

TOWNSHIP COMMITTEE MEETING – APRIL 28, 2014

Mayor Brantley 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, Eric J. Houghtaling, Mary Beth Jahn, Kevin B. McMillan and Mayor Michael Brantley.

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

Mayor Brantley 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 2, 2014 and The Coaster on January 3, 2014, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

The following items were discussed in open session:

Mr. Bascom reviewed various aspects of the 2013 annual Financial Statement, including various trust funds, status of surplus generated and surplus balance, tax collection rate of 98.13%, debt service and both the marina and sewer utility which have large surpluses.

The Committee approved the Mayor attendance at the New Jersey Conference of Mayor's annual Spring Conference.

Mr. Bishop reminded the Committee that the Youth Advisory Council will be holding a Spaghetti Dinner at the Senior Center on May 8th to benefit the "Senior" Prom.

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

Mr. Bishop offered the following resolution, moved and seconded by Mr. McMillan, 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:

Litigation – Update on pending litigation
Personnel – Vacancy on Housing Authority
Personnel – Police promotions and recommendations for part-time SLEOs
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; Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

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

The Mayor recommended Eileen Holly for appointment to the Housing Authority. The Committee took action by resolution during the regular business portion of the meeting.

Mr. Bascom recommended Nicholas Jakelsky, Malcolm Jenkins and Kristen Narciso for appointment as Special Law Enforcement Officers – Class I. The Committee took action by resolution during the regular business portion of the meeting.

The Committee returned to the Meeting Room for the regular portion of the meeting.

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

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

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

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

Mayor Brantley 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 2, 2014 and The Coaster on January 3, 2014, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at www.neptunetownship.org.

APPROVAL OF MINUTES

Mr. Bishop offered a motion, seconded by Mr. McMillan, to approve the minutes of the meeting held on March 24th. All were in favor.

PRESENTATION

K. Hovnanian Children's Hospital representatives Bill Faverzani, Corporate Director; Amy Delaney, Development Officer; and Sara Auerbach, Child Life Specialist; made a presentation to the Mayor in recognition of the Neptune Township municipal staff who made a donation to the hospital in recognition of Child Life Program Month.

REPORT OF THE CLERK

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

Monmouth County Board of Health agenda for the April 15th meeting.

Notice of Public Hearing on the Borough of Bradley Beach Master Plan Re-examination.

COMMENTS FROM THE DAIS

Eric Houghtaling stated he had members of the police department attend all of the homeowner's groups except for Ocean Grove. He stated they informed the residents as to what was going on in the police department and throughout the Township. They also convey how the residents could give information to them. He thanked the officers for the presentation. He went on to state that he attended a meeting for the Memorial Day Parade. He asked everyone to come out and offer their support.

Randy Bishop expressed his condolences to Lt. Furman and his family on the passing of his mother. He attended the Senior's Council Advisory re-organization meeting. He thanked Lt. Fisher whose the liaison for being at the meeting. He also stated the MURC meeting was incredible. He went to the screening of the film "Know How" and it was about the foster care system and its challenges from the view of a child. He attended the Ocean Grove Homeowner Association's meeting, Good Friday Services at Mt. Piscah for the Ministerial Alliance. He felt it was a beautiful service. He went to the MLK Presbyterian Church and ordered their chicken and rib takeout dinner. He also had the opportunity to speak to the young seniors in the NJROTC about the parade and the scholarship. He urged the students to apply. He announced that the Mayor's Youth Council was hosting their Spaghetti Dinner on May 8th and the cost is \$10 a plate

Kevin McMillan stated he attended the Chicken and Rib Dinner as well. He also attended Carol Rizzo's play "Know How" and felt it was well done. He also attended the Shark River Hills Homeowner's Association Meeting and the MURC Meeting. He extended his condolences to Lt. Furman and his family. He also attended the Re-Entry Program at St. Peters. It was spear headed by former Governor Jim McGreevey and Tomorrow they will have a financial literacy Workshop at the high school and he hoped to see everyone there.

Mary Beth Jahn echoed her condolences to the Furman Family. She also stated that she received word that the Bradley Park Residence Association had a corporate sponsor to assist with their website. Hopefully they will be able to get things together and start soon. The residents in her area have stated they've seen a lot more police presence and they believe their concerns have been abated.

Mayor Michael Brantley extended his condolences to the Furman Family and announced that the Mayor's Ball is June 13 and the time has passed for printed journal ads but stated they had virtual ads. He also announced that they would continue to meet in different areas with the homeowners associations. He gave an update on the outstanding projects in the Township.

