

## TOWNSHIP COMMITTEE MEETING – OCTOBER 10, 2013

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

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

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

The following items were discussed in open session:

The Committee conducted hearings to revoke two taxi licenses. Mr. Anthony stated that a Notices of Hearing to revoke taxi licenses were sent to Ahmed Elgamasy and Ahmed Hassaballa on September 20, 2013. Section 4-17.5 of the Township Code requires vehicle insurance at all times. Alicia Lurker, Taxi License Coordinator was administered an Oath of Office to begin the hearing on Ahmed Elgamasy. Mr. Elgamasy was not present. Ms. Lurker testified that Mr. Elgamasy leased two medallions in April. A notice was received that his insurance was not renewed. The insurance was then restored and revoked two more times between May, 2013 and August, 2013. Mr. Elgamasy was driving during the periods that his insurance was revoked. Sgt. Michael Zarro testified that since the insurance was renewed for a brief time in April, the Police Department was notified three times that the insurance was revoked.

Upon Mr. Anthony recommendation, Mr. Bishop offered a motion, seconded by Ms. Jahn, that the taxi license of Ahmed Elgamasy be revoked and the medallion returned to the owner.

The hearing on the revocation of the taxi license of Ahmed Hassaballa was held. Alicia Lurker stated that vehicle insurance was revoked for three months which was discovered as a result of a minor motor vehicle accident. Ms. Lurker contacted the insurance company and was advised that Mr. Hassaballa did not have insurance. The Township was not notified by the insurance carrier. Sgt. Zarro stated that Mr. Hassaballa refused to come to the Township for an inspection of his car.

Upon Mr. Anthony recommendation, Mr. Bishop offered a motion, seconded by Ms. Jahn, that the taxi license and medallion of Ahmed Hassaballa be revoked. Mr. Anthony stated that there will be no reinstatement until an appearance before the Township Committee occurs. Mr. Anthony also stated that formal resolutions to memorialize these revocation actions will be prepared for the next Township Committee meeting.

Wayne Rode, Director of Public Works, was present to give an update on preparations for winter weather. The Department has three new loaders, a skid steer and a medium body truck for a total of 41 pieces of equipment for removal of snow and ice. The salt dome is at full capacity with 1,000 tons of product. The Department has a stockpile of 8,000 gallons of calcium chloride and is now utilizing a snow plow software program with a new dedicated computer and large screen television. Mr. Bishop asked that thought be given to having the south side of the streets as the snow emergency side rather than the north side since the snow melts faster on the north side.

Mr. Gadaleta stated that he met with the Gannett Foundation and Coastal Habitat for Humanity. They are holding a Make a Difference Day on October 26<sup>th</sup> and will be at Veterans Memorial Park to clean the underbrush and perform a general clean-up of the property. A more formal groundbreaking for the park is planned for Veterans Day. It is also anticipated that a bid for demolition of park of the structure will be awarded at the November 6<sup>th</sup> Township Committee meeting.

Mr. Gadaleta stated that the bid for the Broadway lighting will be out in a few weeks with award in December. The Sewer Department is trying new odor blocks and cleaning out the pits more frequently at the Pennsylvania Avenue Pumping Station in an attempt to reduce odor emissions. Mr. Gadaleta advised that the Township Engineer is looking at pricing for inlets, piping and grading at Loffredo Fields and will be out to bid before the next youth football season.

Mr. Bishop stated that for clarification purposes, the Township does not vote on the land diversion that was part of the recent Scoping Hearing. The County of Monmouth is responsible for the application to the State House Commission for the diversion.

The Mayor asked the Committee if there was interest in holding a Joint Meeting with the Board of Education. The Committee indicated in the affirmative.

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

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

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

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

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

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.

2. The general nature of the subject matter to be discussed is as follows:

- Personnel – Appointment to Housing Authority
- Real Estate negotiations – Property at northwest corner of Heck and Neptune Blvd
- Potential Litigation – Tree Replacement fees for Housing Authority/Meridian project
- Personnel – Recommendation for Assistant Engineer
- Potential Litigation – Bond Counsel

3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.

