

TOWNSHIP COMMITTEE MEETING – DECEMBER 22, 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. Anthony stated that he received a letter from the Court Administrator regarding a recent ordinance that establishes parking restrictions in the municipal parking lot and sets the minimum fine of \$100 for a violation. The Court Administrator indicated that most of the other municipal parking violations are \$31 so it is awkward to have a different amount for this particular violation. Mr. Anthony advised that state statute permits a \$100 minimum fine and the only other specific fee reference in the statutes for parking violations is for state highways and state property. He advised that the decision to set a fine rests with the Committee; however, he would like to further investigate why all of the other parking violation fines are \$31 because there appears to be nothing in the Township ordinances that establishes that specific fee amount. Mr. Anthony further advised that the number of tickets for violations of the municipal parking ordinance has dropped because the court now spreads court appearances throughout the day, rather than at the same time. Mr. Gadaleta stated that the origins of the \$31 fee for all other parking ordinances should be reviewed. Mr. Bascom suggested an internal review and collection of information by administrative staff and the incoming Township Committee member in public safety departmental chairperson. Mr. Houghtaling added that this review should also look at the municipal parking lot to ensure that the designating parking spots are well marked and signed.

The Committee discussed the regulations for an on-site Manager at apartment complexes. Mr. Anthony stated that he explored this issue once before and gave an opinion letter that when there are nine or more rental units, an in-house manager, or a manager that resides within 200 feet, is required. The Department of Community Affairs enforces this but will delegate to the local housing enforcer in the Township (Robert Day). Mr. Gadalata will follow-up with Mr. Day. Ms. Jahn stated that the Township needs to make sure that someone is on-site at the new apartment complexes being built in the Township. Mr. Anthony was asked if the issue of no on-site manager could be brought to the Rent Leveling Board. He responded that a tenant can bring problems to the Rent Board and if the Board determines diminished services, the tenant can apply for a rent reduction. The Mayor asked Mr. Anthony to prepare a summary of the remedies available to renters and properties under the Rent Control Ordinance. Mr. Bishop asked for the penalty for not having an on-site manager. Mr. Anthony will look at the penalty section of the Administrative Code and advise.

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

Ms. Jahn 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:

Personnel – 2015 appointments  
Potential Litigation – Correspondence regarding amended towing ordinance  
Contract negotiations – Marina building

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 Committee reviewed appointments to Citizen Boards for the 2015 Reorganization Meeting.

Mr. Anthony stated that he was contacted by an Attorney regarding a change to the Township Towing Ordinance that requires a person to own a tow truck in order to be placed on the rotating wrecker list. The Attorney is representing a person who was on the wrecker list, but contracts out to other tow operators. Mr. Bascom stated that a major part of the ordinance revisions was to require individuals to own a tow truck in order to be eligible for the wrecker list. The Committee agreed and will not consider an amendment.

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. Cuttrel, Municipal Clerk; Vito D. Gadaleta, Township Administrator; Michael J. Bascom, Chief Financial Officer; and Gene Anthony, Township Attorney.

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

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

Mayor 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](http://www.neptunetownship.org).

#### APPROVAL OF MINUTES

Mr. Bishop offered a motion, seconded by Mr. McMillan, to approve the minutes of the meeting held on December 8th. All were in favor

#### RECOGNITION OF COMMUNITY EMERGENCY RESPONSE TEAM (C.E.R.T.) GRADUATES

The Mayor and Mr. Houghtaling recognized and presented certificates to graduates of the Community Emergency Response Team Program. The Mayor stated that the C.E.R.T. team consists of eight members who completed the basic training program over an eight day period. The Mayor introduced Don Colarusso who coordinated the training. Mr. Colarusso described the training and thanked the individuals who provided the training. Mr. Houghtaling addressed the graduates with remarks of appreciation for their time and commitment.

#### REPORT OF THE CLERK

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

An e-mail from Randy Slawsky, Lakewood Road, commending the Public Works Department for their assistance and hard work on a number of issues.

Senior Center monthly statistics for November.

