

TOWNSHIP COMMITTEE MEETING – AUGUST 27, 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: 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. 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 August 9, 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. Bascom stated that the marina rates will remain the same as last year, but there will be a couple of items added to the rate schedule. The Marina Supervisor will be providing additional information.

Mr. Anthony discussed a proposal for a Farmers Market in Midtown Commons Park. He stated that the Market needs to be sponsored by the municipality and a hold harmless and insurance policy is needed from each vendor. Zoning is not an issue because it is being conducted on public property. The Mayor stated that he needs to meet with Dawn Thompson to discuss availability of a Move & Improve Grant which is offered for this type of activity that serves underserved areas. The Township is part of a group of ten municipalities that is considering applying for a \$2.5 million grant over five years.

The Mayor stated that Bill Doolittle, Construction Official, has asked for the repeal of the Township ordinance regulating hedges and trees near roadways. Part of the ordinance dealing with a 30 inch height restriction on any shrubs within 10 feet of the curb line is unenforceable and unrealistic. The Committee indicated that they are agreeable to rescinding that specific section of the ordinance but asked for Mr. Doolittle to come up with language to replace it before the next growing season.

Leanne Hoffmann was present to discuss the Monmouth County Open Space Grant. She recommended applying for the extra fields at Jumping Brook ballfields. The Public Works Department has done as much as they can with the fields with the resources available. This is a cooperative project with the Villas at Jumping Brook for a walking path, baseball field backstops, seeding, foul poles, dugouts, etc. The grant requires that a public hearing for a specific grant project be advertised. This project would be about \$250,000 including preparation of plans and bidding. Dr. Brantly suggested that the Committee proceed with this project. Mr. Houghtaling asked if there would be enough funding to purchase playground equipment. Ms. Hoffmann stated that funding has already been appropriated for that purpose. The Committee indicated that the proposed project be advertised for public hearing at the next regular meeting.

Ms. Hoffmann stated that a request was received for permission to install a retaining wall in township right-of-way to retain a steep slope. Since it is in the right-of-way, the property owner cannot be sent to the land use board because they do not have jurisdiction. Mr. Anthony stated that he is always hesitant to allow permanent changes in the right-of-way unless there is a compelling reason. The general rule is no improvements are allowed in the right-of-way. Ms. Hoffmann stated that the property owner has the ability to construct a tiered wall behind the right-of-way on private property. The Committee indicated that denial of the request. Ms. Hoffmann will contact the Engineer proposing the project.

Mr. Houghtaling stated that all Township departments were not represented at last year's Riverfest. The Mayor stated that last year, the Township was late in reaching out to the various departments. This year, department participation is organized. He added that the departments need to be in a better location this year. Mr. Bascom stated that the band is being moved to the center and the departments will now be in the flow of traffic. Mr. Huhn added that no alcohol will be sold or allowed within the confines of the festival so that the school can participate.

Mr. Houghtaling stated that he wants to kick off a public awareness campaign regarding Single Stream Recycling and get as much information out to the residents as possible. There will be information available at Riverfest. The Mayor expressed thanks to Wayne Rode for the informative article in the recent newsletter.

Mr. McMillan stated that the street light requested near 1 Surrey Lane has not been installed as of yet. The Mayor added that Public Works is finishing up repairing broken curbing from plowing during the series of snowstorms in previous winters.

Dr. Brantley stated that he is a member of a fraternity that includes many famous individuals. The Neptune Chapter is celebrating its 60th anniversary on October 20th. The National President of the fraternity is coming on that date to honor Ermon Jones. Dr. Brantley added that he received a letter asking that one of the Township's parks be named after Mr. Jones since he is the last living founding member of the Neptune Chapter. The Mayor stated that the past practice has been to not name parks after individuals. Mr. McMillan suggested that recognition be given in a different manner. The Mayor suggested a plaque designating October 20, 2012 as Ermon Jones Day in the Township. Dr. Brantley will forward this information to the fraternity to determine how they want to proceed.

Mr. Houghtaling stated that he was asked by a resident to consider painting a line in the road at stop intersections. Mr. Huhn will discuss with the Chief Adams.

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:
Personnel – Recommendations for various hirings on the regular agenda.
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: Brantley, aye; Houghtaling, aye; McMillan, aye; and Bishop, aye.

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

Mr. Huhn stated that Tracey Schanck, Clerk/Typist in the Code and Construction Department is out of work due to illness. He moved Jennifer England from the Marina to this position on a temporary basis. Tim O'Connor will cover the marina office in her absence as activity at the marina is decreasing with the boating season winding down.

Mr. Anthony stated that years ago, the Township did a property exchange with Philip Konvitz and others but the property that the Township received was never deeded to the Township; therefore a Quiet Title action needs to be filed.

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. Cuttrell, Municipal Clerk; Vito Gadaleta, Assistant 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 August 9, 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 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 meetings held on June 25th and July 9th. All were in favor.

REPORT OF THE CLERK

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

Senior Beacon for August and Senior Center monthly statistics for July.

Albert Fritz Jr. received a Certificate of Achievement from FEMA for completing the course entitled "The Public Works Role in Emergency Management"

Joint State Legislative Resolution recognizing World Changers and a letter from Assemblywoman Casagrande commending Roberta Grace for her efforts.

