECTION PROJECT

WHEREAS, the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) has awarded an Emergency Watershed Protection grant to the Township in the amount of \$1,122,000 for the removal of storm deposited sediment form the Wesley and Fletcher Lake basins and to repair a portion of the Wesley Lake wall; and,

WHEREAS, the NCRS has submitted grant documents and a Cooperative Agreement for execution by the Township,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Chief Financial Officer be and is hereby authorized to execute any and all grant documents including a Cooperative Agreement with the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) for a Emergency Watershed Protection grant to the Township in the amount of \$1,122,000 for the removal of storm deposited sediment form the Wesley and Fletcher Lake basins and to repair a portion of the Wesley Lake wall; 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 Township Engineer.

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

WHEREAS, the Township Committee of the Township of Neptune, County of Monmouth, desires to apply for and obtain a Post-Sandy Planning Assistance grant from the New Jersey Department of Community Affairs (DCA); and,

WHEREAS, the Township of Neptune, County of Monmouth, has attended an orientation session held by DCA explaining the grant application process; and,

WHEREAS, the Township of Neptune, County of Monmouth, intends to apply for Post-Sandy Planning Assistance grant money for the following planning activities and in the following amounts:

Strategic Recovery Planning Report - \$30,000

THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth, does hereby authorize the application for the above grant; and,

BE IT FURTHER RESOLVED, that the Township of Neptune, County of Monmouth, has sustained a ratable loss attributable to Superstorm Sandy of at least 1 percent or \$1 million dollars, as indicated by the attached documentation from the Tax Assessor; and,

BE IT FURTHER RESOLVED, that the Township of Neptune, County of Monmouth, recognizes and accepts that DCA may offer a lesser or greater amount of grant funding than that requested; and,

BE IT FURTHER RESOLVED, that the Township of Neptune, County of Monmouth, authorizes the execution of the grant agreement in the amount offered and approved by DCA and further authorizes the expenditure of funds pursuant to the terms of the grant agreement entered into by the Township of Neptune, County of Monmouth, and DCA; and,

BE IT FURTHER RESOLVED, that the Township of Neptune, County of Monmouth, agrees to comply with all CDBG-DR regulations, Post Sandy Planning Assistance Guidelines and also accepts that the proposed use(s) of CDBG-DR funds are not reimbursable by FEMA, SBA or other federal agencies; and,

BE IT FURTHER RESOLVED, that the persons whose names appear below (or any successor or assign) are authorized to sign the grant agreement or any other document in connection therewith:

Approved: July 22, 2013

\_\_\_\_\_  
Eric J. Houghtaling,  
Mayor

\_\_\_\_\_  
Michael J. Bascom,  
Chief Financial Officer

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
303.22	1	RYAN	300 ALLENHURST	2013	1,923.67
433	32	SLEIFER	8 FULTON PL	2013	1,901.46
111	1669	SHIPMAN	125 FRANKLIN AV	2013	1,966.88
316.17	7	GAYLE	1 CHADWELL CT	2013	965.54
3031.01	7	HARPER	1115 FORDHAM RD	2013	420.40
201	39.01	KENNEY	1322 CORLIES AV	2013	661.76
9038	8	FULLER	3 MARGERT AV	2013	1,553.57
170	99	LESLIE	1222 10 <sup>TH</sup> AVE	2013	1,092.22
8000	55	STANSFIELD	314 MICHELLE CT	2013	1,511.97
502.01	1406	MACKOLIN	229 N RIVERSIDE DR	2013	1,714.28
498	891	BRZOZOWSKI	303 WILSON RD	2013	1,426.25
9031	8	ALVAREZ	6 WILLIAMS RD	2013	1,489.91

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 TAXES AS A RESULT OF THE GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION (6 ROBERTA DRIVE)

WHEREAS, the property known as Block 9043, Lot 1, with an address of 6 Roberta Drive, assessed to Irvin B. & Kum Suk Robinson is eligible for a Totally Disabled Veteran Exemption effective February 6, 2013; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against the above property effective February 6, 2013 and refund same to the owner of record in accordance with N.J.S.A. 54:4-3.32; and,