PUBLIC HEARING – 2014 MUNICIPAL BUDGET

Mr. Bascom gave a Power point presentation on the 2014 municipal budget which is also available on the Township web-site. The presentation gave information on the 2014 introduced budget including charts and graphs comparing revenues and expenses to prior years.

The Mayor asked for public comments regarding the 2014 Municipal Budget which was introduced on March 24, 2014.

Dorothy Argyros, 2100 Rutherford Avenue, stated that she is in the process of reviewing the meeting minutes from 2006 and 2007 and Mr. Bascom stated that any marina utility surplus would go to the general fund. She asked if that is occurring with the current marina surplus. Mr. Bascom stated that no surplus is being transferred from the marina to the current fund because the marina is still recovering from Hurricane Sandy. Ms. Argyros asked if the contamination at the marina has been cleaned up. Mr. Bascom responded yes. Ms. Argyros asked if the Township keeps track of the hours that Public Works employees work at the marina so that cost can be paid for by the Marina Utility. Mr. Bascom responded yes, any employees working at the marina are paid for by the Marina Utility.

Jack Breden, 94 ½ Heck Avenue, stated that the budget should contain funds for a better sound system in the meeting room.

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

Mr. Bascom stated that the resolution to adopt the 2014 budget will have to be tabled because the State has not given approval to adopt.

RESOLUTION TO ADOPT MUNICIPAL BUDGET - TABLED

Ms. Jahn offered a motion, seconded by Mr. McMillan, to table a resolution to "Adopt the 2014 Municipal Budget". All were in favor.

PUBLIC COMMENTS ON RESOLUTION TO PROMOTE POLICE OFFICERS

The Mayor requested public comments on a resolution to promote police officers. There were no comments.

PROMOTE POLICE OFFICERS TO THE RANK OF SERGEANT IN THE POLICE DEPARTMENT

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

WHEREAS, the Township Committee desires to promote police officers to the rank of Sergeant in the Police Department; and,

WHEREAS, funds will be provided for the first four months of 2014 in the 2014 Temporary Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, when finally adopted, 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 following Police Officers in the Township of Neptune be and are hereby promoted to the rank of Sergeant, at an annual salary as indicated in the F.O.P. Local #19 contract, effective May 1, 2014:

Kevin O'Donnell

Christine Savage
Gregory Washington
Elena Gonzalez
Jason Petillo

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

The resolution was adopted on the following vote: Bishop, aye, adding that he is proud to promote the first female officers in Neptune history and all five officers are fine individuals; Houghtaling, aye; Jahn, aye, adding that she echoes Mr. Bishop's statements and is pleased to promote the first female officers in history; McMillan, aye; and Brantley, aye, adding that he echoes all of the comments and the police department continues to get better.

Mr. Bascom provided information and qualifications on each officer. The Mayor then administered the Oath of Office to each officer.

PUBLIC COMMENTS ON RESOLUTIONS

Michael Fornino, 120 Fulham Place, congratulated the officers on the promotions. He asked if the resolution to purchase police cars was adding to the number of cars. Mr. Gadaleta stated no, these will be replacing damaged cars. Mr. Fornino stated that there are always 20 police cars parked in the lot so he does not know why more cars are needed. In reference, the resolution to authorize improvements to Jumping Brook ball fields, Mr. Fornino asked why no kids play there in pick-up games. Mr. Houghtaling stated that children can play on those fields anytime, unless the fields are in use for Little League games.

Hank Coakley, Valley Road, stated that the resolution to support the continued tax exemption on interest earned on municipal bonds is the right move, particularly for those on a fixed income.

Dorothy Argyros, 2100 Rutherford Avenue, thanked Mr. Cuttrell for allowing her to spend the last couple of weeks reviewing the minute books. She stated that she does not like it when there are blanks on resolutions at meetings. She stated that believes this is insufficient notice.

ORDINANCE NO. 14-16 - ADOPTED

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

ORDINANCE NO. 14-16

AN ORDINANCE TO AMEND VOLUME I, CHAPTER IV, SECTION 4-20 OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED GARAGE SALES

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

Kennedy Buckley, Broadway, stated that if the Township is going to enforce this ordinance in the same manner as the old one, why bother adopting an amendment.

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

The ordinance was adopted on the following vote: Bishop, aye; Houghtaling, aye; Jahn, no; McMillan, aye; and Brantley, aye.