Letter of thanks to Monique Burger from Jane Brady for assistance provided through the Missions 101 initiative.

Thank you letters to Rosemary Gray, Anna Anton and Gigi Johnson for assistance provided through the Senior Center.

Police Officer James MacConchie was recognized by the Division of Highway Traffic Safety as a DWI Top Gun for his efforts in eliminating drunk and impaired driving in Neptune Township.

COMMENTS FROM THE DAIS

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

Dr. Michael Brantley stated on September 25th at 9am the Wesley Lake Commission will be conducting a revival forum.

Kevin McMillan stated he attended the arts camps at Summerfield School. He took pictures with the kids and he witnessed how resourceful they were with household products. This past Saturday he attended the sailing regatta that was held in the Shark River and he was proud to say that Neptune did win and they were number one after eight years.

Eric Houghtaling stated he attended the rap up meeting for the Memorial Day Parade Committee and discussed ways that they could do things better for next year. He stated the post that would host it next year would be the post located on Drummond Avenue. He attended the Gospel Fest and thanked Diana Harris for conducting it. He also attended National Night Out and it was very well attended as well. He attended a meeting with Leanne Hoffman who is the township engineer and various township employees regarding pending projects that dealt with drainage. He attended the NAACP gathering at Mid-town park and he was glad to be a part of that. He attended the Ocean Grove Homeowner's Summer Breakfast Meeting at the Starving Artist.

Mayor Randy Bishop congratulated Diana Harris and stated the Gospel Fest was incredible and he wished he could have stayed longer. He stated National Night Out was a tremendous success and it was wonderful to see families come out and spend time and enjoy the evening. He attended the 50th anniversary Jamaican Independence Day celebration. He also went to the World of Faith Community Church Day and their focus is mainly to work with the youth, particularly the ones that

are in trouble. He attended the New Horizon for autism carnival where they recognized his work with the adult autism community and he appreciated that. He attended the NAACP stop the violence rally in Mid-town Commons Park and he felt there was a wonderful speaker. He thanked the emergency services, Fire Department and Police Department for the services they provided for the rally. He stated that Mary Beth sent her thanks to everyone for their kind thoughts while she was recovering in Philadelphia at her mom's home. He thanked everyone who wished him a happy birthday and expressed their condolences on a day that was not so happy because he lost his aunt earlier in the day. He felt it was bitter sweet since she was the first person to hold him after he was born.

PUBLIC COMMENTS ON RESOLUTIONS

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

Dorothy Argyros, 2100 Rutherford Avenue requested a summary of Resolution #12-317.

Mr. Bascom stated it was a federal grant that the Township shares with the City of Asbury Park and the City of Long Branch where federal funds are set aside for technology improvements within the Police Department. We receive the money then appropriate it and utilize it for the granted purpose.

Mrs. Argyros also commented on Resolution #12-336 which employed a records clerk. She questioned whether someone had quit or were they just adding to the department.

Mr. Bascom stated someone resigned and this was a replacement.

Hank Coakley, Valley Road commented on Resolution # 12-311 and questioned what caused the lien on Tenth Avenue.

Mayor Bishop stated it was overgrown grass & shrubbery.

Mr. Coakley questioned the cost and whether this would be ongoing.

Mr. Cuttrell stated it was for one time and the cost was \$440.00.

Michael Fornino, 120 Fulham Place commented on Resolution #12-333 and questioned the cost for the portable asphalt hot patcher and asked why the Township would need one on a permanent basis.

Mr. Bascom stated the cost was \$30,651.00.

Mr. Fornino questioned the life span of it.

Mr. Bascom stated it was a minimum of ten years and the way they would utilize it, the span would probably be longer than that. He also stated it was a unit that would be used around town to patch up potholes.

Mr. Fornino commented on Resolution #12-338 which authorized the purchase of ford F550 trucks. He questioned whether they were replacing a truck or just buying a new one.

Mr. Bascom stated in each case they were replacing an existing vehicle.

Mr. Fornino questioned how many trucks were being replaced.

Mr. Bascom stated it would be five.

ORDINANCE NO. 12-25 - ADOPTED

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

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 Mayor requested public comments on this ordinance. There being no comments, he closed the public hearing.

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

ORDINANCE NO. 12-26 - ADOPTED

Mr. Houghtaling offered the following ordinance, moved and seconded by Dr. Brantley, 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 Mayor requested public comments on this ordinance. There being no comments, he closed the public hearing.

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

ORDINANCE NO. 12-27 - APPROVED

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

ORDINANCE NO. 12-27

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE
CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING
HANDICAPPED PARKING ZONES ON BROADWAY AND
MCCLINTOCK STREET

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

Mr. Cuttrell stated that the Public Hearing on Ordinance No. 12-27 will be held on Monday, September 10, 2012

CONSENT AGENDA

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

AUTHORIZE THE SUBMISSION OF GRANT APPLICATIONS TO THE NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY FOR HAZARDOUS MATERIALS EMERGENCY
PREPAREDNESS TRAINING AND PLANNING SUBGRANTS

WHEREAS, the New Jersey Department of Law & Safety, Division of State Police offer sub grants to municipalities for Hazardous Materials Emergency Preparedness (HMEP) training and drills; and,

WHEREAS, the Emergency Management Coordinator recommends that the Township submit funding applications for hazardous materials response training and a hazardous materials incident drill,

THEREFORE, BE IT FURTHER RESOLVED, by the Township Committee of the Township of Neptune that the Emergency Management Coordinator be and is hereby authorized to submit grant applications to the New Jersey Department of Law & Safety, Division of State Police, for a FY12/13 HMEP Training Subgrant for HazMat Response Training in the amount of \$26,000.00 and a FY12/13 HMEP Planning Subgrant for a HazMat incident drill in the amount of \$24,600.00, and,

BE IT FINALLY RESOLVED, that a copy of this resolution be forwarded to the O.E.M. Coordinator, Deputy O.E.M Coordinator and the Business Administrator.