#### COMMENTS FROM THE DAIS

Mr. Houghtaling stated he had the opportunity to attend the Central Jersey Negro Business and Professional Women's Club along with the Mayor and members of the police to discuss the issues going on in Ferguson and to see if that could happen here in Neptune Township. The police made a very good presentation and stated that anything like that could happen anywhere but our officers were trained and they've tried to create a different type of police department where they are a part of the community. This Committee feels that our officers should be out in the community walking around and getting to know the people. Our police department is confident of their abilities and it appeared everyone was satisfied. He also attended the Office of Emergency Managements Christmas Dinner. Last night OEM hi jacked Santa and was going to various businesses in Town. He attended a West Neptune Homeowners Meeting. They had a Christmas party as well. He attended the Toys for Tots gathering at the Headliner. He stated as Police Commissioner it has been very rewarding. The police department had problems and they were looking for solutions and help from the community. We have a new Chief, Captain and Sergeants and the police department is now at full force. We now have a full force with major changes. He commended the Mayor on doing a fine job. He went on to state that he was also proud to host the run for Pancreatic Cancer and to raise \$37, 000.

Randy Bishop stated he participated in the house tour in Ocean Grove with over 600 people walking through homes and Inns. He stated he also attended the tree lighting in Ocean Grove. He met with the Mayor's Youth Advisory Cabinet about plans for what they want to do for 2015. He stated they were a new group and were a pretty aggressive group and were just a great group of kids from the high school. He stated he also met with the Bradley Park Homeowner's Association to talk about some of their issues and World Changers which will be coming again in July. He stated he attended the following events -Ocean Grove Homeowner's Association Breakfast, two Senior Citizens Holiday Luncheons, Toys for Tots, Jeans and Jewels. He thanked the CERT graduates. He announced that the Gannett Foundation has awarded the Veterans Memorial Park a \$2,000 grant. He commended Mayor Brantley on a great year. He went on to state that the Recreation Department solicited cards from kids to go to residents in nursing homes or long term facilities. He shared some of their sentiments.

Kevin McMillan thanked the Mayor for a great year. He stated he supported our Police Department and attended the following events - Toys for Tots, Jeans and Jewels, Seniors Christmas Party and Neptune's first basketball game. He congratulated the CERT members in addition to Michael Mills.

Mary Beth Jahn congratulated Eric Houghtaling for taking on a green acres project which was the tract over at Sunshine Village. We were awarded the grant to cover 50% of the cost. It's nice to have a walking trail. She stated she attended the first Mayor's Ball meeting and stated the Madonna House was still accepting donations for kids that are in need. She stated this past year they have done so much together and commended the Mayor on a great year.

Mayor Brantley stated he enjoyed being Mayor. He went on to state that he was also present at the meeting with the Negro Business and Professional women. We are happy to hear what is going on with out police department and is proud of the improvement that is going on. He attended the Jeans and Jewels event and it was great. He stated he was proud of his niece who got her masters in teaching at Towson and while there he noticed it was an amazing campus and they mentioned that New York and New Jersey had a lot of students in their school.

#### PUBLIC COMMENTS ON RESOLUTIONS

Hank Coakley, Valley Road, asked where the disputed electrical work was in regards to the settlement with Midcoast Electric. Mr. Anthony responded that the work was at the Municipal Marina. Mr. Coakley stated that he thought the work being done at the Jumping Brook Ball Fields was being done by volunteers. Mr. Gadaleta stated that this was part a grant project for a new ball field at that location.

Dorothy Argyros, 2100 Rutherford Avenue, in reference to the Shared Service Agreement with Monmouth County, asked who has been doing this function and what is the cost. Mr. Bascom responded that the County has been doing the services in support of the dispatching function for the last ten years. Mr. Bishop added that this Agreement saves the Township money by sharing services. Ms. Argyros asked for the advantage in purchasing tablet computers. Mr. Bascom stated

that they will replace laptops in the Police Department used by the Street Crimes Unit and will also be used by Emergency Medical Technicians. They are more mobile and can be brought into, and used, inside any home.