ORDINANCE NO. 14-17 - ADOPTED

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

ORDINANCE NO. 14-17

AN ORDINANCE TO AMEND ORDINANCE NO. 13-45 ENTITLED "AN ORDINANCE CREATING AND SETTING THE SALARY RANGE FOR NEW JOB TITLES AND AMENDING THE SALARY RANGES FOR ALL OTHER EXISTING JOB TITLES OF THE TOWNSHIP OF NEPTUNE" BY ADDING THE JOB TITLE OF

TEMPORARY SKILLED WORKER

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

ORDINANCE NO. 14-18 - APPROVED

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

ORDINANCE NO. 14-18

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-11 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ESTABLISHING A STOP INTERSECTION AT PHOEBE DRIVE AND IRIS DRIVE

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

ORDINANCE NO. 14-19 - APPROVED

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

ORDINANCE NO. 14-19

AN ORDINANCE TO ADD VOLUME I, CHAPTER II, SECTION 2-67 OF THE CODE OF THE TOWNSHIP OF NEPTUNE, ENTITLED "RESPONSIBLE CONTRACTOR REQUIREMENTS"

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

Mr. Cuttrell stated that the Public Hearings on Ordinances 14-18 and 14-19 will be held on Monday, May 12, 2014.

CONSENT AGENDA

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

AUTHORIZE TEMPORARY CLOSING OF PORTIONS OF MORRISSEY AND ELY ROADS IN CONNECTION WITH SHARK RIVER HILLS SCHOOL FUN DAY

WHEREAS, Shark River Hills School has scheduled their annual Fun Day on Friday, June 20, 2014 (rain date Monday June 23, 2014); and,

WHEREAS, it is necessary to temporarily close a Morrissey and Ely Roads between Brighton Avenue and Carton Avenue; and,

WHEREAS, the Police Department has reviewed and approved these closures,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates the temporary closure of Morrissey and Ely Roads between Carton Avenue and Brighton Avenue on June 20, 2014 from 9:00 A.M. to 1:30 P.M. (rain date Monday June 23, 2014) for Shark River Hills School Fun Day; and,

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

APPOINT MEMBER AND REASSIGN CURRENT ALTERNATE MEMBERS OF THE BOARD OF ADJUSTMENT

WHEREAS, due to the resignation of Clifford Johnson, the Alternate #1 position on the Board of Adjustment is vacant; and,

WHEREAS, the Township Committee desires to move the current Alternate #2 and Alternate #3 members up one position in the alternate numbering and appoint a new member to the Alternate #3 position,

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following current Board of Adjustment alternate members are reassigned alternate position numbers as follows:

Frances M. Keel - Alternate #1 member for an unexpired two year term expiring December 31, 2014

Charles Moore – Alternate #2 member for an unexpired two year term expiring December 31, 2015

BE IT FURTHER RESOLVED, that Carol Rizzo be and is hereby appointed as the Board of Adjustment Alternate #3 member to an unexpired two-year term expiring December 31, 2014; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Board of Adjustment Administrative Officer.

AWARD FAÇADE IMPROVEMENT LOAN/GRANT TO MONMOUTH AUTO BODY

WHEREAS, the Township Committee created a Façade Improvement Loan/Grant Program by adoption of Ordinance 00-3; and,

WHEREAS, on April 9, 2014, the Façade Review Committee approved an application filed by Jam N, Inc. doing business as Monmouth Auto Body, 181 South Main Street, Neptune for a \$10,000 grant and \$10,000 loan; and,

WHEREAS, the Township Committee desires to authorize the award of said loan/grant as approved by the Façade Review Committee; and,

WHEREAS, funds will be provided from the U.D.A.G. Reciprocal Loan Account and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an award of \$10,000/grant and \$10,000/loan (\$5,000 grant/\$5,000 loan for each of the two businesses located in the building) be and is hereby approved under the Façade Improvement Loan/Grant Program for the business known as Monmouth Auto Body, 181 South Main Street, pursuant to the application approved by the Façade Review Committee on April 9, 2014; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer and Grant Coordinator.

APPROVE UNEXCELLED FIRE COMPANY TO SOLICIT DONATIONS ON A PUBLIC ROADWAY

WHEREAS, Ordinance No. 11-22 establishes procedures for qualified charitable organizations to solicit donations on public roadways; and,

WHEREAS, Unexcelled Fire Company has completed the required application and received approval from the NJDOT to solicit donations on a state highway; and,

WHEREAS, the Deputy Chief of Police has approved said request,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Unexcelled Fire Company be and is hereby authorized to solicit donations on State Highway 33 in front of Unexcelled Fire House at 1120 Corlies Avenue on the following dates and times:

May 23, July 4, August 8 and August 29 – 4:00 p.m. to 8:00 p.m.
May 17, May 24, May 31, June 21, July 5, August 9 and September 6 – 8:00 a.m. to 4:00 p.m.
August 30 - 8:00 a.m. to 6:00 p.m.

