

TOWNSHIP COMMITTEE MEETING – JULY 23, 2012

Mayor Bishop called the meeting to order at 6:00 p.m. and requested the Clerk to call the roll. The following members were present: Eric J. Houghtaling, Kevin B. McMillan and Mayor J. Randy Bishop. Absent: Mary Beth Jahn. (Dr. Michael Brantley arrived during the executive session)

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

Mayor Bishop 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 and The Coaster on January 5, 2012, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

The following items were discussed in open session:

Mr. Cuttrell stated that the current Township ordinance regulating dog licensing calls for a penalty of \$50 minimum/\$100 maximum for an unlicensed dog. Since this is a range, such a violation requires a court appearance. In order to eliminate a court appearance, the Committee could amend the ordinance to reflect a fixed penalty amount. Mr. Anthony mentioned that he has not seen individuals in court for unlicensed dogs. The Committee indicated that the fixed penalty amount should be \$100, but asked Mr. Cuttrell to research what other municipalities are charging.

The Committee reviewed a request from International Coastal Cleanup to join in a worldwide clean-up of shorelines around all bodies of water on September 15<sup>th</sup>. The Committee indicated that they want to participate and expand it to a Township wide clean-up day.

The Committee reviewed the upcoming activities and events calendar and committed to attend various meetings.

Mr. Bascom stated that he is considering participating in an electronic tax sale rather than the usual annual sale conducted at the Municipal Building. This is a pilot process and there is interest in having Neptune participate.

Mr. Houghtaling stated that he received a complaint about noise at Seaview Island coming from a tiki bar at 9<sup>th</sup> Avenue in Belmar. He suggested that the band be moved to a different location at the bar so that the noise is directed away from Seaview Island.

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

Mr. Houghtaling 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:  
  
Contract negotiations – West Lake Avenue Redevelopment update  
Personnel – Appointment to Environmental/Shade Tree Commission  
Potential Litigation – Senior Center flooring  
Personnel – Recommendation for hiring of DPW Drivers
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: Houghtaling, aye; McMillan, aye; and Bishop, aye.

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

Tom Clark provided an update on the West Lake Avenue Redevelopment.

The Committee reviewed a recommendation to appoint Mindi Arcoleo to the Environmental/Shade Tree Commission and took action at the regular business portion of the meeting.

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

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

Also present at the dais were Richard J. Cuttrel, Municipal Clerk; Philip D. Huhn, 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 direction I am indicating, in case of fire you will be notified by bell and or public address system. If you are alerted of fire, please move in a calm, orderly manner to the nearest smoke-free exit or the next nearest exit as directed over the public address system.

Mayor Bishop 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 and The Coaster on January 5, 2012, 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 available online at [www.neptunetownship.org](http://www.neptunetownship.org) for public viewing before each Township Committee meeting.

#### APPROVAL OF MINUTES

Mr. McMillan offered a motion, seconded by Mr. Houghtaling, to approve the minutes of the meeting held on June 11<sup>th</sup>. All were in favor.

#### REPORT OF THE CLERK

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

Tax Collector's monthly statements for April, May and June.

Senior Center monthly statistics for June.

A letter from Louis Bianco commending the staff of the Neptune Library.

#### COMMENTS FROM THE DAIS

The Mayor requested comments from the dais and they were as follows:

Dr. Michael Brantley stated the Wesley Lake Commission was planning a Rehabilitation Forum in September. The venue has not been picked as of yet but it will be in Asbury Park. They expect to have a brunch in late September. He stated they had an update of the Restoration Plan for Wesley Lake which includes dredging the entire lake, storm water management, wall rehabilitation and lakescape. He went on to state the cost for completing this plan was \$12,000,000 and they have been proactive in raising the funds and a portion of the funds have been met by both Townships.

Kevin McMillan stated he attended the MURC reading program and Pat Monroe was the facilitator and Diana Harris was there as well as the parents and children. He stated the object of it was to get the parents to read to their children. They learned a lot of reading tips and they are looking into ways of increasing the participation of parents. He also stated that Deputy Mayor

Houghtaling was also there with him. He went on to state that he spoke with Dawn Thompson in reference to the First Tee program and that's a program whose mission is to impact the lives of young people by providing educational programs that build character and instill life enhancing values and promote healthy choices through the game of golf. He became aware that they have a relationship with the high school and they were looking to expand this program and get more children involved in it.