PLACE LIEN ON 1217 10TH AVENUE

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>
171/75	1217 10th Avenue	440.00

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

RESCIND EMPLOYMENT AUTHORIZATION FOR TWO PUBLIC WORKS DRIVERS VIA RESOLUTION #12-307

WHEREAS, on July 23, 2012, the Township Committee adopted Resolution #12-307 which authorized the hiring of four Drivers in the Department of Public Works; and,

WHEREAS, two of the four individuals hired by said resolution have notified the Public Works Director that they have obtained employment elsewhere,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the employment authorization of Keith Stewart and Ryan Brinson as Drivers in the Department of Public Works via Resolution #12-307 be and is hereby rescinded; and,

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.

CONFIRM EMPLOYMENT OF PART-TIME TEMPORARY ELECTRICAL INSPECTOR

WHEREAS, the Township Electrical Sub-Code Official was on vacation the week of August 6th through August 10th; and,

WHEREAS, on July 31, 2012, the Construction Official notified the Business Administrator of the need to employ a part-time temporary Electrical Inspector to cover electrical inspections during this period; and,

WHEREAS, the Township Committee desires to confirm the employment of this temporary employee at this time; 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, that the Township Committee of the Township of Neptune hereby confirms the employment of David Wone as part-time temporary Electrical

Inspector for the period August 6, 2012 through August 10, 2012 not to exceed ten hours at an hourly rate of \$35.00; 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 Mandy To.

GRANT UNPAID LEAVE OF ABSENCE TO TRACEY SCHANCK CLERK/TYPIST IN THE CONSTRUCTION DEPARTMENT

WHEREAS, Tracey Schanck, Clerk/Typist in the Construction Department, has requested an unpaid three month leave of absence under the Family Medical Leave Act; and,

WHEREAS, the Construction Official has approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that Tracey Schanck, Clerk/Typist in the Construction Department is hereby granted an unpaid leave of absence under the Family Medical Leave Act commencing July 16, 2012 and ending October 12, 2012; and,

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

ACCEPT PERFORMANCE GUARANTEE FILED BY SUNOCO, INC. FOR SITE IMPROVEMENTS AT THE SUNOCO STATION OF ROUTE 33

WHEREAS, Sunoco Inc. has filed performance bond 017025582, written by Liberty Mutual Insurance Company, Inc. in the amount of \$38,880.00, guaranteeing site improvements at the Sunoco Station in Route 33 (Block 7018, Lot 12); and,

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

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

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

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

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

AUTHORIZE THE CLOSING OF STREETS AND TEMPORARY NO PARKING IN CONNECTION WITH THE FALL HARVEST FESTIVAL

WHEREAS, the Ocean Grove Chamber of Commerce has scheduled a Fall Harvest Festival for October 6, 2012; and,

WHEREAS, it is necessary to close portions of Main Avenue and Pilgrim Pathway and designate no parking during the event; and,

WHEREAS, the Police Department has reviewed and approved this closure,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates temporary street closures and no parking on the following streets:

Saturday, October 6, 2012 - 7:00 A.M. to 6:00 P.M.

1) Main Avenue from New York Avenue to Central Avenue

2) Pilgrim Pathway from Heck Avenue to Olin Street

BE IT FURTHER RESOLVED, that the Department of Public Works shall provide barricades at the intersections of Main and New York; Main and Central and Olin and Pilgrim Pathway; and,

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

AUTHORIZE AN AMENDMENT TO THE 2012 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE UNITED STATES DEPARTMENT OF JUSTICE

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2012 in the sum of \$64,811.00 which is now available from a United States Department of Justice - Justice Assistance Grant in the amount of \$64,811.00; and,

BE IT FURTHER RESOLVED that the like sum of \$64,811.00 is hereby appropriated under the caption of Edward Byrne Memorial Justice Assistance Grant – FY12; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the United States Department of Justice – Edward Byrne Memorial Justice Assistance Grant – FY12 in the amount of \$64,811.00; and,

BE IT FURTHER RESOLVED, that the Clerk forward three certified copies of this resolution to the Chief Financial Officer and one copy to the Assistant C.F.O., and Auditor.