4. This Resolution shall take effect immediately.

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

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

The Mayor recommended Carol Foster for appointment to the Housing Authority and the Committee took action at the regular portion of the meeting.

(Mr. McMillan and Dr. Brantley arrived)

Mr. Gadaleta stated that the position of Assistant Engineer was advertised several times. Ms. Hoffman has conducted interviews and made a recommendation to hire Sean Areia.

Mr. Gadaleta stated that the purchase of 129 Division Street by the Township was settled in June, 2013, but a closing has not occurred due to on-going environmental examination. The Attorney for the property owner has asked for a waiver of property taxes since June, 2013 which amounts to about \$1,100. The Committee indicated that the wavier should be granted.

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

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

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

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

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

Mayor Houghtaling announced that the notice requirements of R.S. 10:4-18 for an "Annual Notice" have been satisfied by the publication of the required advertisement in the Asbury Park Press on January 4, 2013 and The Coaster on January 3, 2013, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at [www.neptunetownship.org](http://www.neptunetownship.org).

#### APPROVAL OF MINUTES

Mr. Bishop offered a motion, seconded by Mr. McMillan, to approve the minutes of the meeting held on August 12th. All were in favor, except Dr. Brantley who abstained.

#### REPORT OF THE CLERK

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

Senior Beacon for October.

Senior Center monthly statistics for September.

Rosemary Gray sent letters of thanks to the following for recent donations to the Senior Center: Dellphine Whittaker, Celeste & Frank DeCapua, Gladys Baker, Diane Panzer, Barbara Macomber, Alison Bowie, Forever Young Group, Wegmans, Shop-Rite, Catholic Men for Jesus Christ, Thomas Donohue, American Legion Post #346, Rita Munn & Barbara Neuman, Sue Lalanas, Delores Reingold, Patti Amberg, Dorothy Gilmore and Thomas Faust.

#### COMMENTS FROM THE DAIS

Randy Bishop stated he attended the scoping hearing regarding the land diversion with various officials. He stated some residents walked away confused but he assured them that the Township would not take action on this. The application for the diversion would be done by the County and not by the Township. The Township has only agreed that land is available.

Mary Beth Jahn stated she attended a forum on violence in Neptune and Asbury Park Neighborhoods. There was a good turn out with Neptune Sergeants, Lieutenants, Detectives, Sheriffs, County investigators and concerned residents. She stated sadly the next morning twenty nine bullets were shot through a man's car and home

Kevin McMillan stated the Prosecutor did say they were a 501c3 program and they had limited funding for the brochures. So some of the residents were asking if the Township would sponsor a billboard for Crime Stoppers to report crimes.

Mayor Eric Houghtaling stated he attended the Ocean Grove and Shark River Hills Homeowner Meetings and the Night for Sight Dinner Dance. He went on to state that Neptune Township finished their food drive and the food with to the Monmouth/Ocean County Food Bank. With the help of residents, employees, Shop-Rite, Wegmanns, STS Tires they raised 2600lbs of food. He stated the scoping hearing was a very trying hearing and people had different views. Some were confused. He stated they were trying to prepare an area but it was up to the County to do the diversion. He stated the Public Work's Director was hear to discuss recycling cans and everyone should receive their new cans by next week and recycling would start on November 4. He stated he was very excited about it and hoped the residents would recycle. He went also stated attended a fundraiser for the Recovery Along the River. He also attended a fundraiser for Neptune Football and Cheer. He held a meeting to finalize the plans for Loffredo Field . Currently when it rains it floods and this would level out several areas of the field.

#### AMEND RESOLUTION NO. 13-10 APPOINTING BOND COUNSEL FOR 2013 - WITHDRAWN

Mr. Bishop offered a motion, seconded by Mr. McMillan, to withdraw a resolution to "Amend Resolution #13-10 appointing Bond Counsel for 2013". Motion carried.

#### PUBLIC COMMENTS ON RESOLUTIONS

The Mayor requested public comments regarding resolutions presented on this agenda. There were no comments.

