

TOWNSHIP COMMITTEE MEETING – AUGUST 12, 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. Cuttrell, Municipal Clerk; Vito D. Gadaleta, Township Administrator; Michael J. Bascom, Chief Financial Officer; and Gene Anthony, Township Attorney.

Mayor Houghtaling announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press on January 4, 2013 and The Coaster on January 3, 2013, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

The following items were discussed in open session:

The Committee discussed the renaming of Riverside Park to Volunteer Park. Mr. Bishop stated that for many years people have volunteered in the Township and we need to move on from the storm. The storm should not be the impetus for the change; therefore, if the renaming of the park is to recognize all of the volunteer efforts, then he would be in favor. Ms. Jahn and Dr. Brantley indicated that they approved of the name change. The Mayor stated that he agrees the renaming is a nice gesture and the Committee should make it a point to say that the name change is in recognition of all the volunteer efforts.

The Mayor stated that there has been discussion about allowing Ocean Grove residents to bag their leaves during leaf season to prevent clogging of storm drains. Wayne Rode, Public Works Director, indicated that bagging leaves in Ocean Grove is a good idea. He added that he is not concerned with the type of bag that residents use. Ms. Jahn asked about the leaves in the Ocean Grove parks. Mr. Rode stated that the contractor will continue to pick up leaves in the parks and those leaves would be vacuumed by Public Works. Mr. Rode also stated that he has been reviewing street sweeping options in Ocean Grove. He recommended that roads be swept during one week in May and then again during one week in October. Signs would be installed designating no parking on one side of the road during these periods. Mr. Rode estimated that it would take three months to install the signs at a cost of about \$20,000.

Dr. Brantley arrived.

Mr. Bishop stated that the unintended consequence of street sweeping will be the discovery of cars that are left on the street all winter by summer residents. Ann Horan, Ocean Grove Homeowners Association President, stated that the idea of bagging leaves was discussed at the last Association meeting and there was overwhelming support for the idea. The street sweeping concept was not discussed.

Mr. Bascom stated that fifty homes are still uninhabitable as a result of Sandy. The Township's projects with FEMA are in the process of being closed out. Meetings were conducted with NJDEP and NJDOT about dredging the Shark River and we are inching closer to the solution. Mr. Gadaleta stated that the Township is moving forward with the NJDEP Blue Acres Program and many property owners in the flood zone are interested in acquisition by the state.

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

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

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

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

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

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

Discussion – Rooming and Boarding Licensure Board
Discussion – Police officer hiring.

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. Anthony stated that he was contacted by Al Rescinio, Rooming and Boarding Licensure Board Attorney. One of the three members of the Board has not been attending meetings. After some discussion, it was estimated that only a few rooming and boarding houses remain in the Township versus 18 that existed when the Board was created. Mr. Anthony and Mr. Gadaleta will look into the matter and make a recommendation on whether or not the Board is necessary. If the Board was eliminated, licensure would be done by the State.

Mr. Bascom stated that a police officer rescinded one day after the last Township meeting at which four police officers were hired. He issued a memo to the Committee that recommended Aaron Lay be hired immediately so that he could enter the police academy. Mr. Lay was interviewed as part of the recent hirings and would be the last individual taken from that round of interviews. Mr. Lay had the opportunity to meet with the Committee members.

Mr. Gadaleta stated that interviews are taking place, or about to start, for the positions of Departmental Secretary in Construction, Assistant Engineer, Bookkeeper and Customer Service Representative.

Mr. Bascom stated that the Township will hold a public hearing at the August 26th meeting on its application for Monmouth County Open Space Grant funding. The recommendation is to construct a skate park at the corner of Neptune Boulevard and Stratford Avenue. The Committee raised some questions regarding insurance coverage and was informed by Mr. Gadaleta that the insurance carrier indicated that a skate park would be covered. The Committee indicated that a skate park was a good idea for this funding. Mr. Bascom added that cameras in the park would be included in the application and cameras are also being planned for Midtown Commons Park.

Mr. Bascom stated that the resolution to make improvements to the Wesley Lake wall needs to be tabled because of the expense of a concrete wall. The Engineering Department will look to rebid using the type of material already in use at the portion of the wall that previously collapsed.

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. 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.

REPORT OF THE CLERK

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

A letter of thanks from Mary's Place to the Neptune Police Department for their assistance in supporting the group's 2nd annual Walk-a-thon.

Senior Beacon for August.

A letter from the Association of New Jersey Environmental Commissions congratulating the Neptune Township Environmental/Shade Tree Commission for replanting Riverside Park through grant funding provided by the Association.

A letter from John & Carolyn Stanton complimenting Public Works employees Scott Logan and Gerard Smith for their excellent service and professionalism.

PUBLIC COMMENTS ON RESOLUTION TO HIRE POLICE OFFICER

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

Mr. Bascom stated that the Committee is voting to confirm the employment of Aaron Lay as a Police Officer. He provided background information on Mr. Lay including his service in volunteer emergency services.

Deputy Chief Hunt stated that the hiring process was the same as that used to employ four at the last Township Committee meeting.

Dorothy Argyros, 2100 Rutherford Avenue, stated that each police officer costs \$120,000 plus benefits and pension.