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

APPROVE NEPTUNE FIRST AID SQUAD TO SOLICIT DONATIONS ON A PUBLIC ROADWAY

WHEREAS, Ordinance No. 11-22 establishes procedures for qualified charitable organizations to solicit donations on public roadways; and,

WHEREAS, Neptune First Aid Squad has completed the required application and received approval from the NJDOT to solicit donations on a state highway; and,

WHEREAS, the Deputy Chief of Police has approved said request,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Neptune First Aid Squad be and is hereby authorized to solicit donations at 6th Avenue and Highway 35 on the following dates from 8:00 a.m. and 6:00 p.m.:

May 23, May 24, May 25, May 26, June 14, June 15, July 4, July 5, July 6, August 29, August 30, August 31 and September 1.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Deputy Chief of Police and Neptune First Aid Squad.

APPROVE HAMILTON FIRST AID SQUAD TO SOLICIT DONATIONS ON A PUBLIC ROADWAY

WHEREAS, Ordinance No. 11-22 establishes procedures for qualified charitable organizations to solicit donations on public roadways; and,

WHEREAS, Hamilton First Aid Squad has completed the required application and received approval from the NJDOT to solicit donations on a state highway; and,

WHEREAS, the Deputy Chief of Police has approved said request,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Hamilton First Aid Squad be and is hereby authorized to solicit donations at Highway 33 and Old Corlies Avenue/Jumping Brood Road on the following dates from 9:00 a.m. and 2:00 p.m.:

May 23, May 24, July 3, July 4, August 29 and August 30.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Deputy Chief of Police and Hamilton First Aid Squad.

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 011

WHEREAS, Fasahat Shah is the owner of Neptune Township Taxi Medallion No. 011; and,

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

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted for the transfer of Taxi Medallion License No. 011 to Arif Ali; and,

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

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY JERSEY SHORE UNIVERSITY MEDICAL CENTER FOR SITE IMPROVEMENTS AT THE CHILD CARE FACILITY

WHEREAS, on February 23, 2009, Jersey Shore University Medical Center filed performance bond 105181805, written by Travelers Casualty and Surety Company of America in the amount of \$477,576.00, guaranteeing site improvements at the child care facility (Blocks 3000, Lots 1, 4, 4.01 and 8); and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of April 9, 2014 and said performance bond can be released; and,

WHEREAS, Jersey Shore University Medical Center has filed Maintenance Bond #106078937 written by Travelers Casualty and Surety Company of America in the amount of

\$66,330.00 guaranteeing said site improvements for a period of two years,

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

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee and inspection fee escrow deposited with the Township be and is hereby authorized to be refunded (with \$1,000.00 being retained for final inspection at the end of the maintenance period); and,

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

AMEND EXISTING AXA EQUITABLE 457 PLAN TO INCLUDE OPTION OF THE ROTH 457 INDIVIDUAL RETIREMENT ACCOUNT

WHEREAS, employees of the Township of Neptune have the option to contribute a fixed amount of their wages to an AXA Equitable 457 deferred compensation employee investment plan ("the Plan"); and,

WHEREAS, employee participation in the Plan is optional and does not include a contribution or match by the Township of Neptune; and,

WHEREAS, there is a desire to amend the Plan to include an option for contributions to the Roth 457 IRA option,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Township's existing 457 employee investment plan with AXA Equitable be amended to provide for the inclusion of the Roth 457 IRA option; and,

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

AUTHORIZE RECONSTRUCTION OF BOAT RAMP AT THE MUNICIPAL MARINA

WHEREAS, the Purchasing Agent solicited quotes for the reconstruction of the boat ramp at the Municipal Marina; 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 Purchasing Agent and Business Administrator 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 Marina Improvements – Disaster Recovery 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 reconstruction of the boat ramp at the Municipal Marina be and is hereby authorized through Extreme Marine pursuant to their quote of \$28,000.00; 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., and Harbor Master.

AUTHORIZE EMPLOYMENT OF PART-TIME TEMPORARY PLUMBING SUB-CODE OFFICIAL

WHEREAS, the Township Plumbing Sub-Code Official will be on vacation from April 28th through May 2nd; and,

WHEREAS, the Construction Official notified the Business Administrator of the need to employ a part-time temporary Plumbing Sub-Code Official to cover plumbing inspections during this period; and,

WHEREAS, the Township Committee desires to authorize a temporary employee at this time; and,

WHEREAS, funds will be provided for the first four months of 2014 in the 2014 Temporary

Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the employment of Brian Hendricks as a part-time temporary Plumbing Sub-Code Official for the period April 28, 2014 through May 2, 2014 at an hourly rate of \$39.00; and,