#### ORDINANCE NO. 13-34 - ADOPTED

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

ORDINANCE NO. 13-34

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XXI, SECTION 21-3.7 OF THE CODE OF THE TOWNSHIP OF NEPTUNE TO PERMIT THE BAGGING OF LEAVES IN THE HISTORIC DISTRICT DURING CURBSIDE LEAF PICKUP SEASON

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

Ann Horan asked if there will be notices sent out regarding this change. Mr. Gadaleta stated that he will work that out with the Public Works Director

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

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

ORDINANCE NO. 13-35 - ADOPTED

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

ORDINANCE NO. 13-35

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-21 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY REMOVING TWO HANDICAPPED PARKING ZONES ON FRANKLIN AVENUE

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

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

ORDINANCE NO. 13-36 - ADOPTED

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

ORDINANCE NO. 13-36

AN ORDINANCE TO AMEND SALARY RANGE ORDINANCE NO. 11-48 BY CREATING AND SETTING THE SALARY RANGE FOR THE JOB TITLE OF HARBOR COMMISSION SECRETARY

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

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

ORDINANCE NO. 13-37 - ADOPTED

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

ORDINANCE NO. 13-37

AN ORDINANCE REPEALING VOLUME I, CHAPTER IV, SECTION 4-25 OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED "ROOMING AND BOARDING HOUSE SITE LICENSING BOARD; LICENSURE OF ROOMING AND BOARDING HOMES"

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

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

ORDINANCE NO. 13-38 - ADOPTED

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

ORDINANCE NO. 13-38

AN ORDINANCE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE "TOWNSHIP") PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION IN AN AMOUNT NOT TO EXCEED \$1,000,000 TO FUND THE REVALUATION OF REAL PROPERTY AND TAX MAP UPDATES IN AND FOR THE TOWNSHIP

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

Dorothy Argyros, 2100 Rutherford Avenue, asked if the revaluation was really an emergency. The Mayor stated that the Township is mandated to perform a revaluation. Mr. Bascom stated that the state statute allows a municipality to pay for a revaluation over five years rather than in one year. The Township is able to borrow the money for a short term at a very low interest rate. Mr. Bascom added that the revaluation is required and will then be followed by a rolling revaluation.

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

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

ORDINANCE NO. 13-39 - ADOPTED

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

ORDINANCE NO. 13-39

BOND ORDINANCE PROVIDING FOR THE IMPLEMENTATION OF THE ENERGY EFFICIENCY IMPROVEMENT PROGRAM AND THE BOILER REPLACEMENT PROJECT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$712,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

Michael Fornino, 120 Fulham Place, stated that this is a lot of money. He asked how many boilers are being replaced. Mr. Bascom stated that three boilers are being replaced with two. This will allow the Township to not be required to staff the building at all times in addition to energy efficiency. The payback on the cost will occur in five to seven years.

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

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

ORDINANCE NO. 13-40 - ADOPTED

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

ORDINANCE NO. 13-40

BOND ORDINANCE PROVIDING FOR THE DEMOLITION OF THE WELSH FARMS PROPERTY, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW

JERSEY; APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

Hank Coakley, Valley Road, asked if all of the buildings will be demolished. The Mayor stated that the house will stay, all other structures will be demolished.

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

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

ORDINANCE NO. 13-41 - APPROVED

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

ORDINANCE NO. 13-41

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-21 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A HANDICAPPED PARKING ZONE ON OXONIA AVENUE

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

Mr. Cuttrell stated that the Public Hearing on Ordinance No. 14-41 will be held on Monday, October 28, 2013.

CONSENT AGENDA

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

EMPLOY SEASONAL/ON-CALL DRIVERS IN THE DEPARTMENT OF PUBLIC WORKS FOR SNOW PLOWING

WHEREAS, the Township desires to create a pool of individuals with commercial drivers license who would be called upon during major snowfalls to operate snow plows as a supplement to the full-time Public Works staff; and,

WHEREAS, the Director of Public Works has forwarded his recommendations to employ workers for this purpose; and,

WHEREAS, funds will be provided in the 2013 municipal budget in the appropriation entitled \_\_\_\_\_, known as Account No. \_\_\_\_\_, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following individuals be and are hereby employed in the Department of Public Works as Casual Employees on an on-call basis only for snow plowing during major snow/ice events during the 2013-2014 winter season at an hourly rate of \$25.00; and,