CONFIRM EMPLOYMENT OF POLICE OFFICER ON A PROBATIONARY BASIS

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

WHEREAS, candidates for the position of Police Officer were recently interviewed by the Police Department command staff and the hiring of four police officers was adopted by resolution of Township Committee on July 22, 2013; and,

WHEREAS, due to the recent resignation of Ptl. Garrett Culloo, an additional vacancy in the position of Police Officer was created; and,

WHEREAS, due to the timing of the start of the Fall session of the Police Academy, it was imperative that an officer be hired effective July 25, 2013 with confirmation of such hiring made by the Township Committee at its next regular meeting; and,

WHEREAS, the Acting Police Director and Deputy Police Chief made their recommendation to hire a candidate that was interviewed for the round of hirings made on July 22, 2013; 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 Aaron F. Lay be and is hereby employed as a probationary Police Officer 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 25, 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; Brantley, aye, adding that he is impressed with the hiring process; Jahn, aye, adding that Officer Lay will be an asset to Neptune; McMillan, aye; and Houghtaling, aye.

Mayor Houghtaling administered the Oath of Office.

COMMENTS FROM THE DAIS

Randy Bishop stated he attended the Ocean Grove Ball on Friday. It was an incredible event and 511 people came. He commended both Martha and Rick Cuttrell who chaired the event. He attended MURC's Music in the night, Living Word Christian Fellowship's Caribbean Festival, the Senior Center Volunteer Appreciation Luncheon, Schoolhouse Square grants for affordable housing and the Foodbank. He also attended the informational session on Blue Acres and thanked the police for the work they did with National Night Out. He stated it was an incredible evening.

Mary Beth Jahn stated she attended the Blue Acres meeting with the DEP for homeowners who lost their homes during Super Storm Sandy and National Night Out which was a fabulous event and the Police Department did a great job.

Kevin McMillan stated he attended National Night Out and the kids were really excited over the raffled bikes. He attended the community barbeque which was held at St. Stephans AME Zion Church. It brought churches together from Neptune and Asbury Park and it was a great fellowship. He attended the Recreation Committee Meeting and we will be purchasing equipment because they found that the adults were using the kids equipment. He also attended the Summer Ball that both Rick and Martha Cuttrell coordinated. He stated they did a great job. He attended the Senior Center luncheon and the School House press conference and Living Word Christian Fellowship's Caribbean Festival. He stated all of them were great events.

Dr. Michael Brantley stated he attended the community barbeque and he had a great time. He also attended the Ocean Grove Ball where money was raised for Ocean Grove. He stated both Rick and Martha Cuttrell did a great job with the ball. He attended Living Word Christian Fellowship's Christian Festival and all were enjoyable. He stated it was good to see the School House Grant was done and he attended National Night Out and it was good to see the kids. He also attended Asbury Park's National Night Out as well.

Mayor Houghtaling stated the State came in and talked about Blue Acres and they are willing to buy homes for open space and they would be moving forward with it. He also attended the Jumping Brooks Bagel Shop's grand opening. He also had a meeting with the DEP regarding the dredging of the river. It seems the dredging is getting closer. He also attended National Night Out and the police did a great job. He went on to state that he attended St. Stephan's gathering and the festival for Living Word Christian Fellowship which was nice. He attended the NAACP block and music festival. He attended the function at the Foodbank and next month would be Hunger Action Month and they would be collecting food at the Township. He commended both Rick and Martha Cuttrell for their ball and the participation was great.

AWARD BID FOR REPLACEMENT OF A PORTION OF THE WESLEY LAKE RETAINING WALL - TABLED

Mr. Bishop offered a motion, seconded by Mr. McMillan, to table a resolution to "Award bid for replacement of a portion of the Wesley Lake retaining wall". All were in favor, with Dr. Brantley and the Mayor stating that this project will be done.

PUBLIC COMMENTS ON RESOLUTIONS

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

Hank Coakley, Valley Road, asked what qualifications are need to serve on the Rooming and Boarding Licensure Board. The Mayor stated a willingness to serve and involvement in the community.

Ms. Argyros stated that the release of surety bonds for the Wal-Mart project is a bad move. Wal-Mart is a bad company and they pay very little to their workers. She personally boycotts the store.

Kennedy Buckley, 65 Broadway, in reference to traffic calming on South Riverside Drive, can anything be done about Broadway because the signage is ineffective. Mr. Bascom stated that road improvement ordinances now include traffic calming measures.

Jim Granelli, 113 Highland Avenue, asked what specifically is being done to calm traffic on South Riverside Drive. Mr. Bascom stated that the project includes narrowing the road with stripping and signage.

ORDINANCE NO. 13-26 - ADOPTED

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

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

Dorothy Argyros urged the Committee to vote for this ordinance because she felt it was very important. She stated she wanted a settled community. She did not want vacant homes or her neighbors were always strangers.

Gene Anthony stated this was a rent control ordinance which was based on a rent control ordinance in both Eatontown and Red Bank and a number of other ordinances in Northern New Jersey that has withstood the constitution test. This ordinance doesn't apply to commercial rental owners, owner occupied two units or less residentially. It doesn't apply to single family homes no matter how many single family homes you own, the one exception has to deal with condo's and co-ops and it doesn't apply to hotels & motels, bed and breakfast, guest houses and houses that are Federally or State subsidized. He stated there was also the question of enforcement. Enforcement would be done by the tenant filing a complaint before the rent board. Likewise a landlord can file an application before the rent board for a capital improvement increase or a hardship increase that's absolutely necessary in order to allow a landlord to have a fair return on his investment and it has been successful. He can ask that a surcharge be passed to cover the capital improvement over a period of the life time of the capital improvement which is usually between ten and thirty years portioned out among all of the tenants. He stated it has to be approved by the rent board and the rent board has to find out there is a capital improvement and has to approve of the apportionment and hardship is another category. This is required by case law. The increase is based on the consumer pricing index on a yearly basis and it doesn't matter if it's a month to month tenancy or a year to year. He stated another provision was the vacancy decontrol issue and with that there is less transfer responsibility. It also guarantees that a tenant can stay there. It eliminates the chance of rent gauging and allows landlords to have a balanced income. New construction apartments are not subject to rent control for thirty years if a conversion takes place. If you are a senior citizen and is disabled and meet the income levels you can apply before the rent board for protection and if it is approved you can have protection for forty years.