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

ACCEPT THE RESIGNATION OF FRANKLIN CARSON AS A CUSTODIAN/KITCHEN AIDE IN THE SENIOR CENTER

WHEREAS, the Township Committee has received a letter from Franklin Carson resigning as a Custodian/Kitchen Aide in the Senior Center effective May 2, 2014,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Franklin Carson as a Custodian/Kitchen Aide in the Senior Center is hereby accepted effective May 2, 2014; and,

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

AUTHORIZE THE PURCHASE OF TWO POLICE CRUISERS THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Neptune Township Police Department wishes to purchase two Chevrolet Caprice Police Cruisers to replace two damaged cruisers 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, Day Chevrolet has been awarded New Jersey State Contract No. A82926 for these vehicles; 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 the two vehicles shall not exceed \$60,000.00 in total; and,

WHEREAS, funds for this purpose are available from insurance refunds and the 2014 municipal budget in the appropriation entitled Police O.E. 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 two Chevrolet Caprice police cruisers through the New Jersey Cooperative Purchasing Program for the Neptune Township Police Department be and is hereby authorized at an amount not to exceed \$60,000.00 in total; and,

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

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT (126 COOKMAN AVENUE)

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
112	1470	Murdoch	126 Cookman Ave	2014	1,870.62

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

AUTHORIZE THE CANCELLATION OF SEWER RENT

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
266/1.01	Anny's LLC	1417-1421 Corlies Ave	2014	450.00

REASON: Overbilled commercial unit

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
172/37	Gourmet Kitchen	1238 Corlies Ave	2014	225.00

REASON: Billed for six units, should be five

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
172/37.01	Gourmet Kitchen	1246 Corlies Ave	2014	450.00

REASON: Billed for six units, should be five

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

AUTHORIZE THE ASSIGNMENT OF TAX SALE CERTIFICATE #10-291

WHEREAS, the municipality is the holder of certain Tax Sale Certificates acquired by virtue of N.J.S.A. 54:5-34; and,

WHEREAS, it is deemed financially beneficial to and in the best interest of the municipality to sell such tax sale certificates,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey, on this 28th day of April, 2014 that it does hereby authorize the sale by assignment of the following tax sale certificate held by it, set out on the schedule below, for the consideration therein set forth, which sum shall also include the liens for unpaid subsequent taxes for the periods set forth, all as provided for and permitted under N.J.S.A 54:5-112; and,

Cert. No.	Cert. Date	Cert. Amount	Block	Lot	Property Locaiton	Assign Amount
10-291	3/18/10	87.41	152	423	Memorial Drive	1,197.72

BE IT FURTHER RESOLVED that the Tax Collector be and hereby is authorized and empowered to make, execute and deliver any and all assignment forms or other legal documents which may be necessary or desired to effectuate the various sale permitted by this resolution; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Tax Collector.

EMPLOY SPECIAL LAW ENFORCEMENT OFFICERS IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

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

WHEREAS, the positions were duly posted and applicants have been interviewed; and,

WHEREAS, the Acting Police Director has made his recommendations; and,

WHEREAS, funds will be provided for the first four months of 2014 in the 2014 Temporary Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, when finally adopted, 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 following individuals: Nicholas Jakelsky, Malcolm Jenkins and Kristen Narciso be and are hereby employed as part-time Special Law Enforcement Officers - Class I, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, and effective upon successful completion of the Special Law Enforcement Officer – Class I training at the Monmouth County Police Academy at an hourly rate as established by prior resolution of the Township Committee; and,

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

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

SUPPORT THE PRESERVATION OF THE FEDERAL TAX EXEMPTION ON MUNICIPAL BOND INTEREST

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

WHEREAS, the federal tax exemption on municipal bond interest has been in place since the first federal income tax was enacted in 1913, and as a result, state and local governments save, on average, two percentage points on their borrowing to finance investment in infrastructure projects critical to our nation, including roads, bridges, schools and utility systems; and,

WHEREAS, the exclusion of interest on state and local obligations from federal gross income tax is an important financing tool in a time where building and rebuilding infrastructure is required to meet Federal mandates and promote community growth that are critical to our economy; and,

WHEREAS, this exemption has generated trillions of dollars in investment in public infrastructure and has saved taxpayers hundreds of billions in interest costs; and,

WHEREAS, the benefit of lower capital costs attributable to tax-exempt financing are passed on to property taxpayers through reduced rates and greater local investments; and,

WHEREAS, from time to time, Congress and the President have proposed legislation to eliminate or reduce the federal exemption of interest on municipal bonds; and,

WHEREAS, the outcome of reducing or eliminating the tax exemption on municipal bond interest would be higher borrowing costs for state and local governments, less investment in infrastructure and fewer jobs,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby opposes any efforts by Congress and/or the Administration to eliminate or limit the federal tax exemption on interest earned from municipal bonds,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Congressman Christopher Smith, Senators Cory Booker and Robert Menendez and the Neptune Township Chief Financial Officer.