- |                 |                 |                   |
|-----------------|-----------------|-------------------|
| Greg LaFrance   | John Blecki     | Harry Conover III |
| Donald Diebert  | Raymond Koeppel | William Burge     |
| Michael Finer   | Douglas Adams   | William Forshaw   |
| Richard Hulsart | Robert Fahnholz | Edward Curry      |
| Daniel Morales  | Ronald Taylor   | Caesar Cowart     |
| Michael Secord  |                 |                   |

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

ESTABLISH HOURLY PAY RATE FOR PUBLIC SAFETY OFFICERS

WHEREAS, the Township employs part-time Public Safety Officers who are not represented by a bargaining unit; and,

WHEREAS, the hourly rate of pay for said Officers has not been adjusted since 2011; and,

WHEREAS, funds will be provided in the 2013 municipal budget in the appropriation entitled \_\_\_\_\_, known as Account No. \_\_\_\_\_, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the hourly rate of pay for Public Safety Officers shall be \$14.56 and the hourly rate of pay for Senior Public Safety Officers shall be \$17.68, effective January 1, 2013; and,

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

#### AMEND TRANSIENT RATE FOR DOCKAGE AT THE MUNICIPAL MARINA

WHEREAS, on October 22, 2012, the Neptune Township Committee adopted Resolution #12-395 which established a Marina Rate Schedule for the Municipal Marina; and,

WHEREAS, the Harbor Master recommends that the fee for transient dockage be amended,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby approves the following changes to Resolution #12-395 which established the 2013 Marina Rate Schedule, said changes to be effective immediately and in effect until otherwise amended by subsequent resolution of the Township Committee:

b. Daily Dockage/Transient Rate

Per day/night: \$4.00 per foot/per day

Per month: \$25.00 per foot/per month to be paid in full prior to renting the slip.

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

#### GRANT SOCIAL AFFAIR PERMIT TO RICHARD S. BASCOM SCHOLARSHIP FUND

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Municipal Clerk and Chief of Police be and are hereby authorized to approve the application of the Richard S. Bascom Scholarship Fund for a social affair permit at The Headliner, Route 35, on October 23, 2013 from 6:30 P.M. to 11:00 P.M.

#### ACCEPT THE RESIGNATION OF PAMELA HOWARD AS SHADE TREE COMMISSION SECRETARY

WHEREAS, the Township Committee has received a letter from Pamela Howard resigning as Environmental/Shade Tree Commission Secretary effective October 10, 2013,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Pamela Howard as Environmental/Shade Tree Commission Secretary is hereby accepted effective October 10, 2013; and,

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

#### APPOINT ENVIRONMENTAL/SHADE TREE COMMISSION SECRETARY

WHEREAS, Pamela Howard has submitted her resignation as Environmental/Shade Tree Commission Secretary; and,

WHEREAS, the Business Administrator has made his recommendation based on interviews conducted when the position was vacant in August; and,

WHEREAS, funds will be provided 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 Christopher Bedrosian be and is hereby appointed to the position of Environmental/Shade Tree Commission Secretary at an annual salary of \$1,500.00 effective October 11, 2013; and,

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

APPOINT RENT LEVELING BOARD SECRETARY

WHEREAS, by adoption of Ordinance No. 13-32, the Township Committee created the position of Rent Leveling Board Secretary; and,

WHEREAS, the position was posted and the Business Administrator has made his recommendation; and,

WHEREAS, funds will be provided 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 Pamela Howard be and is hereby appointed to the position of Rent Leveling Board Secretary at an annual salary of \$3,000.00 effective October 11, 2013; and,

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

APPOINT HARBOR COMMISSION SECRETARY

WHEREAS, by adoption of Ordinance No. 13-36, the Township Committee created the position of Harbor Commission Secretary; and,

WHEREAS, the position was posted and the Business Administrator has made his recommendation; and,

WHEREAS, funds will be provided 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 Michele Narciso be and is hereby appointed to the position of Harbor Commission Secretary at an annual salary of \$1,500.00 effective October 11, 2013; and,