Ron Simoncini, New Jersey Apt Association, stated he wanted to speak for 16 minutes to oppose this ordinance because he felt that Mr. Anthony was an advocate for it.

Mr. Anthony stated he was not an advocate for rent control. He gave a legal opinion at the request of the Township Committee.

Mr. Simoncini stated they were sentencing the landlords whose expenses would out case the rate of revenue and it would affect maintenance. He stated it was crazy to govern the property rights issues of Neptune on a volunteer rent board. He stated they needed a third party judiciary board and not a volunteer board with an attorney who would be billed at the town's expense. He felt the Township would only create lawsuits and that a census would have to be done. He asked whether they've heard from people who have been doing this for years and suggested they bring this matter up again at a later date.

Mr. Bishop stated the Landuse Boards were volunteer boards as well and we allow them.

Constance Holmes stated any money coming in and out of a household affects the economy and everything was based on sales. She stated she could make payments on her utilities until she caught up with them but that was not the case with her rent because she would have to pay late fees. If her rent was not paid after two months she would be evicted. She stated their rent was important to all of them and urged the Committee to pass this ordinance.

Frank Vitali stated he has invested heavily in Neptune and his expenses have exceeded some of the original mortgages. He felt the adoption of this ordinance would discourage investors. He asked the Committee to table this ordinance and do more investigative work. He stated Lakewood's rent control ordinance was fair to everyone. He stated he maintained his properties and this ordinance would discourage landlords from maintaining their property.

Mayor Houghtaling stated single family homes were not included in this ordinance.

Mr. Vitali stated that was not what he understood.

Mr. Anthony explained what was not covered and the hardship process if needed.

Vitali stated there were a lot of things to be considered and he wanted to sit down and see if they could do something where the landlords and tenants could work together so that everyone could be happy. He stated he understood that the tenants represented more votes than the landlords.

Dawn Graham a resident of Munroe Garden Apartments stated their landlord is not from New Jersey. He's done some nice things but the tenants did not control their own heat and this past winter they had to call the Neptune Police Department to figure out how to turn their heat on. She stated she appreciated Mr. Anthony explaining the ordinance but not advocating. He merely advised everyone what the ordinance would do. She felt they should not have to call the police regarding the heat. She stated they also turned off their water without any notice and there were no real notifications for anything. She felt rent control would help control some of these things. She wanted the landlords to be held more accountable and she was not referring to single family homes but to larger developments.

Kurt Cavano stated he was an owner of rental properties in Neptune and question whether this was for larger complexes because most towns were going away from rent control because it does not make landlords invest in the property. He stated this were their investment and since Red Bank did rent control they lost 110 properties. He questioned whether they wanted that and what would happen to the community if that were to happen. He also questioned whether Mr. Bishop explained to the residents that were having problems the legal way that they could get help by going to a Land Use judge and file a complaint.

Mr. Bishop informed him that he did.

Mr. Cavano questioned whether any of the tenants did.

Mr. Bishop stated no.

Mr. Cavano stated their taxes have been raised 3.2% and whether they knew how much this would cost and have they budgeted for this.

Mayor Houghtaling stated no and asked Mr. Cavano if he knew how much it would cost.

Mr. Cavano stated after the first year it would probably cost a couple hundred thousand dollars.

Mr. Anthony stated first of all there were some towns that only had meetings when complaints are filed and their budget is next to nothing. Red Bank has a meeting every month and there budget is around \$12,000 and would not cost a \$100,000.

Mr. Cavano questioned how can you plan this without having a budget or know how much it would cost the residents.

Bill Johnson stated he's a landlord and the State gives back to the landlord as far as taxes.

Ophelia Davis, Winding Ridge Ct, stated she's lived in Winding Ridge for 17 years and she's been disabled and there no where else in Neptune she could afford to go and she has a 17 year old daughter who would have leave Neptune as well and they do not want to move.

George Cannon stated he lived in Neptune for 65 years and is very involved in Neptune. He felt rent control was bad for everyone and he wasn't sure if they were aware of the implications of having it. He read a prepared statement and stated when it is implemented the builders would not come in to build. He urged the Committee to take two weeks to read over the material. He gave them to make sure this was what they wanted. He felt the whole town would be hurt.

Charles Whiteman stated he was a summer resident and he was only here this evening for his grandson who is an eagle scout and needed to attend a meeting. He sated he was an apartment owner and would not invest in apartments that were in areas that had rent control. He stated it really hurts the people that it is suppose to help. He urged the Committee to reconsider this.

Carol Morgan, Vice President of Winding Ridge Association, stated she loves where she

lives and she loves her neighbors. She questioned the meaning of maintaining the units because where she lives the only time the owners do anything is when something breaks down. She stated last year they were informed that they would no longer be considered affordable housing. A lot of people rent because they can't own. She urged the Committee to approve to approve the ordinance tonight and not two weeks from now.

Bruce Shapriro, NJ Association of Realtors, requested the Committee take the time to research this and table it tonight because they want people to invest in this town.

Danielle Daly, 10 Fulton Placed, asked the Committee to rethink this ordinance as well and questioned how they got to this. She stated she understood both sides but stated it affects everyone. So she urged them to take more time and do more research by talking to other towns and other people.