Eric Houghtaling stated he attended the summer reading program and thanked Diana Harris and former Mayor Pat Monroe for doing a wonderful job and Ellis Jones for the fine work he's done through the Neptune Housing Authority. He stated he attended the monthly Planning Board Masterplan Meeting where they review recommendations for the masterplan. He went on to state that Monday was a big day with World Changers coming in and he attended a few of the functions that they held. He also attended the touch a truck event and the kids really enjoyed it. On Saturday there was a HUD certified program held by MURC. He thanked Diana Harris for all that she does with this program.

Mayor Bishop stated World Changers consumed his last two weeks and he sent a special thank you to Jersey Shore University Medical Center, Monmouth Ocean Food Bank, Lunch Break, Ocean Grove Camp Meeting Association, NJ Natural Gas, IHOP, Neptune Township School Districts, Chartwell, Red Cross our own OEM, our Township Employees and a very special thank you to Roberta Grace, Pam Howard and Leanne Hoffmann for their tireless work in dealing with issues, problems and concerns in helping a tremendous amount. He went on to state 360 young people ranging in age from 16-20 did over thirty projects, and spent \$30,000. Some of the projects they did were roofs, windows and wheel chair ramps. They stayed at the high school and it was an incredible time and they kept coming to us saying thank you for letting them do this. They worked under extreme weather conditions. The group also made two donations totally over \$3,500 to the Foodbank and Lunch Break. He thanked Gwen Love, Executive Director of Lunch Break who helped out so much by providing lunch everyday and for providing volunteers to prepare and deliver the lunches to the Township. He went on to state that they had volunteers at town hall to help prepare the routes and volunteers to deliver the lunch to various sites throughout Neptune Township, one in Fair Haven and one in Red Bank. He went on to state that last night he welcomed 100 people from Missions 101 which is a missions group through Ocean Grove. They will be helping by doing smaller projects. He thanked Dawn Thompson for Touch a Truck and Ross Limousine for the kids to play in.

#### PUBLIC COMMENTS ON RESOLUTIONS

The Mayor requested public comments regarding resolutions presented on this agenda.

Dorothy Argyros, 2100 Rutherford Avenue commented on Resolution #12-282, 12-300 and 12-301. She stated it appeared as though they were doing remedial investigation to the Tide's property and questioned who owned it and who owned the Welsh Farm property.

Mayor Bishop stated it was all owned by the Township.

Mrs. Argyros questioned then why would they get a remedial investigation and the Exxon spill did not get any such remedial work. She went on to state that the Township seemed not to care. She stated the property was contaminated in 1982 and it still is and they did not get any attention in terms of remedial investigation. She questioned whether they liked her former neighborhood and why the distinction.

Mr. Bascom stated the properties in question are Township owned and they are applying for grant funding to remediate potentially hazardous situations on Township owned property. He went on to state that they did not have the right to apply for this funding on privately owned property. He stated the private property owner has the right to apply for funding for their own privately owned property.

Mr. Argyros questioned what was the threat that caused them to place a lien on property mentioned in Resolution #12-283.

Mr. Cuttrell stated again it was grass cutting, vacant buildings and open windows that needed to be boarded up.

Mrs. Argyros stated the Exxon property was a true danger and the Township has done nothing about it. She then went on to ask who did the negotiation agreement to extend the employment of the Chief of Police as mentioned in Resolution #12-291.

Mayor Bishop stated this was an extension of an agreement that was already in place and enforced

now. He stated they looked into it and agreed to extend his agreement.

Mrs. Argyros questioned whether there was a benefit by doing this.

Mayor Bishop stated there were many benefits and one of them was a continuity issue.

Mrs. Argyros questioned whether he would get a change in salary.

Mayor Bishop stated the only thing he would be entitled to was his 2% increase.

Mrs. Argyros commended the Committee for adopting several resolutions that showed they were checking the activities of the taxing bodies in the town and correcting them.

Michael Fornino, 120 Fulham Place, questioned how many properties were mentioned in Resolution #12-283 and for what purpose.

Mr. Cuttrell stated that was the same questioned that Mrs. Argyros just asked.

Mr. Fornino stated he was curious and again questioned how many properties were listed.

Mr. Cuttrell stated there were ten properties.

Mr. Fornino stated as far as Resolution #12-291 the Chief of Police was the Chief of Police until he decided to retire. He questioned who sets the term on his contract.