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

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
3000	37C0603	HILL	603 ALPINE TR	2013	91.72
247	5	ROSS	1709 MONROE AVE	2013	1,402.95
485	389	HOGAN	329 HILLSIDE DR	2013	1,654.11

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 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 FY13 HMEP Training Subgrant for HazMat Response Training in the amount of \$31,000.00 and a FY13 HMEP Planning Subgrant for a HazMat incident drill in the amount of \$25,800.00, and,

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

PLACE LIEN FOR COSTS ASSOCIATED WITH THE DEMOLITION OF 304 MICHELLE COURT

WHEREAS, the Construction Official has noticed the owners 304 Michelle Court of various building violations; and

WHEREAS, the Construction Official has notified the Township Committee that the owners of said property have failed to correct the condition/violation as ordered; and

WHEREAS, the Construction Official has ordered the building demolished 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 property; and,

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
8000/31	304 Michelle Court	\$21,800.00

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

EMPLOY ON-CALL/PART-TIME PLUMBING INSPECTOR

WHEREAS, from time to time, the Township Plumbing Sub-Code Official is out of the office on vacation leave; and,

WHEREAS, the Construction Official has recommended the employment of an on-call/part-time temporary Plumbing Inspector to cover plumbing inspections during this period; and,

WHEREAS, funds will be provided in the 2013 Municipal Budget in the appropriation entitled \_\_\_\_\_, known as Account No. \_\_\_\_\_, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the employment of Philip Price as an on-call/part-time temporary Plumbing Inspector during the absence of the Township Plumbing Sub-Code Official 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., Sandra Petersen and Stephanie Oppegard.

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

AUTHORIZE CHANGE ORDER #2 IN CONNECTION WITH NORTH RIVERSIDE DRIVE PUMP STATION IMPROVEMENTS

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

WHEREAS, a contract was awarded to DeMaio Electrical Co. Inc, in the amount of \$495,000.00 in connection with North Riverside Drive Pump Station Improvements; and,

WHEREAS, the Township Committee approved Change Order #1 by adoption of Resolution #13-309 which increased the contract amount by \$6,363.00; and,

WHEREAS, additional changes to the contract have been experienced as a result of renting a by-pass pump to keep the station operational during construction and a change to the layout of the supports in connection with the installation of a new generator; and,

WHEREAS, these changes have been approved by the Township Engineering Consultant; and,

WHEREAS, funds for this purpose will be provided in the Special Emergency Appropriation – Sewer Utility and Ordinance Nos. 04-31, 05-25, 06-07, 08-51 and 12-14, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #2 in the contract with DeMaio Electrical Co. Inc. in connection with North Riverside Drive Pump Station Improvements resulting in a net increase of \$22,898.00 revising the total contract amount to \$524,261.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Engineering Consultant, Chief Financial Officer; Business Administrator and Township Engineer.

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

EMPLOY ASSISTANT ENGINEER IN THE ENGINEERING DEPARTMENT ON A PROBATIONARY BASIS

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

WHEREAS, there is a vacancy in the position of Assistant Engineer in the Engineering Department; and,

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

WHEREAS, the Township Engineer has made her recommendation; 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 Sean Areia be and is hereby employed as an Assistant Engineer in the Engineering Department, 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 November 4, 2013, at an annual salary of \$50,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., AFSCME Local #1844, Township Engineer, Sandra Petersen and Stephanie Oppegard.

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

RECLASSIFY EMPLOYEE TO THE POSITION OF DEPARTMENTAL SECRETARY IN THE CONSTRUCTION DEPARTMENT

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

WHEREAS, there is a vacancy in the position of Departmental Secretary in the Construction Department; and,

WHEREAS, the position was duly posted and the Business Administrator conducted interviews; and,

WHEREAS, the Business Administrator has made a recommendation to reclassify an existing employee to said position; and,

WHEREAS, funds will be provided in the 2013 Municipal Budget in the appropriation entitled \_\_\_\_\_, known as Account No. \_\_\_\_\_, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Diana Pajak be and is hereby reclassified to the position of Departmental Secretary in the Construction Department at an annual salary of \$39,657.00 effective October 11, 2013 (also retaining the title of Technical Assistant to the Construction Official at an annual salary of \$5,000.00); and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Construction Official, Chief Financial Officer, Assistant C.F.O., Sandra Petersen, Stephanie Oppegard and AFSCME Local #1844.