ORDINANCE NO. 14-48 - ADOPTED

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

ORDINANCE NO. 14-48

AN ORDINANCE AMENDING LAND DEVELOPMENT ORDINANCE, VOLUME II, §300, ENTITLED, "DISTRICTS" AND TO ADD §423 TO BE ENTITLED, "TRANSIT VILLAGE ZONE"

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

Dorothy Argyros read a statement opposing the ordinance because she felt that eminent domain might be used. She also felt that people that buy a lot of township parcels often will buy it at market value then will go to the town and some how persuade them to do the redevelopment thing and properties lose its value.

Mayor Brantley stated he did not have time to discuss the inaccuracies that was just presented but reiterated that this ordinance allows us to help everyone in the Township.

Mr. Bishop clarified incorrect statements made by Mrs. Argyros and stated this was an over lay of zoning according to the transit village which has taken years of study and discussion. This does not affect any existing business. They can continue to exist. Instead of going before the Planning Board they would now go before the Board of Adjustment if they wish to make changes to their property. They will still have to meet a series of criteria. This was tabled earlier this year and if there were any concerns and they had large development that they wished to do they could apply. He stated Mr. Gadaleta met with one of the concerned property owners on Friday and had a discussion with the property owner and his attorney. This is something we hope will help people who are trying to get out of a light industrial zone. This is the third time it has been before the governing body.

Ms. Jahn stated she was a resident of this area and this is something the neighborhood wants.

Jennifer Beahm stated this was not a redevelopment plan it was an amendment to the plan and the zoning change does not grant eminent domain.

John Howell stated he lived in the middle of the Transit Village and questioned what were their intentions.

Mr. Bishop stated in order for the community to grow we need new people to come in and they were looking at doing smart redevelopment.

Ms. Jahn stated this will not require anyone to move. It only changes the zoning so that you can have new neighbors and under utilized buildings could be used. She stated they were doing an overlay so that there were no empty warehouses there.

Leanne Hoffman stated his property was in a light industrial zone and it would be put into a residential zone.

Mr. Howell stated his street and basement floods and he felt new infrastructure was needed rather than grandiose redevelopment.

Mr. Bishop stated if someone were to buy property to develop these they would have to comply with all of the new storm water management regulations and comply with all of the things that they previously did not have to worry about.

Mr. Houghtaling questioned whether someone could put a factory near his home right now.

Mrs. Hoffman confirmed that they could but that was what they were taking away.

Mr. Bishop stated they were trying to make it more residential.

Bill McCudden, 1198 Seventh Avenue stated he purchased property in the L-I zone with the intent of building a garage for his cabinet business and he's surrounded by commercial properties that aren't going anywhere and this ordinance will limit his capabilities to use commercial zone. He also stated he was not aware of this ordinance and a letter should have been sent to the residents regarding it.

Mayor Brantley stated eight years ago when this came about they did communicate to the residents to come to these meetings.

Mr. Bishop stated they did a masterplan and hearings in the area that changes would be done. It's been published and every effort has been made to inform the residents. You will not be precluded from saying what you would like to do. We are only doing an overlay as to what can be done. He could still build his garage but would have to go to the Board to get approval.

Ms. Jahn stated there was a dummy Transit Village Website on the internet and it is not ours. It talks about anti eminent domain and it is very misleading as to what is going on.

Mr. Bascom stated he knew what they were referring to and explained what it was and the purpose behind having the strategic revitalization plan..

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

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

#### CONSENT AGENDA

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

#### ACCEPT PERFORMANCE GUARANTEE FILED BY MACEDONIA BAPTIST CHURCH FOR SITE IMPROVEMENTS AT 1924 HECK AVENUE

WHEREAS, on December 5, 2013, Macedonia Baptist Church submitted a performance guarantee in the form of cash in the amount of \$35,640.00 guaranteeing site improvements at 1924 Heck Avenue (Block 266, Lot 35); and,

WHEREAS, Macedonia Baptist Church has now filed performance bond 1113114, written by Lexon Insurance Company, Inc. in the amount of \$35,640.00 and has requested a refund of the cash performance guarantee; and,

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

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 Bond as stated above be and is hereby accepted and replaces the cash performance guarantee submitted on December 5, 2013.
2. The cash performance guarantee be and is hereby authorized to be refunded.
3. A copy of this resolution shall be forwarded to the Township Engineer, Planning Board, Construction Department, Township Engineer, Chief Financial Officer and the Developer.