RENEW LIQUOR LICENSE HELD BY NEPTUNE LIQUORS, LLC

WHEREAS, The Neptune Liquors, LLC is the holder of a retail consumption liquor license that is inactive; and,

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

WHEREAS, the Division of A.B.C. has issued a special ruling, dated August 6, 2012, to authorize the Township of Neptune to consider the application for liquor license renewal filed by Neptune Liquors, LLC, the holder of an inactive license #1334-33-019-003; and,

WHEREAS, Neptune Liquors, LLC has applied for renewal of said license for the 2012-2013 license year to continue in in-pocket status,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Liquor License #1334-33-019-003 issued to Neptune Liquors, LLC be and is hereby renewed for the 2012-2013 licensing year, with the following special condition imposed:

- No further renewals beyond the 2013-2014 licensing year shall be granted unless the license is being actively used at an approved site on or before June 30, 2014, except if good cause for reconsideration is shown.

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

EMPLOY PART-TIME KITCHEN AIDE/CUSTODIAN IN THE SENIOR CENTER

WHEREAS, there is a need for a part-time Kitchen Aide/Custodian in the Senior Citizens Center; and,

WHEREAS, the Senior Center Director and Assistant Business Administrator have made their recommendation; and,

WHEREAS, funds will be provided in the 2012 budget in the appropriation entitled _____, known as Account No. _____, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Franklin Carson be and is hereby employed as a part-time Kitchen Aide/Custodian in the Senior Citizens Center, effective August 28, 2012 contingent upon favorable results of a background check and physical examination at an hourly wage of \$12.00; and,

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

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 023

WHEREAS, Phillip Quarrie is the owner of Neptune Township Taxi Medallion No. 023; and,

WHEREAS, he has notified the Taxi License Coordinator of the intent to sell and transfer ownership of said medallion to Saif Khan; 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. 023 to Saif Khan; and,

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

EMPLOY ON-CALL PART-TIME BUS DRIVER/CUSTODIAN IN THE SENIOR CENTER

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

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

WHEREAS, the Senior Center Director and Assistant Business Administrator have made a recommendation to employ one individual in both part-time job titles; and,

WHEREAS, funds will be provided in the 2012 Municipal Budget in the appropriation entitled _____, known as Account No. _____, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Benjamin Reed be and is hereby employed as an on-call/part-time Bus Driver at an hourly rate of \$14.68 and as an on-call/part-time Custodian at an hourly rate of \$12.00 in the Senior Center, contingent upon favorable results of a background check and physical examination, effective August 28, 2012; and,

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

AUTHORIZE THE CANCELLATION OF TAXES DUE TO TAX EXEMPT STATUS (1 WILLIAMS DRIVE)

WHEREAS, the property known as Block 9030, Lot 4, with an address of 1 Williams Dr, is assessed to Triumphant Life Church and should be tax exempt; and,

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

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes

assessed against the above property for 2012; and,

WHEREAS, the amounts to be canceled are as follow;

Tax Year	Amount to Cancel	Refund
2012	7,000.82	3,500.41

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune 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 should be forwarded to the Tax Collector, Assistant CFO and Auditor.

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT

WHEREAS, the properties listed below reflect overpayments; and,

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

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

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
506	1193	SKISLAK	234 N RIVERSIDE DR	2012	457.15
178	15	LOTT	240 MYRTLE AVE	2012	862.14
1308	15	LEADBEATER	207 WILLOW DR	2012	1,338.67
462.01	16	GUIRGUIS	343 FOREST DR	2012	3,436.56

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 TAX COLLECTOR TO COMPLETE AN APPLICATION TO PARTICIPATE IN THE ELECTRONIC TAX SALE PROGRAM

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and,

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs; and,

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct pilot programs; and,

WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale; and,

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and,

WHEREAS, the Township of Neptune wishes to participate in the pilot program for an electronic tax sale,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, New Jersey, that the Tax Collector is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services; and,

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

AUTHORIZE THE CANCELLATION OF TAXES FOR 9 AMPARO WAY AS A RESULT OF THE GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION

WHEREAS, the property known as Block 3040, Lot 13.06, with an address of 9 Amparo Way, assessed to Benjamin Powell, is eligible for a Totally Disabled Veterans Exemption effective

February 10, 2012; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against the above property effective February 10, 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	7,816.12	1,211.63

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 TAXES FOR 3411 WEST BANGS AVENUE AS A RESULT OF THE GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION

WHEREAS, the property known as Block 10000, Lot 9.02, with an address of 3411 West Bangs Avenue, assessed to James & Gertrude Moody, is eligible for a Totally Disabled Veterans Exemption effective February 14, 2012; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against the above property effective February 14, 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	5,043.72	902.84

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 TAXES FOR 96 STOCKTON AVENUE AS A RESULT OF THE GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION

WHEREAS, the property known as Block 79, Lot 1984, with an address of 96 Stockton Avenue, assessed to Jacqueline Lyon, is eligible for a Totally Disabled Veterans Exemption effective March 20, 2012; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against the above property effective March 20, 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	6,209.71	225.44

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	
10000/7.03 SEWER7	Restaurant Depot	3560 Route 66	2012	880.00

REASON: Moved units to new Lot 7.03c02SEWER7

BLK/LOT AMOUNT	ASSESSED TO	ADDRESS	YEAR	
10000/27	Jack & Karen Mancino	3520 Route 66	2012	880.00

REASON: Moved units to Lot 28

BLK/LOT AMOUNT	ASSESSED TO	ADDRESS	YEAR	
192/15.01	Eugene R. Sr. & Bertie Baity	1743 Bangs Avenue	2012	440.00