Mayor Bishop stated the Township Committee does and he can in fact work until June 2013 without a contract.

Heinz Weck, Ocean Grove asked if the Committee could extend the contract for the Chief for another five years.

Mayor Bishop stated they could not.

#### ORDINANCE NO. 12-24 - ADOPTED

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

#### ORDINANCE NO. 12-24

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF EQUIPMENT ASSOCIATED WITH THE IMPLEMENTATION OF A SINGLE STREAM RECYCLING PROGRAM, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,045,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

Michael Fornino, 120 Fulham Place, questioned whether the Township knew what the projected savings would be and the scheduled payback. He stated both he and Eric talked about it but he still did not know.

Mr. Bascom stated the savings could be anywhere from \$60,000 to \$150,000 a year but it depends on how successful people are in removing recycling from their garbage and the better the compliance the more that would be saved. He stated they were looking at a 5 to 6 year payback.

Mayor Bishop stated he would like to add that we are at the point where we need to buy new equipment and since we are in need of new equipment why not buy what could potentially save us more money.

Mr. Houghtaling stated the more we recycle the more we save.

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

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

ORDINANCE NO. 12-25 - APPROVED

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

ORDINANCE NO. 12-25

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A HANDICAPPED PARKING ZONE ON ABBOTT AVENUE, REMOVING A HANDICAPPED PARKING ZONE AT A DIFFERENT LOCATION ON ABBOTT AVENUE AND ADDING A LOADING ZONE ON OCEAN AVENUE

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

ORDINANCE NO. 12-26 - APPROVED

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

ORDINANCE NO. 12-26

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-13 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A LEFT TURN PROHIBITION AT STATE HIGHWAY 35 AND MONROE AVENUE

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

CONSENT AGENDA

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

ACCEPT A GRANT FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMER TIDES MOTEL PROPERTY – REMEDIAL INVESTIGATION AND REPORT PREPARATION)

WHEREAS, the Township of Neptune has applied for and has been awarded a grant in the amount of \$65,515.00 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority for the Remedial Investigation along with report preparation of the Former Tides Motel property,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the above referenced grant is hereby accepted and the Mayor is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Township of Neptune; and,

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority, the Chief Financial Officer, Business Administrator and Administrative Assistant to the C.F.O.

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

WHEREAS, the Code Enforcement Supervisor 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 Code Enforcement Supervisor 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>
220/521	404 Drummond Avenue	660.00
9005/16	12 Kenneth Terrace	440.00
3004/1	300 Wakefield Road	220.00
215/107	155 Fisher Avenue	220.00
242/73	1715 Bradford Avenue	440.00
175/1.01	16 Ridge Avenue	440.00
8000/31	304 Michelle Court	440.00
451/1	115 Lakewood Road	550.00
9012/11	801 Ruth Drive	925.00
340/20	506 Green Grove Road	1,650.00

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 THE SUBMISSION OF A 2013 GRANT APPLICATION BY THE NEPTUNE ALLIANCE AGAINST ALCOHOLISM AND DRUG ABUSE

WHEREAS, the Neptune Township Municipal Alliance Against Alcoholism and Drug Abuse desires to submit a comprehensive funding proposal to the Governor's Council of Alcoholism and Drug Abuse for 2013; and,

WHEREAS, the Alliance is eligible to apply for funding in the amount of \$41,419.00 for 2013 prevention services,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the submission of a 2013 Grant Application by the Neptune Township Municipal Alliance Against Alcoholism and Drug Abuse to the Governor's Council of Alcoholism and Drug Abuse, which requests the amount of \$41,419.00 for 2013; and,

BE IT FURTHER RESOLVED, that the Mayor, Business Administrator and Drug Alliance Mayoral Representative are hereby authorized to execute said proposal; and,

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

AMEND SOURCE OF FUNDS CERTIFIED FOR RESOLUTIONS #12-217 & 12-278

WHEREAS, on May 24, 2012, the Township Committee adopted Resolution #12-217 which awarded a contract to D&D Trenchless Solutions on their lowest responsible bid of \$27,250.00 for the relocation of a sanitary sewer main at Broadway and Central Avenue; and,

WHEREAS, on July 9, 2012, the Township Committee adopted Resolution #12-278 which authorized D&D Trenchless Solutions to perform emergency work in connection with the same project at an amount not to exceed \$5,300.00; and,