#### RESCIND EMPLOYMENT OF SPECIAL LAW ENFORCEMENT OFFICER CLASS II AND RECLASSIFY EXISTING CLASS I OFFICER TO CLASS II STATUS

WHEREAS, on December 8, 2014, the Township Committee adopted Resolution #14-555 which authorized the employment of six Special Law Enforcement Officers – Class II and Jailers in

the Police Department on a part-time hourly basis; and,

WHEREAS, one of the six individuals hired is no longer able to accept the position; and,

WHEREAS, the Police Director has made his recommendation to rescind the employment of Julian Morgan and reclassify an existing Special Law Enforcement Officer – Class I to the positions of Special Law Enforcement Officer – Class II and Jailer; and,

WHEREAS, funds will be provided in the 2014 municipal budget in the appropriation entitled Police S&W 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 employment of Julian Morgan as authorized by Resolution #14-555 is hereby rescinded; and,

BE IT FURTHER RESOLVED, that Samantha Marcus be and is hereby reclassified to the position of part-time Special Law Enforcement Officer - Class II and part-time Jailer, and to perform such other duties as prescribed by the Chief of Police, effective immediately, 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.

AUTHORIZE THE EXECUTION OF A SHARED SERVICE AGREEMENT WITH THE COUNTY OF MONMOUTH TO PROVIDE COMPUTER RELATED SERVICES TO SUPPORT EMERGENCY DISPATCHING FUNCTIONS

WHEREAS, the Township of Neptune, mindful of its duty and responsibility to protect and maintain the public health, safety and welfare of its inhabitants, has determined that its best interests would be served by entering into a Shared Services Agreement with the County of Monmouth for computer related services to support any call taking and dispatching functions for the Township which will meet the technical requirements and operational standards as set forth in N.J.S.A. 17:24-1 et seq.; and,

WHEREAS, the Township of Neptune and the County of Monmouth desire to enter into a Shared Service Agreement pursuant to N.J.S.A. 40:65-1 et seq. for the Township and County to cooperatively participate in this project; and,

WHEREAS, the County shall provide these services and determine an annual fee each calendar year based upon the service proposal distributed to the Township on November 15<sup>th</sup> of the prior year,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Shared Service Agreement with the County of Monmouth and the Monmouth County Sheriff's Department, a copy of which is on file in the Office of the Municipal Clerk, providing for the County to provide computer related services to support any call taking and dispatching functions for the Township commencing January 1, 2015 and continuing for a period of five years at an annual fee to be determined in the manner prescribed herein; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Business Administrator, Assistant C.F.O., Chief of Police, and the Monmouth County Sheriff's Department.

AUTHORIZE PURCHASE AND INSTALLATION OF A PUMP AT THE CLINTON PLACE PUMPING STATION

WHEREAS, the Purchasing Agent solicited quotes for the purchase and installation of a replacement pump at the Clinton Place pumping station; 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 Assistant Director of Public Works and 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. 12-14 and the Chief

Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase and installation of a replacement pump at the Clinton Place pumping station be and is hereby authorized through Pumping Services pursuant to their quote of \$22,030.00 for all six containers; 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., Public Works Director and Assistant Public Works Director.

CANCEL CHECKS OUTSTANDING FOR OVER NINETY DAYS

WHEREAS, the Finance Department has advised that there are a number of outstanding checks that are over ninety (90) days old; and,

WHEREAS, the cancellation of said checks must be approved by resolution of the Township Committee,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following checks outstanding for greater than ninety (90) days be and are hereby approved for cancellation:

General Account #7859177649

CHECK NO.	PAYABLE TO	AMOUNT
016963	The Sports Authority	\$ 247.39
016167	Lertch	164.58
017639	NJ MVC	25.00
017922	NJ MVC	85.00
018105	Neptune Little League	200.00
018686	John & Janice Gallagher	300.78
018743	NJ MVC	60.00
019026	Lynn's	348.99