Linda Johnson, Chaphagan Drive, stated she was listening to the realtors because they want to make as much money as they can. She did not think that they should wait two weeks. She felt someone had to look out for the little people.

Bonnie Jensen stated she was a realtor and has lived in Neptune her entire life. She felt they were putting out a match with a firehouse. She felt this was ridiculous and was over kill only because Winding Ridge was having a problem. She stated this would affect her and the investors. She went on to state that Winding Ridge are fabulous apartments and was better than where she lives. She felt that investors should be allowed to make profits and she did not feel that every landlord should be penalized.

Kelly Kimbrough stated this was more than about Winding Ridge, it was also about Neptune Gardens as well because they came in and raised their rent by \$350. She listed the many problems that existed such as the owner fixing the outside but not fixing the inside of the apartments. She asked for fairness on both sides.

Rosemarie Villanova, Abbott Avenue, stated she heard what the residents were saying about the up keep of the property but rent control is not the answer to that problem. She stated code enforcement should help with these situations. This felt this ordinance was only going to make their situation worse because rent control doesn't cure the problem we cure the problem. She stated she noticed bed and breakfasts were taken out and they were guided under a transient guest rule when in fact some tenants stay for winter rentals. She did not feel that Mr. Bishop should vote because he benefits from a bed and breakfast. She felt it was a conflict for her.

Mr. Anthony stated every town that has rent control excludes transitory. He said long term was a yearly rental and seasonal s are not included in rent control.

Mrs. Villanova stated the ordinance was ambiguous.

Mr. Anthony stated it wasn't and that this was the way the ordinance has been interpreted in every town.

Mrs. Villanova requested the ordinance be tabled for two weeks.

Mr. Anthony stated the exclusion that's similar to Mr. Bishop's is the same in every town that has rent control.

Barbara Vtoli stated she lives in Jumping Apartments and her rent goes ups \$45 every year and she felt that rent control was needed.

Charles Layton, 96 Mount Hermon Way, stated he was not sure how to solve this. He stated a lot of the people here tonight have hardly ever taken an interest in coming to a Township Meeting before. He felt the Code Department was broken because the Township doesn't have the revenue and cannot lay people off. He stated they come here tonight because they have a financial interest and once this goes away they will not help them solve the problem. They will go away and not come back until a problem arises again.

Linda Curry, Milton Avenue, stated Neptune Garden Apartments has a new landlord who purchased it in January of this year. She stated the problems she was having in her apartment and she has a medical condition and cannot reach him by phone or certified mail. She stated Mr. Bishop had her contact the Code Enforcement Department who contacted the owner. The owner then put in a radiator that blows steam and she has two small children and they cannot be around it. She stated she went to court for mold and they made an agreement and until this day the mold is still there. She stated Code Enforcement will have to tell her it is done.

Jack Green stated rent control was not going to solve this problem. He stated the landlords here are involved and asked that they don't hastily get involved in this. He stated there were times that he has had people in his rental and he didn't raise their rent right away because they had problems and if this happened he won't be able to do that anymore. He stated a lot of investors would not be able to buy into a rent control area.

Barbara Thompson, 6 Winding Ridge , stated she's been attending the meetings but the landlords do not attend meetings. The landlords are trying to rip off the tenants and now they want to sell the apartments. She stated she could not work now because she's battled cancer twice and is on disability. To move now would be devastating.

Janet Manning, 23 Abbott Avenue stated she felt sorry to hear the stories and owns a four family home and it's her major investment. She works with her tenants and they treat her home well. She stated she wants them to stay there. She stated the bad apples needed to be fixed and not the ones that are doing what they are suppose to. She felt there were other ways to do it. She also stated that Mr. Bishop's Bed and Breakfast was exempt.

Mayor Houghtaling stated there were no personal interest here.

Alva Flores stated she was a renter and questioned what happens if the landlord didn't like it and decides to oppose the families and questioned what if the landlord could not afford to keep the property up.

Mr. Anthony stated there were relocation requirements when he explained.

Sharron Davis, 302 Neptune Boulevard, stated this will help because it won't hurt. He stated in his apartment there was a running hot faucet in their shower. The kitchen sink has low water pressure and it takes an hour to do ten dishes and there's mold. He stated the only people it will effect are the one's gaining financially.

Jane Cansall, 33 Broadway, stated she felt for the tenants and she was a good landlord. She stated she had a nine story brownstone that she inherited from her father that she could not afford to take care of but she needed fair rent to keep it up. She stated she wished they could come to a happy medium and not penalize the good landlords but to go after the slum lords.

Irving Day, 38 Winding Ridge Drive, stated it was the big landlords that were the problems. He stated the question was who was going to get thrown under the bus. He 's disabled and has a disabled son and his options are limited but they came here for help and they are asking that we wait longer. He asked the Committee to protect them from the landlords that will hurt.

Jim Granelli questioned why does one side get penalized. He suggested the ordinance be tabled for two weeks and help the residents and the small landlords. He stated he did not think rent control was the way to go.

Hank Coakley commended Mr. Anthony on his presentation and would like to have more information presented. He questioned how could the government control what landlords make. He requested more information that would help both sides.

Kennedy Buckley stated he felt this was an over reaching ordinance that was taking on more than it should. He stated tonight they were hearing from other sides. He felt they maybe solving problems with two big a weapon and rent control would not solve a code issue and out of town landlords were a problem.

Elizabeth Handy, 19 Winding Ridge Ct, stated she's lived in Neptune all of her life and she's taken care of two granddaughters since birth. She stated she never thought she would have to move and it's a decent place but there's water problems. She felt her grandchildren had the right to live in a decent place.