WHEREAS, the amounts are as follows;

YEAR	AMOUNT TO CANCEL	AMOUNT TO REFUND
2013	\$ 5,726.88	\$ 918.48

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 taxes as stated herein; and,

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

AUTHORIZE THE CANCELLATION OF TAXES AS A RESULT OF THE GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION (1115 FORDHAM ROAD)

WHEREAS, the property known as Block 3031.01, Lot 7, with an address of 1115 Fordham Road, assessed to Freddie Henry & Jimmie Lee Harper is eligible for a Totally Disabled Veteran Exemption effective June 1, 2013; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against the above property effective June 1, 2013 and refund same to the owner of record in accordance with N.J.S.A. 54:4-3.32; and,

WHEREAS, the amounts are as follows;

YEAR	AMOUNT TO CANCEL	AMOUNT TO REFUND
2013	\$ 3,143.88	\$ 277.34

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 taxes as stated herein; and,

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

AUTHORIZE THE CANCELLATION OF SEWER RENT

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

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 hereby is authorized to cancel Sewer Rent as stated herein; and,

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
491.01/7	Gerard M. Fox & Kelly Shaunessy	106 Ivins Road	2013	220.00

REASON: Property has disconnect from sewer

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BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
475/11	Cecilia E. Manning	114 Beverly Way	2013	220.00

REASON: Property has disconnect from sewer

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BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
502.01/1386	Kelly Armada	207 N. Riverside Dr.	2013	220.00

REASON: Property has disconnect from sewer

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BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
225/ 6C01-6C04	Johnson & Avis Obayuwana	2006 Stratford Ave.	2013	1,760.00

REASON: Property converted from condos to apartment. Billing moved to new lot number in 2013

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BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
1006/2.01	Frederick & Barbara Faulhaber	794 Wayside Road	2013	440.00

REASON: Property should have been billed as a single family

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BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
3101/1C203, 1C302 & 1C303	Omni Suites, LLC	1900 Corlies Ave.	2013	1,320.00

REASON: Condo units combined billing moved to lead lot.

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BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
417/61	Elisa Brema	121 The Plaza	2013	220.00

REASON: Sewer disconnected 5/16/13 – House fire

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BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
474/39	Kathleen O'Hare	109 Hillcrest Ave.	2013	220.00

**REASON:** Sewer disconnected 3/6/13 – House to be demolished (Sandy)

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

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

**AUTHORIZE THE PURCHASE OF A CHEVROLET TAHOE**

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

WHEREAS, the Neptune Township Police Department wishes to authorize the purchase of a 2013 Chevrolet Tahoe SSV through an authorized vendor under the Cranford Township Cooperative, #47-CPCPS State of New Jersey approved cooperative; 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, Mall Chevrolet, Inc. has been awarded State Coop #47-CPCPS for this vehicle; 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 cost of this vehicle shall not exceed \$29,500.00; and,

WHEREAS, funds for this purpose are available through the 2013 Municipal Budget in the appropriation entitled Police O.E., known as Account No. \_\_\_\_\_ and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of a 2013 Chevrolet Tahoe SSV through the Cranford Cooperative, #47-CPCPS State of New Jersey approved cooperative, be and is hereby authorized at an amount not to exceed \$29,500.00; and,

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

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

**AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH IMPROVEMENTS TO THE SHARK RIVER MUNICIPAL MARINA**

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

WHEREAS, a contract was awarded to KG Marine Contracting Inc. in the amount of \$352,310.00 in connection with Improvements to the Shark River Municipal Marina; and,

WHEREAS, changes to the contract have been experienced as a result of repair of three sections of damaged bulkhead, construction of extension of pier to kayak dock, 39 additional pilings to be replaced and the relocation of one piling; and,

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

WHEREAS, funds for this purpose are available in the Special Emergency Appropriation – Marina Utility 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 KG Marine Contracting, Inc. in connection with Improvements to the Shark River Municipal Marina resulting in a net increase of \$52,600.00 revising the total contract amount to \$404,910.00; and,

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

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

CONSENT TO MAYOR'S APPOINTMENT TO THE NEPTUNE TOWNSHIP HOUSING AUTHORITY – TABLED

Mr. Bishop offered a motion, seconded by Ms. Jahn, to table a resolution to “Consent to Mayor’s appointment to the Neptune Township Housing Authority”. All were in favor.