WHEREAS, in both resolutions, available funds were certified through Bond Ordinance No. 09-27; and,

WHEREAS, the Assistant Chief Financial Officer has advised that this work is being performed on the sanitary sewer system and therefore should be certified through Sewer Utility

Bond Ordinance No. 09-21,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the certification of funds in both Resolution #12-217 and Resolution #12-278 is hereby amended from Ordinance No. 09-27 to Ordinance No. 09-21; and,

BE IT FURTHER RESOLVED, that all other aspects of said resolutions remains in full force and effect; and,

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

ACKNOWLEDGE THE RETIREMENT OF THOMAS FAUST AS BUS DRIVER AT THE SENIOR CENTER

WHEREAS, the Township Committee has received a letter indicating that Thomas Faust will be retiring as a part-time Bus Driver at the Senior Center effective August 23, 2012,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the retirement of Thomas Faust as a part-time Bus Driver at the Senior Center be and is hereby acknowledged effective August 23, 2012; and,

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

CONFIRM SUBMISSION OF AN APPLICATION TO THE FY 2012 FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM

WHEREAS, the Federal Emergency Management Agency (FEMA) is offering grants for various assets in connection with fire and/or emergency medical services; and,

WHEREAS, the Township identified a need to submit an application for emergency medical services personal protective equipment; and,

WHEREAS, a grant application was submitted electronically prior to the July 6, 2012 deadline and receipt of the application was acknowledged by FEMA; and,

WHEREAS, the Township Committee wishes to formally acknowledge and confirm the submission of said grant application,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby acknowledges and confirms the submission of an application to the FY 2012 Federal Emergency Management Agency Assistance to Firefighters Grant Program for emergency medical services personal protective equipment; and,

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

ACCEPT THE RESIGNATION OF ANDREW HALLGRING AS A SPECIAL LAW ENFORCEMENT OFFICER – CLASS II

WHEREAS, the Township Committee has received a letter from Andrew Hallgring resigning as a Special Law Enforcement Officer – Class II effective July 15, 2012,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Andrew Hallgring as a Special Law Enforcement Officer – Class II is hereby accepted effective July 15, 2012; 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 Chief of Police.

AUTHORIZE THE REFUND OF MUNICIPAL MARINA SUMMER DOCKAGE DEPOSIT

WHEREAS, Gloria & Bill Henderson submitted a deposit for summer dockage fee; and,

WHEREAS, they have advised the Marina Bookkeeper that they did not acquire a boat and

therefore do not have use for the slip; and,

WHEREAS, the Harbor Commission recommends the granting of the refund,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the refund of a Municipal Marina summer dockage fee to Gloria & Bill Henderson in the amount of \$400.00; and,

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

#### TERMINATE EMPLOYEE

BE IT RESOLVED, by the Township Committee of the Township of Neptune that Douglas Johnson, Jr. be and is hereby terminated from employment with the Township as a Public Works Driver, not in good standing, effective July 16, 2012; and,

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

#### AUTHORIZE THE EXECUTION OF AN EXTENSION OF THE EMPLOYMENT AGREEMENT WITH THE CHIEF OF POLICE

WHEREAS, on December 14, 2009, the Township Committee adopted Resolution #09-529 which authorized the execution of Employment Agreements with various officials not represented in a bargaining unit, including the Chief of Police; and,

WHEREAS, said Employment Agreements have an expiration date of December 31, 2012; and,

WHEREAS, the Committee desires to extend the terms and conditions of the Employment Agreement with the Chief of Police through June 1, 2013,

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 an Extension of the Employment Agreement between the Township of Neptune and the Chief of Police to extend the expiration date of the Agreement from December 31, 2012 to June 1, 2013; and,

BE IT FURTHER RESOLVED, that a copy of said agreement is available for public inspection in the office of the Municipal Clerk; and,

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

#### AUTHORIZE THE SUBMISSION OF A 2013 TITLE IIIB FUNDING GRANT TO THE MONMOUTH COUNTY OFFICE ON AGING

WHEREAS, the Township of Neptune desires to submit a grant application to the Monmouth County Office on Aging for an Older Americans Title IIIB Funding Grant to provide services to Neptune Seniors through the Neptune Senior Center; and,

WHEREAS, the Senior Center Director will complete the necessary documentation for submission,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the submission of a 2013 grant application to the Monmouth County Office on Aging for an Older Americans Title IIIB Funding Grant; and,