REASON: As per Zoning, property is single family

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

APPOINT SCHOOL CROSSING GUARDS FOR THE 2012-2013 SCHOOL YEAR

WHEREAS, there is a need for School Crossing Guards for the 2012-2013 school year; and,

WHEREAS, funds are available for this purpose in the appropriation entitled Police - Salaries and Wages known as Account No. _____ and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Sandra Acevedo, Lisa Brown, Ronald Coleman, Nancy Cole, Homer Credle, Jerry Diglio, Philip DeStaven, Carmelo Gonzalez, Clayton Harrison, Shirley Harrison, Alfred Holmes, Kenneth Hodge, Josephine Hughes, Juanita Jones, Ki Nam Kang, Russell King, Kathryn Kelly, Fred Kern, Rosalee Lane, Virginia Majewski, Pam Moreski, Amelia Okpanachi, Robert Perkins, Caroline Vandervort, and Alfreda Wright be and they are hereby appointed as Crossing Guards for the 2012-2013 school year and to perform such other duties as prescribed by the Chief of Police, at an hourly rate of \$13.23; and,

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

APPOINT MUNICIPAL EMPLOYEE MONIQUE BURGER, NEPTUNE TOWNSHIP COMMUNITY PROGRAMS COORDINATOR AS THE MUNICIPAL HOUSING LIAISON AND ADMINISTRATIVE AGENT TO SERVE AS THE ADMINISTRATOR OF THE TOWNSHIP'S AFFORDABLE HOUSING REHABILITATION PROGRAM ("REHAB PROGRAM") AND AFFORDABILITY ASSISTANCE PROGRAM ("AAP") PURSUANT TO THE AFFORDABLE HOUSING TRUST FUND SPENDING PLAN ("SPENDING PLAN") SUBMITTED TO THE COUNCIL ON AFFORDABLE HOUSING ("COAH") PURSUANT TO N.J.A.C. 5:97-8.10 AND 5:96-5.4

WHEREAS, the Township Committee approved the Amended Spending Plan by Resolution #12-240 on June 11, 2012; and

WHEREAS, the Township submitted a copy of said Amended Spending Plan to COAH on June 20, 2012 for review and approval;

WHEREAS, in association with the submission of the said Amended Spending Plan, additional documentation must be submitted that supports the Township's affordable housing initiatives set forth in the Amended Spending Plan, whereby the use of affordable housing funds will be directed towards the establishment of an Affordable Housing Rehabilitation Program ("Rehab Program") pursuant to N.J.A.C. 5:97-8.7 and an Affordability Assistance Program ("AAP")

and N.J.A.C. 5:97-8.8;

WHEREAS, as part of the Township's initiative to establish the said Rehabilitation Program and AAP program, it is required that that the Township assign a professional to serve as administrator of said program pursuant to N.J.A.C. 5:96-18.1 *et. seq.*;

WHEREAS, Municipal Employee Monique Burger, Community Programs Coordinator has previously has been acting as the Municipal Housing Liaison and Administrative Agent for the Township since May of 2009; and

WHEREAS, Municipal Employee Monique Burger successfully completed COAH Module I certification for Municipal Housing Liaisons, RCA Administrators and Administrative Agents on June 3rd 2009 and continues to act in this capacity for the Township.

WHEREAS, Township Committee has made a determination that Ms. Burger will continue to provide said Housing Liaison and Administrative Agent functions on behalf of the Township and will implement the Township's Rehabilitation Program and Affordability Assistance Program pursuant to pursuant to N.J.A.C. 5:97-8.7 & 8.8;

NOW, THEREFORE BE IT RESOLVED, that the Township Committee for the Township of Neptune, Monmouth County approves Monique Burger to continue to act as the Municipal housing Liaison and Administrative Agent on behalf of the Township to effectuate implementation of the Township's Rehabilitation and Affordability Assistance Programs set forth in the Township's Amended Affordable Housing Trust Fund Spending Plan; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Council on Affordable Housing, Township Engineer and Monique Burger.

AUTHORIZE THE CANCELLATION OF MORTGAGES IN CONNECTION WITH HOUSING REHABILITATION PROJECTS

WHEREAS, the Township of Neptune holds two mortgages dated August 5, 2004 in connection with a Regional Contribution Agreement Project and a Neighborhood Preservation Project at 1926 West Lake Avenue; and,

WHEREAS, six full years has passed since the date of the mortgages and the property remains in the ownership of the borrowers; and;

WHEREAS, the Township desires to cancel said mortgages in accordance with the terms of the mortgage note,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and they are hereby authorized to execute two Cancellation of Mortgage documents for two mortgages dated August 5, 2004 in connection with a Regional Contribution Agreement Project and a Neighborhood Preservation Project at 1926 West Lake Avenue; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Township Attorney and Community Programs Coordinator.