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	982,342.16
FEDERAL & STATE GRANT FUND	63,624.00
TRUST OTHER	32,119.85
GENERAL CAPITAL FUND	17,841.68
SEWER OPERATING FUND	7,318.39
MARINA OPERATING FUND	92,883.74
MARINA CAPITAL FUND	11,800.00
DOG TRUST	8,275.00
UDAG RECIPRICAL TRUST	2,632.96
LIBRARY TRUST	8,332.60
BILL LIST TOTAL	\$1,227,170.38

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; McMillan, aye; and Houghtaling, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Commander Scott thanked the Committee for their concern for the Veterans in Neptune Township.

Constance Holmes, Winding Ridge Drive, thanked the Committee for introducing the Rent Control Ordinance.

Dorothy Argyros, 2100 Rutherford Avenue, thanked the Committee for introducing the Rent Control Ordinance. She added that we need something to give to the 99% of this country, the justice system is a joke and prejudice is alive and well in this country. She stated she is wearing a hooded sweatshirt for Treyvon Martin and the police harass minorities throughout the country. Chief Adams retired and cashed in \$143,500 and is receiving a pension of \$126,600.

Carol Morgan, Vice President, Winding Ridge Townhouse Association, thanked the Committee for introducing the Rent Control Ordinance.

Dawn Graham, Monroe Gardens Apartments, thanked the Committee for introducing the Rent Control Ordinance.

Linda Johnson, Chaphagan Drive, thanked the Committee for the vegetable garden at Liberty Park and for introducing the Rent Control Ordinance.

Robin Robertson, 6 Winding Ridge Court, thanked the Committee for introducing the Rent Control Ordinance.

Michael Fornino, 120 Fulham Place, stated that 20 years ago he set on the Board of Education and he put a cap on sick leave payouts. The Committee needs to manage better. The City of Detroit gave sweetheart contracts and people left because the taxes became too high. The Committee needs to look at things to cut or do without.

Jim Granelli, Highland Avenue, stated that he is in favor of renaming Riverside Park to Volunteer Park and wants the Committee to approve the change.

Irving Day, Winding Ridge Drive, stated that it is great that police officers were hired tonight. The Committee needs to protect renters because landlords price gauge. He added that he has an autistic child in the Children's Center and he wants to stay in Neptune.

Warren Lapp, 350 Brighton Avenue, expressed his thanks for World Changers. They were polite, courteous and had a tremendous attitude. He stated that the County needs to look at the condition of their trees between Brighton Avenue and Highway 18 because Sandy damaged many of them.

Hank Coakley, Valley Road, asked for an update on the Shark River dredging. The Mayor stated that there have been multiple meetings and the Township continues to work towards a solution. Mr. Bascom stated that there is a scoping hearing on September 3<sup>rd</sup> to use a County Green Acres site for drying the dredged material.

Mr. Coakley asked about the bulkheading around the river. Mr. Bascom stated that the Township is working through the hazard mitigation grant process. Mr. Coakley stated that the World Changers are great.

Diana Harris, Willow Drive, thanked the Public Works Department and Mr. Gadaleta for the opening of the summer job program. The children are getting a lot of benefit from the program. Ms. Harris also thanked the Liberty Fire Company for watering the plants at Liberty Park.

Tim Harris, Roberta Drive, asked if the Committee will be reaching out to landlords to get their perspective on the Rent Control Ordinance, particularly small landlords who are good at upkeep. Mr. Anthony stated that the ordinance applies to three units or more so it does not apply to small landlords.

Barbara Thompson, Winding Ridge, stated that the owner of Winding Ridge wants to raise the rent \$600 a month so the Township should not be concerned about the landlords perspective. She thanked the Committee for voting on the ordinance.

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

Richard J. Cuttrel,  
Municipal Clerk