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

#### AUTHORIZE THE CANCELLATION AND REFUND OF TAXES DUE TO CONSOLIDATION OF LOTS (BLOCK 189, LOTS 17, 18 & 19)

WHEREAS, effective January 1, 2012 the Assessors' office combined Lots 17, 18 & 19 in Block 189 creating a new lot known as Lot 17.01; and,



WHEREAS, the combination of said lots should have deleted them from the Tax rolls effective January 1, 2012; and,

WHEREAS, the Assessing Office did not make the necessary changes to the Tax Duplicates for 2012 resulting in the property being over billed; and,

WHEREAS, the Assessing Office has requested that Tax Office cancel the 2012 Taxes on Lots 17, 18 & 19 in Block 189; and

WHEREAS, the amounts to cancel and refund are as follows:

<u>Tax Year</u>	<u>Lot</u>	<u>Amount to be cancelled</u>
2012	17	\$1,863.02
2012	18	\$1,636.13
2012	19	\$2,999.99

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the Tax Collector be and is hereby authorized to cancel 2012 Taxes as stated herein; and,

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

AUTHORIZE THE CANCELLATION OF TAXES FOR 108 HAMILTON AVENUE DUE TO TAX EXEMPT STATUS

WHEREAS, the property known as Block 273, Lot 52.02, with an address of 108 Hamilton Ave, is assessed to Collaborative Support Programs NJ and should be tax exempt; and,

WHEREAS, the properties status was not changed in the 2012 Tax Duplicate to tax exempt causing the property to be billed 2012 Taxes; and,

WHEREAS, the Township Committee desires to cancel taxes assessed against the above property for 2012; and,

WHEREAS, the amounts to be canceled are as follows;

Tax Year	Amount to Cancel	Refund
2012	\$3,799.15	\$0.00

THEREFORE BE IT RESOLVED, by the Township of Neptune, County of Monmouth, that the Tax Collector be and hereby is authorized to cancel and refund 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 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, that the Tax Collector be and is hereby authorized to refund the taxes as stated herein; and,

<b>BLOCK</b>	<b>LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
105	1789	BUFFARDI	105 STOCKTON AVE	2012	1,560.70
79	1984	LYONS	96 STOCKTON AVE	2012	225.44
9013	8	SESSIONS	715 RUTH DR	2012	423.56

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 A CREDIT BALANCE (615 HIGHWAY 35)

WHEREAS, a property known as Block 245, Lot 63, with an address of 615 Highway 35, assessed to Mildner reflects a credit balance; and,

WHEREAS, the property owner of said property has been notified and has not been able to identify the source of said credit; and,

WHEREAS, the Tax Collector has recommended canceling said credit to fund balance,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the Tax Collector be and is hereby authorized to cancel a credit balance as described herein,

BLOCK/LOT	OWNER	YEAR	AMOUNT
245/63	Mildner	2010	\$ 359.75

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 FOR 3618 HIGHWAY 33 AS A RESULT OF THE GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION

WHEREAS, the property known as Block 1307, Lot 4, with an address of 3618 Highway 33, assessed to James W. Manning, is eligible for a Totally Disabled Veterans Exemption effective February 6, 2012; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against the above property effective February 6, 2012 and refund same to the owner of record in accordance with N.J.S.A. 54:4-3.32; and,

WHEREAS, the amounts to be canceled and refunded are as follows;

Year	Cancel	Refund
2012	4,687.22	950.35

THEREFORE BE IT RESOLVED, by the Township of Neptune, County of Monmouth, that the Tax Collector be and hereby is authorized to cancel and refund 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, that the Tax Collector be and hereby is authorized to cancel Sewer Rent as stated herein; and,

BLK/LOT AMOUNT	ASSESSED TO	ADDRESS	YEAR
1006/2.01	Faulhaber, Fred & Barbara	794 Wayside Road	2 <sup>nd</sup> half 2012 220.00

REASON: Conversion from mother-daughter to single family  
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BLK/LOT AMOUNT	ASSESSED TO	ADDRESS	YEAR
266/37	Living Word Christian Fellow.	81 Highway 35	2 <sup>nd</sup> half 2012 407.17

REASON: Closed daycare center and preschool  
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BLK/LOT AMOUNT	ASSESSED TO	ADDRESS	YEAR
255/6c01	Johnson, Avis & Obayuwana	2006 Stratford Ave., Unit 1	2012 440.00