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

URGE THE RELEASE OF A PORTION OF THE HARDEST HIT FUNDS FOR USE IN THE RESTART NEIGHBORHOOD STABILIZATION PROGRAM FOR NEW JERSEY MUNICIPALITIES

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

WHEREAS, the United States Department of Treasury established the Hardest Hit Fund in

response to the national housing crisis that began in 2007 which led to unprecedented home price declines and sustained and higher unemployment affecting hardest hit areas and communities across the country; and,

WHEREAS, the ReStart Program was developed by New Jersey Community Capital, a “Community Development Financial Institution” as a unique partnership model that leverages private capital with Hardest Hit Funds; and,

WHEREAS, the ReStart program is an innovative home preservation initiative designed to prevent foreclosures and stabilize communities; and,

WHEREAS, New Jersey was designated as one of the original eighteen zones where individuals and families in these areas have been particularly hard hit by this crisis as they have struggled to make their monthly mortgage payments and grappled with deeply underwater mortgages; and,

WHEREAS, as a designated Hardest Hit area, New Jersey was allocated \$300,548,144 in funding to foster neighborhood stabilization by assisting New Jersey homeowners hardest hit by economic realities to make their mortgage payments and remain in their homes; and,

WHEREAS, since the establishment of the Hardest Hit Fund, Super Storm Sandy in 2012 inflicted additional significant damage on New Jersey communities, specifically causing unprecedented damage to New Jersey’s housing sector already facing the effects of a deteriorating economic climate; and,

WHEREAS, nine of New Jersey’s 21 counties identified as most affected have the highest number of registrants with FEMA for disaster assistance; 190,531 as of November 16, 2012 or 89% of all registrations as of that date; and,

WHEREAS, the New Jersey State Disaster Housing Task Force’s Housing Strategic Plan noted that approximately 60% of New Jersey’s population lives within the nine most severely impacted counties according to the 2010 US Census; and,

WHEREAS, municipalities within those identified hardest hit counties have experienced a high percentage of walk-away and non-returning homeowners due to economically based challenges with regard to underwater mortgages which affects their ability to rebuild and return to their homes creating abandoned houses and neighborhoods; and,

WHEREAS, municipalities within those hardest hit counties are also experiencing significant losses in ratables and assessed value due to Super Storm Sandy which will greatly affect their ability to raise revenues in order to maintain municipal obligations and services; and,

WHEREAS, the ReStart Program would help to sustain communities through a neighborhood stabilization program that provides a workable solution allowing homeowners to stay in or to return to their homes while protecting them from predatory lending practices or the expenditure of public funds which might inadvertently support such practices; and,

WHEREAS, the ReStart Program has been successfully implemented in Florida and is on pace to assist its goal of 2,000 households and is currently being established in North Carolina and Ohio with the ReStart program providing a substantial pool of private capital in all these states that is leveraged with Hardest Hit Funds to assist additional households who are experiencing similar economic-hardship and instability in their homeowner communities; and,

WHEREAS, the ReStart Program has raised \$100 million in private capital available for leveraging with Hardest Hit Funds for use in designated New Jersey communities that have experienced significant economic hardship during the national housing crisis and damage from Super Storm Sandy to promote neighborhood stabilization, protect property values and bolster community tax bases in the communities of New Jersey,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune urges the Christie Administration and the Department of Community Affairs to support to the release of \$10 million, approximately 3% of the Hardest Hit Funds, for use in the ReStart Neighborhood Stabilization Program in the fulfillment of the Hardest Hit Funding Programs goals and mission; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Office of the Governor, the State of New Jersey Legislature and the Department of Community Affairs.

The resolution was adopted on the following vote: Bishop, aye; Houghtaling, aye; Jahn, aye, adding that this money needs to come to the hardest hit areas; McMillan, aye; and Brantley, aye.

APPOINT MEMBER TO THE NEPTUNE TOWNSHIP HOUSING AUTHORITY

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

WHEREAS, due to the resignation of James Hunt, there is a vacancy on the Neptune Township Housing Authority,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby appoints Eileen Holly as a member to the Neptune Township Housing Authority for an unexpired five year term expiring March 31, 2016; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Neptune Township Housing Authority.