Dare Account #037076396

CHECK NO.	PAYABLE TO	AMOUNT
01371	Lynne Dunn	\$ 471.85

Grant Account #7867107331

CHECK NO.	PAYABLE TO	AMOUNT
010635	OG First Aid	\$ 400.00

Payroll Account #7859177532

CHECK NO.	PAYABLE TO	AMOUNT
6156	Higher Education Auth	\$ 27.78
3592	IRS	682.41
3752	PBA Dues	3680.00

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

AUTHORIZE A REDUCTION IN THE PERFORMANCE GUARANTEES FILED BY NEPTUNE PARTNERS, LLC FOR SITE IMPROVEMENTS AT SIGNATURE PLACE AT NEPTUNE (JUMPING BROOK ROAD AND ROUTE 66)

WHEREAS, on November 6, 2013, the Township Committee adopted a resolution which accepted three performance bonds issued by First Indemnity of America Insurance Company in the total amount of \$3,655,200.00 filed by Neptune Partners, LLC guaranteeing site improvements at the Signature Place complex at the intersection of Jumping Brook Road and Route 66 (Block 1500, Lots 23.04 and 23.05); and,

WHEREAS, at the request of the Developer, the Township Engineer has inspected the site improvements and has recommended a reduction in the performance guarantees; and,

WHEREAS, the Developer will be notified to post Change Riders or a new consolidated bond reducing the total amount of the performance bond from \$3,655,200.00 to \$1,553,312.70 and the Municipal Clerk will accept said Riders or consolidated bond when posted; and,

WHEREAS, the cash portion of the performance guarantee will also be reduced by the proportionate amount of reduction of the performance bonds,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a reduction in the Performance Guarantee for Neptune Partners, LLC for site improvements at Signature Place complex, intersection of Jumping Brook Road and Route 66 (Block 1500, Lots 23.04 and 23.05) be and is hereby approved to the amount of \$1,533,312.700 and the Change Riders or consolidated bond submitted to affect said reduction are hereby accepted; and,

BE IT FURTHER RESOLVED, that the proportionate 70% amount of cash portion of the performance guarantee in the amount of \$212,929.70 shall be refunded to the Developer; and,

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

RECLASSIFY IZAMEEK HARRIS AS A PERMANENT FULL-TIME DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Izameek Harris was hired as a Driver in the Department of Public Works on September 2, 2014; and,

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

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

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

RECLASSIFY ROMELL WILSON AS A PERMANENT FULL-TIME DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Romell Wilson was hired as a Driver in the Department of Public Works on March 12, 2014; and,

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

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

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

AUTHORIZE THE PURCHASE OF TABLET COMPUTERS THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Neptune Township Police Department wishes to purchase GETAC tablet computers with accessories 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, GTBM, Inc. has been awarded New Jersey State Contract No. A75583 for this equipment; and,

WHEREAS, the Chief Financial Officer recommends the utilization of this contract on the grounds that the price reflects a substantial savings; and,



WHEREAS, the cost of the equipment shall not exceed \$36,000.00; and,

WHEREAS, funds for this purpose are available from Ordinance No. 13-31 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 GETAC tablet computers with accessories through the New Jersey Cooperative Purchasing Program for the Neptune Township Police Department be and is hereby authorized at an amount not to exceed \$36,000.00; and,

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

AUTHORIZE THE TRANSFER OF 2014 BUDGET APPROPRIATIONS

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of current year appropriations during the last two months of the fiscal year; and,

WHEREAS, the Chief Financial Officer has recommended that the following appropriation transfers be authorized:

<b>APPROPRIATION</b>	<b>FROM</b>	<b>TO</b>
Electricity O.E.	\$25,000.00	
Solid Waste Disposal O.E.	55,000.00	
Debt Service – Green Acres	1,000.00	
Legal O.E.		\$11,000.00
Group Insurance O.E.		42,000.00
Natural Gas O.E.		25,000.00
Debt Service – Note Interest		3,000.00
 TOTAL	 \$81,000.00	 \$81,000.00