**REASON:** Property changed from condos to apartments  
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<b>BLK/LOT AMOUNT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>YEAR</b>
255/6c02	Johnson, Avis & Obayuwana	2006 Stratford Ave., Unit 2	2012	440.00

**REASON:** Property changed from condos to apartments  
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<b>BLK/LOT AMOUNT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>YEAR</b>
255/6c03	Johnson, Avis & Obayuwana	2006 Stratford Ave., Unit 3	2012	440.00

**REASON:** Property changed from condos to apartments  
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<b>BLK/LOT AMOUNT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>YEAR</b>
255/6c04	Johnson, Avis & Obayuwana	2006 Stratford Ave., Unit 4	2012	440.00

**REASON:** Property changed from condos to apartments

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

ACCEPT A CORRECTIVE ACTION PLAN IN CONNECTION WITH THE 2011 AUDIT RECOMMENDATIONS

WHEREAS, the Township Committee previously accepted the 2011 Township of Neptune audit by resolution; and,

WHEREAS, the various Departments within the Township have reviewed the comments and recommendations portion of said audit and submitted a Corrective Action Plan to the Chief Financial Officer and Township Committee,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Corrective Action Plan of the 2011 Township of Neptune Audit be and is hereby accepted and is authorized for submission to the Division of Local Government Services; and,

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

AUTHORIZE BIRDSALL SERVICES GROUP TO PERFORM ADDITIONAL REMEDIAL INVESTIGATION ACTIVITIES AT THE FORMER TIDES MOTEL (155 SOUTH RIVERSIDE DRIVE)

WHEREAS, the Township desires to authorize additional remedial investigation activities, including the preparation of a Remedial Investigation Report/Remedial Action Workplan, at the former Tides Motel property at 155 South Riverside Drive; and,

WHEREAS, the Township Engineer requested a proposal from Birdsall Services Group who previously completed two remediation projects on this property in accordance with NJDEP rules and regulations

WHEREAS, the Township has received a grant from the Hazardous Discharge Site Remediation Fund to cover a large majority of the cost of this work; and,

WHEREAS, funds for this purpose are available in the 2012 Municipal Budget through a Hazardous Discharge Site Remediation Fund Municipal Grant in the amount of \$65,515.00 and \$1,350.00 in the appropriation entitled Engineering O.E., known as Account No. \_\_\_\_\_, 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 Birdsall Services Group to perform additional remedial investigation activities as described herein at the former Tides Motel property, 155 South Riverside Drive, at an amount not to exceed \$66,865.00; and,

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

AUTHORIZE NAJARIAN ASSOCIATES TO PERFORM PRELIMINARY ASSESSMENT AND SITE INVESTIGATION AT THE FORMER WELSH FARMS PROPERTY (703 OLD CORLIES AVENUE)

WHEREAS, the Township desires perform a preliminary environmental assessment and site investigation including field work, soil borings, soil sampling, laboratory analysis and the preparation of a Site Investigation Report and updated Receptor Evaluation, at the former Welsh Farms property at 703 Old Corlies Avenue; and,

WHEREAS, the Township Engineer requested a proposal from Najarian Associates, a Licensed Site Remediation Professional, to perform this work in accordance with NJDEP rules and regulations; and,

WHEREAS, funds for this purpose are available in the 2012 Municipal Budget in the appropriation entitled Engineering O.E., known as Account No. \_\_\_\_\_, 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 Najarian Associates to perform environmental assessment and investigation activities as described herein at the former Welsh Farms property, 703 Old Corlies Avenue, at an amount not to exceed \$27,585.00; and,

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

AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE SECTOR DELAWARE BAY AREA MARITIME SECURITY COMMITTEE PORT SECURITY PROGRAM

WHEREAS, the Township of Neptune desires to submit a grant application to the Sector Delaware Bay Area Maritime Security Committee Port Security Program in the amount of \$75,000 to acquire a side scan sonar system for use on the ANSWER rescue boat; and,

WHEREAS, the Grant Program requires a 25% match, therefore, the amount of grant funding requested is \$56,250 and the amount of matching funds is \$18,750;

WHEREAS, funds are available for the matching funds in Ordinances 11-33 and 12-15, 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 submission of a grant application to the Sector Delaware Bay Area Maritime Security Committee Port Security Program in the amount of \$75,000 (grant amount - \$56,250/match amount - \$18,750) to acquire a side scan sonar system for use on the ANSWER rescue boat; and,

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

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

The Mayor made the following appointment to the Environmental/Shade Tree Commission:

Mindi Arcoleo for a five year term unexpired term expiring December 31, 2012.