The resolution was adopted on the following vote: Bishop, aye; Houghtaling, aye; Jahn, aye; McMillan, abstain; and Brantley, aye (Mayor Brantley initially abstained on this resolution, but during the Privilege of the Floor portion of the meeting, he announced that he changed his vote to aye)

AWARD BID FOR JUMPING BROOK BALL FIELD IMPROVEMENTS

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

WHEREAS, on April 22, 2014, the Township Engineering Consultant, CME Associates, received bids for the award of a contract for Jumping Brook Ball Field Improvements; and,

WHEREAS, said bids were reviewed by CME Associates who has recommended that the bid be awarded to the lowest bid submitted by Down to Earth Landscaping, Inc.; and,

WHEREAS, said bids were advertised, received and awarded in a "fair and open" competitive bidding process in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in Ordinances No. 05-40, 05-41, 12-17 & 13-13 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a contract be awarded to Down to Earth Landscaping, Inc. on their lowest responsible bid of \$356,616.20 (for base bid, Alternate Bid #1 and Alternate #2) for Jumping Brook Ball Field Improvements; 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, Recreation Director, and Public Works Director.

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

AUTHORIZE THE PAYMENT OF BILLS

Mr. McMillan 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	3,882,792.00
FEDERAL & STATE GRANT FUND	17,593.00
TRUST OTHER	31,271.60
GENERAL CAPITAL FUND	365,298.84

SEWER OPERATING FUND	5,184.86
MARINA OPERATING FUND	2,243.71
DOG TRUST	282.00
UDAG RECIPRICAL TRUST	250.00
LIBRARY TRUST	2,923.09
BILL LIST TOTAL	\$4,307,839.10

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Stephanie Syer, 611 South Riverside Drive, asked if she could now advertise the reduced rate for a community garage sale application. The Mayor responded yes. Ms. Syer stated that the Shark River Hills Homeowners Association is close to finalizing the farmer's market at Shark River Hills Firehouse, but they need to obtain insurance. Mr. Gadaleta stated that he discussed this matter with the Township's insurance carrier and will work on getting the required insurance.

Mayor Brantley announced that he was changing his vote on the resolution to appoint a member to the Housing Authority from an abstention to an affirmative vote.

Jack Breden, 94 ½ Heck Avenue, stated that the creation of a lot at the North End of the Ocean Grove boardwalk, known as 4 Boardwalk, was done without a formal subdivision. The lot is mentioned in the North End Redevelopment Plan.

Michael Goldfinger, 136 Heck Avenue, submitted a proposal for the creation of a Dog Park at Inskip and Pennsylvania Avenues in Ocean Grove near the Pennsylvania Avenue sanitary sewer pumping station. He stated that a poll was taken on a blog and the results were 166 in favor of the park and 145 against. The dog park is a good place for residents to socialize.

Cindy Stiles, 5 Seaview Avenue, stated that she owns Ocean Grove Pet Boutique. She submitted a detailed design of park which contained a fenced in, double locked gate along with proposed rules and regulations to register dogs.

Pasquale Hunter, 63 ½ Benson Avenue, stated that he is in favor of the dog park. He added that it is not a good idea to have dogs on the beach due to fecal matter. He would be in charge of the double gate system.

The Mayor stated that the property at the proposed dog park location is owned by the Ocean Grove Camp Meeting Association. He stated that the proposal should be presented to the Association.

Michael Fornino, 120 Fulham Place, asked if he can let people know that the Jumping Brook Ball Fields are available for use at any time. The Mayor responded yes. Mr. Fornino stated that emergency lights are needed in the Meeting Room and the hallway in the second floor in the event of a power failure. Mr. Fornino was told that the entire building is on an emergency generator. Mr. Fornino stated that it takes time for a generator to turn on. Mr. Cuttrell responded that it takes three seconds for the generator to activate. Mr. Fornino insisted that emergency lights are needed in the event the generator does not work.

Kathy Arlt, 106 Abbott Avenue, stated there was a gaping hole on the west side of the second floor on 80 Main Avenue and a casing on one of the windows were falling off. She discussed liens that are placed on properties throughout the Township for maintenance verses the liens placed on properties in Ocean Grove. She also complained regarding the maintenance of the property at 103 Franklin Avenue. She stated the foundation was crumbling and the owner has been cited and has gone to court. She stated she felt the Township should take action.

Mr. Bishop stated he had a discussion with Mr. Doolittle regarding 80 Main Avenue today.

Mr. Houghtaling and Ms. Jahn suggested she notify the owner by mail.

Ms. Arlt stated she felt the Township should make them compliant.