AUTHORIZE THE CANCELLATION OF FAÇADE IMPROVEMENT PROGRAM MORTGAGES GRANTED TO ALL AMERICAN TURF (3502 WEST BANGS AVENUE)

WHEREAS, the Township of Neptune holds two mortgages dated June 14, 2007 in connection with a Façade Improvement Program loan and a Façade Improvement Program grant awarded to Nicholas Garbarine d/b/a All American Turf, inc. and Mole Hill Inn, LLC for improvements at All American Turf, 3502 West Bangs Avenue; and,

WHEREAS, five full years has passed since the date of the mortgage securing the grant and the loan has been paid in full; and;

WHEREAS, the Township desires to cancel said mortgages in accordance with the terms of the mortgage notes,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and they are hereby authorized to execute a cancellation of mortgage in connection with a Façade Improvement Program grant and loan awarded to Nicholas Garbarine

d/b/a All American Turf, inc. and Mole Hill Inn, LLC for improvements at All American Turf, 3502 West Bangs Avenue; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Economic Development Corporation Secretary.

The resolutions of the Consent Agenda were adopted on the following vote: Brantley, aye; Houghtaling, aye; McMillan, aye; and Bishop, aye, except abstain on the resolution to close streets in connection with the Fall Harvest Festival.

AUTHORIZE THE PURCHASE OF A PORTABLE ASPHALT HOT PATCHER THROUGH THE MONMOUTH COUNTY COOPERATIVE

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

WHEREAS, the Department of Public Works wishes to purchase a Portable Asphalt Hot Patcher – Recycler through authorized vendor under the Monmouth County Purchasing Cooperative; and,

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

WHEREAS, McGrath Municipal Equipment has been awarded Monmouth County Cooperative No. F-155-2011 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 amount of the Portable Asphalt Hot Patcher – Recycler shall not exceed \$30,651.00; and,

WHEREAS, funds for this purpose are available through Ordinance No. 12-16, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of a Portable Asphalt Hot Patcher - Recycler through the Monmouth County Cooperative for the Neptune Township Department of Public Works be and is hereby authorized at an amount not to exceed \$30,651.00; and,

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

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

AUTHORIZE PURCHASE OF POLICE VEHICLE

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

WHEREAS, the Purchasing Agent solicited quotes for the purchase of a Chevrolet Impala police vehicle; 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 who has 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. 11-32 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of a 2012 Chevrolet Impala police vehicle be and is hereby authorized through Sea Coast Chevrolet pursuant to their quote of \$22,000.00; 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 Chief of Police.

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

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

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

WHEREAS, due to rescinding the employment authorization to two individuals, there are two 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 Jason Pyle and Joseph Mullen 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 September 4, 2012, at an annual salary of \$26,000.00; and,

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.

EMPLOY RECORDS CLERK IN THE POLICE DEPARTMENT RECORDS BUREAU

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

WHEREAS, there is a vacancy in the position of Records Clerk in the Police Department Records Bureau; and,

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

WHEREAS, the Chief of Police has made his recommendation; and,

WHEREAS, funds will be provided in the 2012 Municipal Budget in the appropriation entitled _____, known as Account No. _____, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Tressa Huizenga be and is hereby employed as a Records Clerk in the Police Department Records Bureau, 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 September 4, 2012, at an annual salary of \$26,000.00; 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., AFSCME Local #1844, Mandy To and the Administrative Assistant to the Business Administrator.

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

AUTHORIZE EMERGENCY REPAIRS TO COLLAPSED STORM DRAIN PIPE AND EROSION BETWEEN FORDHAM ROAD AND ROUTE 18

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

WHEREAS, the Township Engineer received several calls from Fordham Road residents regarding the slope and grading of Township owned property between Fordham Road and Route 18 and,

WHEREAS, an inspection of the location revealed a washout of the steep embankment and a pipe collapse which is resulting in a large gore approximately twenty (20) feet deep; and,

WHEREAS, the gore is close to property lines and structures such as patios and fences along the rear of the Fordham Road properties. In addition, the gore has already caused trees to fall down; and,

WHEREAS, the Township Engineer has determined that an emergency exists and immediate repairs are necessary to prevent further erosion; and,

WHEREAS, Mark Woszczak Mechanical Contractors was called to the site and determined that they could make the necessary repairs; and,

WHEREAS, Mark Woszczak Mechanical Contractors provided a quote of \$42,800.00 for removal and disposal of trees and brush, import and compaction of fill, installation of a drop manhole, installation of twenty-four inch reinforced concrete pipe and a flared end section, scour hole, and restore, landscape and seed the hill; and,

WHEREAS, funds are available in Ordinances _____, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby declares that emergency conditions exist as the result of the storm drain pipe collapse and washout of the embankment between Fordham Road and Route 18; and,

BE IT FURTHER RESOLVED, that based upon the recommendation of the Township Engineer, Mark Woszczak Mechanical Contractors is hereby authorized to make the necessary repairs at an amount not to exceed \$42,800.00; and,

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

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

AUTHORIZE THE PURCHASE OF FORD F550 TRUCKS UNDER THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM

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

WHEREAS, the Township wishes to purchase five Ford F550 chassis and cabs with dump or utility bodies and options utilizing pricing through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

WHEREAS, three of these trucks will be assigned to the Public Works Department, one truck will be assigned to the Sewer Utility and one truck will be assigned to the Office of Emergency Management; 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, Ditschman/Flemington Ford has been awarded New Jersey State Contract No. A79113 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 vehicles shall not exceed the following amounts:

Department of Public Works

Two Ford F550 Chassis and cab with dump body and options - \$81,461.00 each
(total of \$162,922 for both)