CONSENT TO MAYOR'S APPOINTMENT TO THE ENVIRONMENTAL/SHADE TREE COMMISSION

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

BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby consents to the Mayor's appointment of Mindi Arcoleo to the Environmental/Shade Tree

Commission for an unexpired three year term expiring December 31, 2012; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Secretary to the Environmental/Shade Tree Commission.

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

The Mayor made the following appointment to the Housing Authority:

Lois Lawson for a five year term expiring March 31, 2016.

CONSENT TO MAYOR'S APPOINTMENT TO THE HOUSING AUTHORITY

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

BE IT RESOLVED, by the Township Committee of the Township of Neptune that it hereby consents to the Mayor's appointment of Lois Lawson to the Neptune Township Housing Authority for a five year term expiring March 31, 2016; and,

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

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

AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF NEPTUNE AND LOCAL #74 OF NEW JERSEY STATE POLICEMAN'S BENEVOLENT ASSOCIATION, INC.

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

WHEREAS, the Township of Neptune and Neptune Township Local #74 of New Jersey State Policeman's Benevolent Association, Inc. presented evidence to an independent Arbitrator in the matter of establishing a contract with said Local; and,

WHEREAS, the Arbitrator has rendered his decision to both the Township and the Local,

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 an agreement between the Township of Neptune, County of Monmouth, and Neptune Township Local #74 of New Jersey State Policeman's Benevolent Association, Inc. defining wages, benefits and other personnel matters for the period beginning January 1, 2009 and ending December 31, 2013, said agreement being consistent with the ruling of the Arbitrator appointed in this matter; and,

BE IT FURTHER RESOLVED, that a copy of said agreement is available for public inspection in the office of the Municipal Clerk; and,

BE IT FURTHER RESOLVED, that a copy of this resolution along with an executed copy of said agreement be forwarded to the President of Local #74, Chief Financial Officer, Business Administrator and Assistant C.F.O.

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

AUTHORIZE CHANGE ORDER #3 (FINAL) FOR THE CONVERSION OF THE FORMER RITE AID BUILDING TO A SENIOR CENTER

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

WHEREAS, on May 24, 2010, a contract was awarded to Structural Concepts, Inc. in the amount of \$1,359,000.00 in connection with the conversion of the former Rite Aid Building on Route 33 into the new Neptune Senior Center; and,

WHEREAS, on March 14, 2011, the Township Committee adopted Resolution #11-146

which authorized Change Order #1, increasing the amount of the contract by \$64,609.64; and,

WHEREAS, on May 23, 2011, the Township Committee adopted Resolution #11-236 which authorized Change Order #2, increasing the amount of the contract by \$32,459.09; and,

WHEREAS, final changes to the contract have been experienced as a result of floor repair and leveling, additional items required to obtain a certificate of occupancy, additional power and data outlets and removal of an allowance for a public address system; and,

WHEREAS, this change has been approved by the Director of Engineering and Planning; and,

WHEREAS, funds for this purpose are available in Ordinance No. 11-02 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 #3 (final change order) in the contract with Structural Concepts, Inc. in connection with the conversion of the former Rite Aid building on Route 33 into the new Neptune Senior Center resulting in a net increase of \$9,978.67 revising the total contract amount to \$1,466,047.40; 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: Brantley, aye; Houghtaling, aye; McMillan, aye; and Bishop, aye.

EMPLOY DRIVERS IN THE DEPARTMENT OF PUBLIC WORKS ON A PROBATIONARY BASIS

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

WHEREAS, due to retirements and terminations, there are four vacancies in the position of Driver in the Public Works Department; and,

WHEREAS, the position was duly posted and applicants have been interviewed; and,

WHEREAS, the Public Works Director has made his recommendations; and,

WHEREAS, funds will be provided in the appropriation entitled \_\_\_\_\_, known as Account No. \_\_\_\_\_, 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 the following individuals be and are hereby employed as Drivers in the Department of Public Works, on a probationary basis for a period of not less than 90 days and not exceeding one year, pending favorable results of the required physical, effective July 30, 2012, at an annual salary of \$26,000.00:

David Turner  
Louis Rochelle, Jr.