Mr. Bishop stated the certified local government discussion he had with Mr. Haney is designed to help people get grants to fix up their property, mainly commercial entities not derelict homes. He stated he thought the Township might get a CLG Certification but they would have to look at the fiscal responsibility throughout the Township. He stated this was not about derelict homes.

Joan Venezia, 107 Mt. Hermon Way, stated she had a discussion with Mr. Haney as well regarding CLG and she had a slightly different take on it. She got the impression that they had to separate the ordinances and that was what was holding things up. She asked the Committee to commit to a schedule and get things started and completed.

Mr. Bishop explained the recess and cost involved as for as the ordinances were concerned. He stated this was extremely painful.

Celestine Overby, Bingham Street, stated she would like to have a police car drive through her neighborhood periodically.

Mayor Brantley requested she give her information to the officer in the rear of the room.

Ann Horan, 69 Clark Avenue, stated she was stunned that they would suggest a citizen write a letter to another citizen regarding derelict homes. She suggested they talk to the judge and stated Mr. Houghtaling knew what they were going through. She stated she felt it had to go through the courts because their hands were tied.

Mr. Bishop stated they could not direct the courts.

Ms. Jahn stated she was a little shocked that she was taking this stand because they could not make people come out and do these things and State laws are what they are. She stated for eight years they've done so much and still they're being told we're not doing enough. There's a process and it needs to be followed. They are waiting on us to tell them to take the building down.

Mr. Bishop stated he was saddened to hear the residents of Ocean Grove state that they felt they were the step child.

Ms. Horan stated again the process is not working.

Mayor Brantley stated they were taking all the steps that they could.

Kennedy Buckley, Broadway, stated Rutgers had a booklet that would tell them how to get rid of derelict properties correctly. He stated he was aware of two properties that have been demolished in Ocean Grove and they were not done because of neglect. He questioned how was the snow ordinance coming along. He stated he complained about the piece that was hanging off 80 Main Avenue back in October. He went on to state that with the help of Neptune's employees he was able to get a lot of information. He stated he would be happy to share his information with them and stated he did not know why the courts were so lenient.

Mr. Anthony stated the ordinance was referred to Bill Doolittle and he is still reviewing it. It's regarding abandoned buildings. He explained what he was doing as far as creating the ordinance and Bill was reviewing three ordinances to come up with one.

Dorothy Argyros, 2100 Rutherford Ave. stated in New Jersey we pay the highest taxes and they need to go down. She stated in reviewing the minute books we are doing a lot of bonding and we need to stop. She felt the Township was living beyond their means and questioned whether she would get notice of bonds and questioned whether they went to the public to establish the need and at what point do they get to say no.

Mr. Bascom stated the public is aware that they are borrowing because its put in a resolution and to have authorization to borrow its put in a capital ordinance and the public has the opportunity to speak. It is also advertised and on the Township website.

Hank Coakley, Valley Road, requested the Committee explain Resolution #14-250.

Mr. Bascom stated they reduce the mortgage and it helps the homeowner stay in their

homes.

Mr. Coakley stated he liked Mr. Bascom's explanation regarding bonding.

Heinz Weck, Ocean Grove, asked what happened to the horse drawn carriage that used to give rides in Ocean Grove. Mr. Bishop stated that the person who owned the horse stopped it because it was not economically feasible. Mr. Weck stated that the Police Department is great and very kind.

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

Richard J. Cuttrel,
Municipal Clerk

EXECUTIVE SESSION – APRIL 28, 2014

(All members present)

Litigation Update - Third Garden Park & Metpark II v. Neptune

Mr. Anthony stated that the matter is close to settlement. The agreed upon issues are to confirm that vacancy decontrol applies to trailer homes, and the provision that a decrease in property taxes will be passed on to the tenant will be dropped. The Plaintiff continues to press for an elimination of the rounding of the CPI calculation. The Committee indicated they are unwilling to yield on this issue. Mr. Anthony stated other towns have this provision and the difference is pennies; however, this point is not in the original complaint so the Plaintiff would have to file an amended complaint. The Committee reiterated that they are compromising on a number of issues and they want to keep the CPI calculation as it is currently stated in the ordinance.

Personnel – Police promotions

Mr. Bascom stated that five officers will be recommended for promotion to Sergeant. The officers are Jason Petillo, Christine Savage, Kevin O'Donnell, Elena Gonzalez and Gregory Washington. The recommendations are based on the interviews conducted during the last round of promotions. Mr. Bascom and Mr. Gadaleta met with P.B.A representatives to inform the union of the promotions and the process. The P.B.A sent a letter with several concerns, which will be addressed. Mr. Bascom stated that the promotions are important so that a second Quality of Life team can be placed on the streets.