Len Steen questioned stated Mr. Anthony spoke to the Committee regarding the pro's and con's of this ordinance. He questioned what were the con's.

Mr. Anthony stated without vacancy decontrol the ordinance would be harsh. He stated he basically worked the cons out of the ordinance.

Mr. Steen asked Mr. Anthony whether he was 100% comfortable with this ordinance.

Mr. Anthony stated he was 100% comfortable with the ordinance.

Mr. Steen asked Mr. Anthony if he was sure that there's not some things they could be changed. He stated they would lose rentals.

Mr. Anthony questioned where do you draw the line.

Mr. Steen stated they were not big housing complexes.

Daniel Beaman, 129 Clark Avenue, stated he's never read of an economist that's been in favor of rent control. He stated he would like to see the economic studies to show it helps everyone in the long run. He stated it hurts the residents and it creates inefficiency.

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

The ordinance was adopted on the following vote: Bishop, aye and that it pisses him off for people to say that we slip this through. He stated he never asked to be exempt. It was an insult for someone to say those people will vote for me anyway. He started talking about this long before the ordinance was written. He said he doesn't vote for what is politically correct. He votes for what he believes in. He's spent weeks reading different stories and what he's read all say this is the kiss of death. Others have said it is Chris rising on the third day. He stated some landlords are trying to do the right thing but there are others that are not and they are in Ocean Grove as well. He said to those who said his political career was dead then let his tomb stone say he fucking cared about people; Brantley, aye and that this was not new to him either. He commended the attorney for the job he's done. He gave the pros's and con's . It protects a lot of people and we can't wait any longer. He stated he did not want to see landlords or tenants suffer but to see someone's rent go up 45% we have to protect them. Some of the conditions in their homes are not good; Jahn, aye stated she's experienced some of the things that the tenants have. She's visited Neptune Gardens, Monroe Gardens and Winding Ridge and they've failed a lot of people. She stated she was afraid that we were going to catch a lot of people up verses the ones who don't live around here or don't care but at this point because of our failures she had to throw a lot in with Dr Brantley. She knows this will not be a final version and they will have to go back and get the small landlords out of this law and get the big landlords ; McMillan, aye and stated he thinks its best to help the tenants and protect the landlords that are doing the right thing. He stated he felt a 45% increase in rent was not right; and Houghtaling, aye and stated the new owner of Neptune Garden Apartments thought that he could push out the people who were the fabric of our community. We are not about that. He stated he was elected to protect the people and they are taking a stand. We will not be afraid to revisit the ordinance because we want to be fair to everyone.

ORDINANCE NO. 13-27 - ADOPTED

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

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 Mayor requested 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. 13-28 – ADOPTED

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

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

Hank Coakley, Valley Road, asked which side of South Riverside Drive would the pedestrian/bicycle lane be built. Mr. Bascom responded that it would be between the road and the river. Mr. Coakley stated that he does not want the roadway to be narrowed.

There being no further comments, the Mayor 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. 13-29 - ADOPTED

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

ORDINANCE NO. 13-29

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

The Mayor requested 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. 13-30 - ADOPTED

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

ORDINANCE NO. 13-30

AN ORDINANCE AUTHORIZING THE LEASING OF CERTAIN CAPITAL EQUIPMENT BY THE TOWNSHIP OF NEPTUNE, NEW JERSEY FROM THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND THE EXECUTION OF A LEASE AND AGREEMENT RELATING THERETO (POLICE VEHICLES)

The Mayor requested 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. 13-31 - ADOPTED

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

ORDINANCE NO. 13-31

AN ORDINANCE AUTHORIZING THE LEASING OF CERTAIN CAPITAL EQUIPMENT BY THE TOWNSHIP OF NEPTUNE, NEW JERSEY FROM THE MONMOUTH COUNTY IMPROVEMENT

AUTHORITY AND THE EXECUTION OF A LEASE AND
AGREEMENT RELATING THERETO

The Mayor requested 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.

CONSENT AGENDA

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

RELEASE ALL SURETY BONDS AND DEVELOPERS ESCROW FOR EXPANSION OF THE WAL-MART SITE ON ROUTE 66

WHEREAS, on February 14, 2011, Wal-Mart, Inc, filed a maintenance bond in the form of a Letter of Credit in the amount of \$94,465.20, guaranteeing the maintenance of site improvements for two years at the project known as Wal-Mart expansion located on State Highway 66 (Block 10017, Lot 3.01); and,

WHEREAS, the two year maintenance period has expired and the Township Engineer has conducted an inspection; and,

WHEREAS, on June 17, 2013, the Township Engineer certified that all site work has been completed and said maintenance bond may be released,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the release of the maintenance bond as stated herein; and,

BE IT FURTHER RESOLVED, that all remaining balances of the cash performance guarantee account and inspection escrow account be and are hereby authorized to be refunded; and,

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

RENEW LIQUOR LICENSE HELD BY ATLANTIC COAST FOOD SYSTEMS, LLC

WHEREAS, Atlantic Coast Food Systems, LLC is the holder of a retail consumption liquor license that is inactive; and,

WHEREAS, in accordance with State law, Neptune Liquors, LLC. has petitioned the State of New Jersey Division of Alcoholic Beverage Control to permit the renewal of said inactive license; and,

WHEREAS, the Division of A.B.C. has issued a special ruling, dated July 22, 2013, to authorize the Township of Neptune to consider the application for liquor license renewal filed by Atlantic Coast Food Systems, LLC, the holder of an inactive license #1334-32-025-010; and,