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

The Mayor announced the following appointment to the Housing Authority:

Carol Foster as the Mayor's appointment for an unexpired five year term expiring December 31, 2016.

CONSENT TO MAYOR'S APPOINTMENT TO THE NEPTUNE TOWNSHIP HOUSING AUTHORITY

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

BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby consents to the Mayor's appointment of Carol Foster to the Neptune Township Housing Authority for an unexpired five year term expiring March 31, 2016; and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

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

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following bills be paid if properly certified:

CURRENT FUND	826,394.99
FEDERAL & STATE GRANT FUND	8,980.38
TRUST OTHER	24,728.94
GENERAL CAPITAL FUND	5,569,828.72
SEWER OPERATING FUND	16,267.55
SEWER CAPITAL FUND	1,304,707.05
MARINA OPERATING FUND	80,829.43
MARINA CAPITAL FUND	686,570.43

DOG TRUST	7,541.53
LIBRARY TRUST	1,806.97
BILL LIST TOTAL	\$8,527,655.99

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

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Kennedy Buckley, Broadway, stated that he is representing the Derelict Buildings Committee. On July 15, 2010, a Notice of Violations was sent to the property owner of 80 Main Avenue. He reviewed the various court actions taken since that time and concluded that no applications for rehabilitation or repair have been sent to the Historic Preservation Commission or the Planning Board. The Mayor stated that it is frustrating that the Township spends taxpayer money to force the owner to make repairs and the owner spends money to avoid making repairs. Mr. Anthony stated that he has filed another Motion for Continuation in Municipal Court. Over \$1,000 in fines has been paid. At this point, it is necessary to try the case and have the Judge set a per day fine.

Dorothy Argyros, 2100 Rutherford Avenue, stated that she started research on the proposed dumping of dredge materials near Shark River Park. She added that the Borough of Belmar stored their dredge on their property, there is fecal coli form in the dredge and Belmar has the most to gain because they have commercial boating. Wall Township has the most shoreline so they should take the dredge. The proposal will ruin the property near Shark River Park. She asked who will pay for the required sampling. The Mayor responded that the State will pay the cost.

Jack Bredin, Ocean Grove, reviewed the process of the North End study and planning that went into the designation as an area in need of redevelopment. He believes the project was abandoned in 2007, no survey was ever done and there is no development plan.

Barbara Burns, 4 Ocean Avenue, stated that Code Enforcement has a problem with determining the owner of some derelict properties. She suggested the Tax Department relay information on who is paying the taxes to the Code Department. Mr. Anthony stated that the entity paying the taxes is often the mortgage company and the problem is that it takes one to two years for a mortgage company to foreclose and get title. In the meantime, they are paying the taxes but don't own the property so a summons cannot be issued to the mortgage company.

Charles Leyton, 96 Mt. Hermon Way, stated that in the instance of 69 Webb Avenue, the owner died in 2007 and the property is held by a mortgage company. He asked the Mayor for a meeting to discuss ways to move forward on 69 Webb Avenue and 80 Main Avenue.

Bernard Haney, Tax Assessor, was present in the audience. He stated that a deceased owner remains the owner until another deed is filed. In addition, when a property is foreclosed, banks do not file a deed until the mortgage company sells the property in the open market.

Michael Fornino, 120 Fulham Place, stated that he is the parent of a United States serviceman and the actions of our Commander in Chief are despicable. He did not pay the families of our servicemen during the federal government shutdown.

Hank Coakley, Valley Road, stated that if the material in the Shark River is so bad, then why wasn't the Board of Health here. The fecal matter comes from dogs and birds. He said to use the property as planned and get the dredging done. He asked the Committee to rethink their support of an increase in the minimum wage. It amounts to a 14% pay raise and he also is not in favor of the mandated annual cost of living increase.

Teretha Jones, Hill Drive, stated that her family is a 40 year business owner in Asbury Park and pays starting employees \$9.00 or \$10.00 per hour. Paying an employee the minimum wage is not right.

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

Richard J. Cuttrell,  
Municipal Clerk