One Ford F550 Chassis and cab with 11 ft utility body and options - \$64,710.00

Sewer Utility

One Ford F550 Chassis and cab with 9 ft utility body and options - \$50,578.00

Office of Emergency Management

One Ford F550 Chassis and cab with 11 ft utility body and options - \$59,665.00

WHEREAS, funds for this purpose are available from Ordinances 09-36, 09-37, 11-33 and 12-16, 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 five Ford F550 vehicles with bodies and options through the New Jersey State Cooperative Purchasing Program be and is hereby authorized at a cost not to exceed the amounts detailed herein; and,

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

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

AUTHORIZE PURCHASE AND INSTALLATION OF A CHASSIS MOUNTED LEAF VACUUM

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

WHEREAS, the Purchasing Agent solicited quotes for the purchase and installation of a chassis mounted leaf vacuum for the Public Works Department; 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 Director of Public Works and the Purchasing Agent who have recommended that the following quote be accepted in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 12-16 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 chassis mounted leaf vacuum be and is hereby authorized through The ODB Company pursuant to their quote of \$32,781.00; 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 Public Works Director.

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

AUTHORIZE THE PAYMENT OF BILLS

Mr. McMillan offered the following resolution, moved and seconded by Mr. Houghtaling, 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	10,653,706.75
FEDERAL & STATE GRANT FUND	5,110.89

TRUST OTHER	66,329.20
GENERAL CAPITAL FUND	200,773.58
SEWER OPERATING FUND	221,763.16
SEWER CAPITAL FUND	9,918.88
MARINA OPERATING FUND	43,186.94
MARINA CAPITAL FUND	16,050.97
DOG TRUST	7,477.00
UDAG RECIPROCAL TRUST	7,293.48
LIBRARY TRUST	5,144.64
 BILL LIST TOTAL	 \$11,236,755.49

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; and Bishop, aye.

AUTHORIZE QUIET TITLE LEGAL ACTION TO CLAIM TITLE TO BLOCK 1008, LOT 10 ON THE TAX MAP OF THE TOWNSHIP OF NEPTUNE (RT. 18 AND WEST BANGS AVENUE)

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

WHEREAS, Neptune Township by Deed of November 26, 1985 agreed to exchange Block 3052, Lot 9, owned by the Township of Neptune with Block 1008, Lot 10 on the Tax Map of the Township of Neptune, at the time owned by Geraldine Silverman; Charlotte Silverman Mitterhoff and Francis Mitterhoff; Judith Silverman Altman and Anne Konvitz and Philip Konvitz for Thirty Thousand (\$30,000.00) Dollars; and

WHEREAS, the Deed of Exchange providing transfer of Neptune property to the aforesaid Grantees was executed and recorded in the Clerk's Office of Monmouth County on December 6, 1985 in Book 4615, Page 95, but the Grantees never provided the Township with the Exchange Deed of Transfer; and

WHEREAS, since 1985, the Township has been in possession and rightful color of title to property identified as Block 1008, Lot 10 on the Tax Map of the Township of Neptune, a true copy of said map identifying said property is attached hereto and made a part hereof as Exhibit "A;" and

WHEREAS, the present Township Attorney has attempted to contact the Estate of Anne Konvitz and Ethel Silverman in order to effectuate the transfer of title as promised in 1985, but has been unsuccessful in obtaining full cooperation from the estates or acknowledgment that action need be taken.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the governing body hereby authorizes a Quiet Title action be brought by the Municipal Attorney, Gene J. Anthony, Esq., 48 South Street, Eatontown, New Jersey, in order to obtain full title to property identified as Block 1008, Lot 10 on the Tax Map of the Township of Neptune, shown more fully on the attached map identified as Exhibit "A."

BE IT FURTHER RESOLVED, that the Township Committee authorizes legal fees not to exceed Ten Thousand Dollars (\$10,000.00) without additional approval for the purposes of this litigation. The Chief Financial Officer hereby certifies under the budgetary line item entitled "Legal Services" as provided separately by Certification of Availability of Funds; 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 Township Attorney.

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Dianna Harris, 17 Willow Drive, thanked Mayor Bishop, Mr. Houghtaling and Mr. McMillan for attending the Gospel Fest which was a great event and a good time was had by all. She also discussed Riverfest and asked that the Township consider bringing it back as a Neptune event or community event. She felt that the Passion Group was pricing our residents out of the events. She stated the Passion Group charges \$500 for food vendors whereas Neptune would only charge \$100, for crafts they charge \$75 and Neptune would only charge \$50, retail people would be charged \$125, whereas Neptune would charge \$50 and to promote a business they are being charged anywhere between \$125 and \$300 and Neptune only charged \$50, non-profit is not charged but if they are outside of Neptune they are \$50 with a late fee of \$10. She went over the figures that Neptune netted when it was run by Neptune. She stated Neptune made money even though it was not a lot. She stated she's constantly being asked why the Township no longer has Neptune Day or a community day. She brought to the Committee's attention the ongoing garage sale being held at 2011 West Lake Avenue. She stated the person conducting the yard sale is under the impression that because they have a mercantile license that they can continue to do it on a weekly basis. She urged the Committee to look into it. She thanked Mr. Gadaletta for coming out to meet with them in the rain at the park. She stated there was a light out at Liberty Park and MURC is sponsoring with Prevention First a back to school party. It would be held this Friday from 11-2pm.