WHEREAS, Atlantic Coast Food Systems, LLC has applied for renewal of said license for the 2013-2014 license year to continue in in-pocket status,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Liquor License #1334-32-025-010 issued to Atlantic Coast Food Systems, LLC be and is hereby renewed for the 2013-2014 licensing year; and,

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

ACCEPT THE RESIGNATION OF BENJAMIN REED AS A BUS DRIVER IN THE SENIOR CENTER

WHEREAS, the Township Committee has received a letter from Benjamin Reed resigning as a Bus Driver in the Senior Center effective July 31, 2013,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune

that the resignation of Benjamin Reed as a Bus Driver in the Senior Center is hereby accepted effective July 31, 2013; and,

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

AUTHORIZE SUBMISSION OF A GRANT APPLICATION TO THE MONMOUTH COUNTY BOARD OF ADDICTION SERVICES BY THE MUNICIPAL ALLIANCE AGAINST ALCOHOLISM AND DRUG ABUSE

WHEREAS, the Neptune Township Municipal Alliance Against Alcoholism and Drug Abuse desires to submit a grant application to the Monmouth County Board of Addiction Services for additional Drug Alliance funding to implement an additional Lifeskills program in the Neptune Township Public Schools; and,

WHEREAS, the Alliance is requesting an additional \$12,000 in funding and will apply funds from the Drug Alliance Trust Account to provide the 25% cash match,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Neptune Township Municipal Alliance Alcoholism and Drug Abuse is hereby authorized to submit a grant application for \$12,000 (with \$3,000.00 cash match) to the Monmouth County Board of Addiction Services for additional Drug Alliance grant funding to implement an additional Lifeskills program in the Neptune Township Public Schools; 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 Drug Alliance Coordinator.

AUTHORIZE SUBMISSION OF A GRANT APPLICATION TO THE NATIONAL RECREATION AND PARKS ASSOCIATION BY THE RECREATION AND SENIOR SERVICES DEPARTMENTS

WHEREAS, the Neptune Township Recreation Department, in cooperation with the Senior Center Director, desires to submit a grant application to the National Recreation and Parks Association to provide a six week Arthritis Awareness Exercise Program at the Neptune Senior Center; and,

WHEREAS, the grant application requests \$4,000 in funding with no required cash match,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Neptune Township Recreation and Senior Services Departments are hereby authorized to submit a grant application for \$4,000 to the National Recreation and Parks Association to provide a six week Arthritis Awareness Exercise Program at the Neptune Senior Center; and,

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

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>
194/4	313 Myrtle Avenue	\$ 475.00
3004/1	300 Wakefield Road	1,440.00
9003/12	723 John Terrace	740.00
215/107	155 Fisher Avenue	270.00

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

AUTHORIZE TEMPORARY NO PARKING IN CONNECTION WITH THE HISTORICAL SOCIETY OF OCEAN GROVE POSTCARD AND ANTIQUE SHOW

WHEREAS, the Historical Society of Ocean Grove has scheduled their annual Post Card, Antique and Jersey Shore Memorabilia Show on Saturday, August 24, 2013, in the Auditorium-Pavilion area in Ocean Grove; and,

WHEREAS, it is necessary to designate a no parking zone on a small portion of Central Avenue to allow dealers to unload materials; and,

WHEREAS, the Police Department has reviewed and approved this no parking zone,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates temporary no parking on the following streets from 9:00 P.M. on Friday, August 23, 2013 until 5:00 P.M. on Saturday, August 24, 2013:

1) West side of Central Avenue between Bethany Block and the eastbound side of Ocean Pathway

2) East side of Central Avenue between the eastbound side of Ocean Pathway and the westbound side of Ocean Pathway; and,

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

ACCEPT THE RESIGNATION OF DANA PAGE AS A SPECIAL LAW ENFORCEMENT OFFICER – CLASS II

WHEREAS, the Township Committee has received a letter from Dana Page resigning as a Special Law Enforcement Officer – Class II effective July 26, 2013,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Dana Page as a Special Law Enforcement Officer – Class II is hereby accepted effective July 26, 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 Deputy Chief of Police.

ACCEPT PERFORMANCE GUARANTEE FILED BY O'HAGAN NURSERIES FOR SITE IMPROVEMENTS AT THE PROPOSED ROYAL CHICKEN & KEBOB (702 HIGHWAY 35)

WHEREAS, June Applegate, d/b/a O'Hagan Nurseries has filed performance bond 71441923, written by Western Surety Company in the amount of \$24,480.00, guaranteeing site improvements at the proposed Royal Chicken & Kebob at 702 Highway 35 (Block 231, Lots 36-38); and,

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

WHEREAS, the required 10% cash surety and inspection fee escrow have been posted; and,

WHEREAS, the acceptance of this Performance Guarantee does not authorize the issuance of any licenses or permits by the Construction Department but serves as certification to the Planning Board/Board of Adjustment that compliance with the Land Development Ordinance of the Township of Neptune has been met;

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune

as follows:

1. The Performance Guarantee as stated above be and is hereby accepted.
2. The Mayor and Clerk be and are hereby authorized to execute a Developer's Agreement for the above referenced project.
3. A copy of this resolution shall be forwarded to the Township Engineer, Planning Board, Construction Department, Director of Engineering and Planning, Chief Financial Officer and the Developer.

APPOINT MEMBERS TO THE ROOMING AND BOARDING SITE LICENSURE BOARD

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following be and are hereby appointed to the Rooming and Boarding Site Licensure Board:

Len Pugliese for a three year term expiring April 30, 2015
Herbert Herbst for a three year term expiring April 30, 2016

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Secretary to the Rooming and Boarding Site Licensure Board.