Keith Stewart  
Ryan Brinson

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Public Works Director, Business Administrator, Chief Financial Officer, Assistant C.F.O., AFSCME Local #1844, and Mandy To.

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

AUTHORIZE THE PAYMENT OF BILLS

Mr. Houghtaling offered the following resolution, moved and seconded by Dr. Brantley, 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	1,181,439.36
FEDERAL & STATE GRANT FUND	2,422.30
TRUST OTHER	14,254.35
GENERAL CAPITAL FUND	48,131.22
SEWER OPERATING FUND	227,278.61
SEWER CAPITAL FUND	9,877.00
MARINA OPERATING FUND	40,406.25
MARINA CAPITAL FUND	3,046.90
DOG TRUST	7,477.00
UDAG RECIPROCAL TRUST	13,869.45
LIBRARY TRUST	2,893.25
 BILL LIST TOTAL	 \$1,551,095.69

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: Brantley, aye; Houghtaling, aye; McMillan, aye but abstained on check #'s 5824& 3033 ; and Bishop, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Jack Braden, 94 ½ Heck Avenue, discussed the area in need of redevelopment in Ocean Grove. He stated he mentioned at the last meeting that he noticed a study being done while walking down the street and now he knows a lit bit more because he now had a copy of the Planning Board Resolution. He said it list all the specific code violations that exist on the property that was causing the blight on the property and there were conditions that were morally and physically harmful to the community and this is causing a problem that makes it impossible for the property owner which is the Ocean Grove Camp Meeting Association, they cannot develop their property according to the report. He stated the reason they could not develop their property was because they are not able to sub-divide it. He stated they've sub-divided it in the past but then they state that even if they were to sub-divide it no one would lease it due to the conditions on the property. He stated he thought this was not true so what he did was go to the office of code enforcement asking if there were any violations and a gentleman told the lady that it was the property that Gannon was trying to develop. She then looked into the computer and said there were not violations and he then asked if there ever was. He then stated the gentleman informed him that awhile ago they were instructed to clean up their property and they did. He stated the report the Township has is an opinion from the consultant.

Mayor Bishop stated it has been argued by and forth and the Appellate Court of New Jersey has upheld it and it is binding.

Mike Fornino, 120 Fulham Place, stated he was curious about the comments of Dr. Brantley regarding the rebeautification of Wesley Lake. He stated one of the problems was silt and he did not know if there was a silt trap and the lake should have one.

Dr. Brantley stated he could not give him specific information but throughout the Township there has been redevelopment going on and they have been putting in storm septors.

Mr. Fornino stated it does not take care of silt.

Mr. Bascom stated storm septors remove silt as well.

Dr. Brantley stated the storm management system that is going on in Neptune and Asbury will reduce silt drastically.

Mr. Fornino stated he could not see the speed limit signs along Neptune Boulevard to Route 66 because the trees were growing over it. He also stated he believed Pat Monroe stole his wife's idea about reading books.

Velda Harris, 3633 Route 33, Apt. 211, stated if his wife started the program they would be more than happy to welcome her to come out and share it with them because they would like to extend it to the community. She also stated that she was concerned with Jumping Brook becoming a holding spot were there is overcrowding in apartments. She's informed Code about the situation and Code has told them that they cannot come in without a police report. She questioned what else could she do.

Mayor Bishop asked Mr. Huhn to reach out to the Fire Official and Mr. Doolittle.

Ms. Harris said when she call the police they look at her as though she is the bad guy and they do not walk upstairs to the apartment. She stated she did not have a problem with them telling Jumping Brook that she complained.

Mr. Anthony stated that Code did not have a basis to go into an apartment without the consent of the property owner or tenant without a warrant. He also stated she had a contractual relationship with the landlord to proceed with an eviction to those that are violating the lease agreement.

Mayor Bishop asked her to leave her information with Mr. Huhn.

Dorothy Argyros, 2100 Rutherford Ave. stated they should put money in the hands of people who need it. She felt our society was being run by maniacs because the rich people are being made richer by the poor. She stated Senator Lautenberg introduced a new bill S1517 that would help put people back to work.

Heinz Weck, Ocean Grove, stated the Township should be grateful to Mr. Bascom especially when you hear other towns are going bankrupt. He also stated Mayor Bishop needed a better road because his street had so many potholes on it.

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

Richard J. Cuttrel,  
Municipal Clerk