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, that 2014 Budget Appropriations be transferred as stated herein; and,

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

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

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH THE JUMPING BROOK BALL FIELD IMPROVEMENTS

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

WHEREAS, a contract was awarded to Down to Earth Landscaping in the amount of \$356,616.20 in connection with Jumping Brook Ball Field Improvements; and,

WHEREAS, changes to the contract have been experienced as a result of the need for additional irrigation zones around newly planted trees and the arboretum; and,

WHEREAS, this change has been recommended by the Environmental/Shade Tree Commission Chairperson and approved by the Township Engineer and; and,

WHEREAS, funds for this purpose are available in Ordinance No. 12-17 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #1 in the contract with Down to Earth Landscaping in connection with Jumping Brook Ball Field Improvements resulting in a net increase of \$10,000.00 revising the total contract amount to \$366,616.20; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Contractor,

Chief Financial Officer; Business Administrator and Township Engineer.

The resolution was adopted on the following vote: Bishop, aye; Houghtaling, no; 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	2,896,804.25
FEDERAL & STATE GRANT FUND	5,928.68
TRUST OTHER	119,762.96
GENERAL CAPITAL FUND	55,230.80
SEWER OPERATING FUND	1,133,285.53
SEWER CAPITAL FUND	32,135.00
MARINA OPERATING FUND	32,888.80
MARINA CAPITAL FUND	28,470.97
DOG TRUST	7,638.40
LIBRARY TRUST	597.39
BILL LIST TOTAL	\$4,312,742.78

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.

AUTHORIZE SETTLEMENT IN THE MATTER OF MIDCOAST ELECTRIC CORP. v. TOWNSHIP OF NEPTUNE, SUPERIOR COURT OF NEW JERSEY, COUNTY OF MONMOUTH, LAW DIVISION, DOCKET NO. L-4343-13

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

WHEREAS, this matter was brought by Midcoast Electric Corp. against the Township of Neptune; and,

WHEREAS, the parties have reached a settlement, as evidenced by a Stipulation of Settlement, attached hereto and made a part hereof as Exhibit "A", setting forth the rights and obligations of the parties.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the governing body hereby authorizes settlement in the above referenced matter as set forth in the Stipulation of Settlement attached hereto as Exhibit "A" and authorizes the Township Attorney, Gene J. Anthony, Esq., to execute the aforesaid Stipulation of Settlement as stated; 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 Township Attorney.

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

Gail Oliver, Neptune City, thanked everyone who attended the MURC fund raiser. Ms. Oliver asked for the difference between redevelopment and rehabilitation. She indicated that she believes that a designation of redevelopment allows for eminent domain and a rehabilitation designation does not. Mr. Anthony stated that was the case, but recent state statute makes it moot because the redevelopment statute now allows for the elimination of eminent domain. Ms. Oliver asked what the Committee would have to do to change the Redevelopment Plan/designation of West Lake Avenue. Mr. Anthony stated that the Committee could choose to follow the state statute for a rehabilitation designation, or amend the existing Redevelopment Plan.

Jack Breden, 94 ½ Heck Avenue, read a recent Coaster article regarding the Ocean Grove Homeowners Association concerns regarding the North End Redevelopment Plan. The President of the Association, Ann Horan, is quoted that the Redevelopment Plan was changed based on recommendations from the Association. The article goes on to state that the Association got numerous elements of the Plan changed. Mr. Bishop stated changes were made to the Plan based on Association input before the Plan was adopted in 2008. There have been no changes made to the Plan since it was adopted in 2008.

Celestine Overby, 610 Bingham Street, stated that the new house on the corner of Neptune Blvd. and West Lake Avenue is beautiful.

Heinz Weck, Ocean Grove, stated that he missed the last meeting because it was his birthday. He recently fell at home and called the police. Dave Shotwell, Jr. and the First Aid Squad came and helped. Also, Neptune Township has the finest police department in New Jersey and the Township Committee supports the police. Chief Hunt is the conductor of the operation and he was a great selection to be the Police Chief.

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

Richard J. Cuttrell,  
Municipal Clerk