ACCEPT THE RESIGNATION OF GARRETT CULLOO AS A POLICE OFFICER

WHEREAS, the Township Committee has received a letter from Garrett Culloo resigning as a Police Officer in the Police Department effective August 5, 2013,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Garrett Culloo as a Police Officer in the Police Department is hereby accepted effective August 5, 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., P.B.A. Local #74, Mandy To and Deputy Chief of Police.

REJECT ALL BIDS FOR DUMP TRUCK WITH PLOW

WHEREAS, on April 17, 2013, the Purchasing Agent received bids for the award of a six cubic yard dump truck with plow; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that all bids be rejected due to non-responsiveness to the bid specifications; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that all bids received on April 17, 2013 for supplying a six cubic yard dump truck are hereby rejected due to non-responsiveness to the bid specifications; and,

BE IT FURTHER RESOLVED, that the Purchasing Agent is hereby authorized to rebid said equipment pursuant the provisions of N.J.S.A. 40A:11-13.2(d); and,

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

AUTHORIZE THE REFUND OF MUNICIPAL MARINA SUMMER DOCKAGE DEPOSIT

WHEREAS, William Gleason submitted a deposit for summer dockage at the Municipal Marina for a 28 foot boat; and,

WHEREAS, Mr. Gleason secured a slip at a different marina on the Shark River, has not utilized the slip at the Neptune Municipal Marina, and has requested a refund of the summer dockage fee; and,

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

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the Harbor Master be and hereby is authorized to cancel and refund the amount of \$2,576.00 to William Gleason for the reason as stated herein; and,

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

AUTHORIZE TEMPORARY NO PARKING IN CONNECTION WITH ASBURY PARK 5KM RUN

WHEREAS, the City of Asbury Park is holding a 5km run on Sunday, August 25, 2013 and a portion of the route is on streets located in Neptune Township; and,

WHEREAS, it is necessary to designate a no parking zone on portions of Seaview Avenue and Ocean Avenue for the safety of the runners; and,

WHEREAS, the Police Department has reviewed and approved this no parking zone,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates temporary no parking on the following streets between 6:00 A.M. and 10:00 A.M. on Sunday, August 25, 2013:

- 1) North side of Seaview Avenue between Central Avenue and Ocean Avenue
- 2) West side of Ocean Avenue between Seaview Avenue and Spray Avenue
- 3) A portion of the parking stalls located on the northern end of Ocean Avenue

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

SUPPORT THE "DRIVE SOBER OR GET PULLED OVER 2013 STATEWIDE CAMPAIGN"

WHEREAS, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and,

WHEREAS, 19% of motor vehicle fatalities in New Jersey in 2012 were alcohol related; and,

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and,

WHEREAS, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and,

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over 2013 Statewide Crackdown*; and,

WHEREAS, the project will involve increased impaired driving enforcement from August 16 through September 2, 2013; and,

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby declares its support for the *Drive Sober or Get Pulled Over 2013 Statewide Crackdown* from August 16 through September 2, 2013 and pledges to increase awareness of the dangers of drinking and driving; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Deputy Chief of Police.

EMPLOY ON-CALL PART-TIME BUS DRIVER AT THE SENIOR CENTER

WHEREAS, there is a need for a on-call/part-time Bus Driver at the Senior Center; and,

WHEREAS, the position was posted and advertised and the Senior Center Director has made her recommendation; and,

WHEREAS, funds will be provided 2013 Municipal Budget 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 Linda M. Dietz be and is hereby employed as an on-call/part-time Bus Driver in the Senior Center effective August 19, 2013, pending results of the required physical examination, at an hourly salary of \$14.68; and,

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

AUTHORIZE THE REFUND OF SEWER RENT (103 HIGHLAND AVENUE)

WHEREAS, the properties listed below reflect overpayments; and,

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

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 refund the Sewer Rent as stated herein:

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
470/37	HENRY VOSS	103 HIGHLAND AVE.	2013	210.00

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

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
147	1477	JERSEY INVEST	82 SO MAIN ST	2013	3,032.77
3051	22C132	BOUIE	132 LOUISVILLE AV	2013	735.45
3101	30	MERIDIAN	1930 CORLIES AVE	2013	421.37
412	42	CIAMPOLI	51 TREMONT DR	2013	2,502.84
3051	22C303	JACOBY	303 GRAHAM AVE	2013	314.62
99999	2	VERIZON	NJBTCO	2013	53,323.00
99149	1	VERIZON	NJBTCO	2013	17,458.24
24	486	22 OCEAN PW	22 OCEAN PW	2013	2,943.20
454	23	HEGARTY	503 MOORE RD	2013	72.97
253	15	DAVIS	1963 W LAKE AVE	2013	556.01
1307	4	MANNING	3618 HIGHWAY 33	2013	463.83

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 (610 STAMFORD DRIVE)

WHEREAS, the property known as Block 3002, Lot 11, with an address of 610 Stamford Drive, assessed to Melvin A. & Jean V. Hood is eligible for a Totally Disabled Veteran Exemption effective July 30, 2012; and,

WHEREAS, the Deputy Tax Collector inadvertently did not submit the resolution to the Township Clerk in August, 2012 and just found the hard copy in the property file; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against the above property effective July 30, 2012 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
2012	\$ 2,403.94	\$ 0.00

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
212/1	Wavetel, Inc.	1408 Corlies Ave	2013	880.00