Lydell Powlette, 1019 Eton Way, thanked the Committee for resolving the problem with the auto body shop and their neighborhood is now like night and day.

Jack Braden, 94 ½ Heck Avenue stated he discussed at the last meeting certain conditions that existed on the north end property. He stated all of those conditions have been cleaned up, therefore there's no need for redevelopment. He stated they were free to amend the zoning ordinance if they wanted.

Eric Tellefson discussed the drainage problem on Broadway. He stated he's experienced to flooding events and Wayne Rode came out to his home to see the damage. His concerns were what could be done and how long would it take for a solution to come.

Mr. Houghtaling stated in the short term they really have to monitor those drains and make sure that they are clear with our Public Works Department.

Leanne Hoffman, Township Engineer, gave an explanation as to what is being done to make improvements.

Alan Alldren stated he's lived in Ocean Grove for sixteen years and he's been rewarded with 16 years of flooding. He felt that they were moving backward and the people on Broadway have been putting up with this for too long and prior to this project there was never any flooding on the other side of Central Avenue. He stated he felt they had the wrong people on the job and this has become a hassle for the people on Broadway.

Mary Beth Robb discussed the curb ramp problem that was being put in. She stated she felt it was limiting their ability to cross Broadway.

Micheleene Manno, lives on the corner of Broadway and Central, she stated the drain on Central was always clogging and just recently she was barely able to get out of her house due to the flooding. She stated there weren't any drains on Main.

(Mr. McMillan left the meeting)

Fran Paladino stated he's followed the Broadway project since conception and anyone whose said the project is done is wrong. He suggested they go back to the drawing board and take a look at what they are doing because they just want things fixed and have no flooding.

Marion Lavreel, 11 Broadway, stated she wanted to make sure that everyone was on the same page and if someone thinks that it is something other than the Broadway problem then they are wrong. She stated the flooding was related to this project. She went on to state that the only time the street sweepers come is after a flash flood and she believed that was to remove the evidence. She stated the contractor is known to be hard to work with and are incompetent.

Mayor Bishop stated this matter is taken very seriously.

(Mr. McMillan returned)

Jen Breen questioned whether she would be able to drive her jazzy near Clancy's and asked whether there were handicap curbs.

Mayor Bishop stated there were some but not on every curb.

Mary Runchetti, 59 Clark Avenue, stated she hasn't seen police presence in Ocean Grove in a long time. She related an incident that recently took place in Ocean Grove.

Chris Jensen, 90 Mt. Tabor Way, stated he was married to a member of the HPC and was told by Monica Kowalski the attorney that anytime he makes a comment at the meeting his wife would have to recuse herself from commenting due to a conflict of interest. He disagreed with Ms. Kowalski. He felt he should be allowed to comment because he was a concerned citizen.

Gene Anthony stated there were rules as far as conflict of interest and the attorney of the board has to make a decision based on the facts and the board can either follow it or not. He stated he wanted him to judge another attorney and he couldn't help him because they could not interfere with the decision of the board and it's attorney.

John Bower, 143 Broadway, stated the contractor has piled debris on the median and he was wondering when it would be removed.

Mike Fornino, 120 Fulham Place, questioned the Committee's stance for teachers to bringing their own children into our school our system. He felt that we would have to foot the bill for these kids and \$5,000 per student was a lot of money to him.

Mayor Bishop stated as an elected official he would not discuss this but informed him that if he wanted to talk about it after the meeting he would meet with him.

Mr. Fornino also stated that there use to be a terrible flooding problem on Embury Avenue in Neptune.

Jim Granelli stated there was a growing and dangerous situation on his street and it's been three weeks that he's asked to meet with the Mayor

Mr. Anthony stated he was advised that a complaint has been filed and they could not meet with him when there was a pending complaint against him.

Mr. Granelli stated he is facing a \$3000-5000 fine just because he wanted to enjoy his life. He's gotten sick behind this situation and his wife has been crying and it has got to stop. He stated people were cowards for not sitting down with them.

Mr. Anthony stated this matter was in municipal court and he will recommend mediation since this is a neighborhood dispute.

Mr. Granelli stated he would call both Mary Beth Jahn and the Mayor as a witness because they told him that it would not be a problem and he has them on tape. He stated he appreciated the efforts of Chief Adams.

Mr. Anthony stated he had a plea agreement with time frames.

Katherine Eckert, 62 Broadway, questioned when all the work was done the problem of flooding would be eliminated. She also stated her pavement was broken as well as her sprinkler system. She questioned whether the township would make repairs. She stated the handicap curbs were going to be real issues.

Hank Coakley stated he was insulted when the ruling was made that the judges didn't have to pay extra money into their pensions. He felt they should go back to the salaries that they were originally hired at and that the public should bring a suit. He also stated he has not seen work being done on Memorial Park.

Mrs. Hoffman stated they were still working off the escrow money and they were working on environmental issues.

Mayor Bishop urged him to attend the Mayor's Ball since funds raised would benefit the park.

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

Richard J. Cuttrel,
Municipal Clerk