REASON: Commercial building billed at incorrect rate

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
267.02/372	Meridian Health Realty Corp	2110 Harding Ave	2013	440.00

REASON: Building demolished

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
247/1	Poppy Do, LLC	601 Highway 35N	2013	440.00

REASON: Incorrect number of units billed

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

EMPLOY ON-CALL PART-TIME CUSTODIAN WITH BLACK SEAL LICENSE

WHEREAS, there is a need for a on-call/part-time Custodian with a Black Seal License; and,

WHEREAS, the position was posted the Building Maintenance Department and Business Administrator has made a recommendation; and,

WHEREAS, funds will be provided 2013 Municipal Budget in the appropriation entitled _____, knows 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 Samuel L. Sapp be and is hereby employed as an on-call/part-time Custodian in the Building Maintenance Department effective August 19, 2013, pending results of the required physical examination, at an hourly salary of \$18.54; and,

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

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

AUTHORIZE INSTALLATION OF TRAFFIC CALMING MEASURES ON SOUTH RIVERSIDE DRIVE

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

WHEREAS, the Township Engineer solicited quotes for the installation of traffic calming measures on South Riverside Drive including lane striping, edge striping, delineators, signage, crosswalks and other traffic calming improvements; and,

WHEREAS, the cost of said item is less than the bid threshold but exceeds \$17,500.00 and therefore must be awarded by Resolution of the governing body; and,

WHEREAS, said quotes were reviewed by the Township Engineer and the Purchasing Agent who have recommended that the low quote be accepted in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 13-18 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 installation of traffic calming measures on South Riverside Drive be and are hereby authorized through Traffic Lines, Inc. pursuant to their quote of \$19,037.16; and,

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

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

AUTHORIZE SIDEWALK AND CURBING IMPROVEMENTS AT THE MUNICIPAL BUILDING AND PUBLIC WORKS YARD

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

WHEREAS, the Township Engineer solicited quotes for sidewalk and curbing improvements at the Municipal Building and Public Works Yard; and,

WHEREAS, the cost of said item is less than the bid threshold but exceeds \$17,500.00 and therefore must be awarded by Resolution of the governing body; and,

WHEREAS, said quotes were reviewed by the Township Engineer and the Purchasing Agent who have recommended that the low quote be accepted in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 12-07 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that sidewalk and curbing improvements at the Municipal Building and Public Works Yard be and are hereby authorized through Precise Construction, Inc. pursuant to their quote of \$26,930.00; and,

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

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

AUTHORIZE THE PURCHASE AND INSTALLATION OF FITNESS STATION EQUIPMENT IN TOWNSHIP PARKS UNDER THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM

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

WHEREAS, the Neptune Township Recreation Department wishes to purchase two adult fitness stations, including signs, frames and installation, for township recreation parks through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Laws, N.J.S. 40A:11-12; and,

WHEREAS, GameTime has been awarded New Jersey State Contract No. A81411 for this equipment and installation; 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 amount of the equipment and installation shall not exceed \$23,468.00; and,

WHEREAS, funds for this purpose are available through an Achieve Grant awarded to the Township 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 and installation of two adult fitness stations and accompanying signs and frames through the New Jersey Cooperative Purchasing Program for Neptune Township recreation parks be and is hereby authorized at an amount not to exceed \$23,468.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Recreation Director, 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 THE PAYMENT OF BILLS

Mr. Bishop offered the following resolution, moved and seconded by Ms. Jahn, 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	674,595.04
FEDERAL & STATE GRANT FUND	12,505.81
TRUST OTHER	41,221.24
GENERAL CAPITAL FUND	147,635.11
SEWER OPERATING FUND	1,255,829.30
SEWER CAPITAL FUND	56,393.21
MARINA OPERATING FUND	54,466.78
MARINA CAPITAL FUND	175,209.72
DOG TRUST	298.80
UDAG RECIPRICAL TRUST	3,165.91
LIBRARY TRUST	3,952.89
BILL LIST TOTAL	\$2,425,273.81

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

Mr. Bishop apologized for inappropriate language during the public hearing for Ordinance No. 13-26, it was unprofessional.

Frank Vitale, asked to confirm that rent control does not apply to two units or less. Mr. Anthony stated that is correct. Mr. Vitale stated that the language in the ordinance is not clear. It should specifically state that one or two unit dwellings are not included. He added that all rent control ordinances exempt Section 8 housing and the ordinance should allow landlords to bank rent increases that are not taken.

Dorothy Argyros, 2100 Rutherford Avenue, stated that the Committee chose the right way and they have her vote forever.

Hank Coakley, Valley Road, stated that there was an article in the Asbury Park Press about someone had trouble obtaining a grant due to residency. He stated that years ago, a State Judge changed the term residency to domicile which led the way to permit police officers and firemen to move out of the town they work. Mr. Anthony stated that the term "primary residence" and "domicile" are one in the same.

Jim Granelli, Highland Avenue, stated that you should never apologize for something that you believe in. He asked for the starting salary of a police officer. Mr. Bascom responded \$37,000. He stated that illegal left turns from the Wawa on to Route 66 continue. He added that he wants to be a liaison with the person in charge of changing the name of the park in Shark River Hills to Volunteer Park. Finally, he stated that the small landlords should be protected.

Constance Holmes, Winding Ridge Property Owners Association, thanked the Committee for the vote on rent control.

Barbara Thompson, thanked the Committee for their consideration on the rent control ordinance.

Heinz Weck, Ocean Grove, reminded the Committee that there are still potholes on Central Avenue between Surf and Atlantic Avenues.

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

Richard J. Cuttrel,
Municipal Clerk