

TOWNSHIP COMMITTEE MEETING – NOVEMBER 24, 2014

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

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

Mayor Brantley announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press on January 2, 2014 and The Coaster on January 3, 2014, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

The following items were discussed in open session:

Mr. Gadaleta updated the Committee on the Community Rating System Program (CRS). He stated that the Township discussed participation in the Program prior to Hurricane Sandy. As a result of Sandy and changes to the National Flood Insurance Program, the Township got involved in the program by hiring a Consultant. The Township submitted its paperwork and will enter the program as a Class 6 municipality. Very few start at this level, but this reflects the Township's efforts in flood mitigation and education. Over the next one to three years, the Township can improve and move up in class. At a Class 6, residents in the flood zones will receive a 20% reduction in flood insurance premium. The next steps are to appoint a Public Information Committee and provide information and monuments/markers delineating high water marks. The Committee extended appreciation to the Township staff involved in the endeavor. Mr. Houghtaling stated that he would like to get the monuments/markets installed promptly.

Mr. Gadaleta stated that there have been on-going discussions with Broadway residents regarding flooding during heavy rains. Township staff has been reviewing issues and options as well as doing some engineering in the area. There will be a meeting at Thornley Chapel on December 1st with residents to discuss the topic. There will be preliminary options presented on helping to improve the flow of storm water including the possibility of inlets at Abbott and Beach to connect to an existing storm water pipe on Ocean Avenue.

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

Mr. Bishop offered the following resolution, moved and seconded by Mr. Houghtaling, 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 – Vacancy in position of Road Department Foreman.
3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.
4. This Resolution shall take effect immediately.

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

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

Mr. Gadaleta stated that two resumes were received for the vacant Foreman position.

Mr. Gadaleta recommended a current part-time employee for the position of Custodian in the Building Maintenance Department. The Committee will act on a resolution at the next Committee meeting.

Mr. Bishop proposed that the resolution to appoint of Mychal Mills as an Alternate member to the Planning Board at the regular portion of the meeting be amended to appoint him as a Class IV due to a recent vacancy in a Class IV position.

Mr. Bascom recommended the hiring of Special Law Enforcement Officers at the next regular meeting effective January 1, 2015. They will require attendance at the Police Academy prior to full deployment.

Mr. Anthony requested a status on the matter brought by a resident regarding reimbursement to the Township by New Jersey American Water Company for repairs to damaged curbing at the entrance to the Water Company on Old Corlies Avenue. Mr. Gadaleta stated that the Water Company has indicated that they will not pay for the damage and the Township lacks sufficient evidence on who damaged the curbing; therefore, the Township cannot bring a legal action.

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

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

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

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

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

Mayor Brantley announced that the notice requirements of R.S. 10:4-18 for an "Annual Notice" have been satisfied by the publication of the required advertisement in the Asbury Park Press on January 2, 2014 and The Coaster on January 3, 2014, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at www.neptunetownship.org.

APPROVAL OF MINUTES

Mr. Bishop offered a motion, seconded by Mr. McMillan, to approve the minutes of the meetings held on October 27th and November 10th. All were in favor

REPORT OF THE CLERK

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

Notice from Hovnanian Industries of their intent to demolish the Asbury Park Press building on Route 66 on or before December 31, 2014.

Notice of public hearing on an amendment to the Land Development Ordinance of the Township of Ocean.

Monmouth County Board of Health November 18th meeting agenda.

COMMENTS FROM THE DAIS

Eric Houghtaling sent condolences to the family of Chief Paduano and Joe Shafto and stated they were great people and would be missed. He attended the Veterans Memorial Park dedication. It was great and at least 200 people attended. They will continue with it until the project is complete. He also attended the Gables Meeting and MURC's meetings. MURC will host their Gem's and Jewell Dinner on December 20th. He attended the breakfast held by the Neptune High School Jumpstart Program that was held at Applebys.

Randy Bishop stated he attended the League of Municipalities and he has the information on the cameras for Mr. Gadaleta. The Mayor's Youth Advisory met and they are starting a clothing drive for Madonna House for boys ages 4-14. He went on to state that he took a tour of the new senior apartments and they were coming along quite nicely and should be ready by early spring. He stated the event at Veterans Memorial Park was incredible and the residents of Neptune should be very proud of the park and it is very humbling. He expressed his condolences to Chief Paduano's family and to the family of Joe Shafto who became a dear friend.

Kevin McMillan expressed his condolences to the families of Chief Paduano and Joe Shafto. He stated he participated in the Neptune Middle School car wash and attended the Neptune High School football game against Freehold. He attended the ribbon cutting for West Lake Pharmacy and stated he hoped to get more businesses for that strip. He also participated in American Teacher's Week and educated Ms. Ebony Lattimore's class on Diabetes and the signs and symptoms of it. He also attended the League of Municipalities and met with Alex Rivera from the Thomas Edison State College. He attended a workshop on Economic Development and Tourism.

Mary Beth Jahn stated she attended the Veteran's Memorial and it was beautiful and spectacular. She stated to lose Joe Shafto really was a loss and he would be missed. She expressed her condolences to the family of Chief Paduano. She thanked Mr. Bishop for his help with Madonna House and urged the residents to donate as well.

Mayor Brantley expressed his condolences to the families of Chief Paduano and Joe Shafto. He stated he attended the Veterans Memorial Park and it was very humbling to him and it was an honor to speak. He stated he had a Wesley Lake meeting on the 18th. He stated they would have a very interesting year coming up because some of the members were concerned because Asbury Park will have new leaders and they were not sure what would happen there.

RESOLUTIONS TABLED

Mr. Houghtaling offered a motion, seconded by Mr. Bishop, to table two resolutions to "AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH THE JUMPING BROOK BALL FIELD IMPROVEMENTS" and "EMPLOY SEASONAL/ON-CALL DRIVER IN THE DEPARTMENT OF PUBLIC WORKS FOR SNOW PLOWING". All were in favor

PUBLIC COMMENTS ON RESOLUTIONS

Dorothy Argyros, 2100 Rutherford, commented on Resolution #14-536 and questioned the total debt and whether it has been growing. She also questioned what were the taxpayers paying in interest because it appeared to her that they were paying a prevailing rate of interest.

Michael Bascom stated he didn't have the debt number off the top of his head and he did not have the debt statement with him. He stated this was a combination of debt that has already been offered and is being reoffered through the Monmouth County Improvement Authority. It takes advantage of their Triple A rating, even though we have a Double A rating. It is also a combination of other municipalities that are participating in this debt issuance and it reduces our cost of issuance.

Mrs. Argyros stated she would call him tomorrow for the total debt amount. She then questioned how much was being paid in interest.

Mr. Bascom stated on the short term debt they were paying 0.8% and on long term debt it has been roughly 4%.

Mrs. Argyros will this change.

Mr. Bascom stated the last issuance that they did short term was 0.8% and this issuance has not occurred yet because it has to go out to bid and whatever the lowest winning bid is the percentage we will pay. For long term debt it changes and it typically has a range.

Mrs. Argyros commented on Resolution #14-530 and asked has the five million dollars that was paid to former Mayor Catley's family been repaid.

Mr. Bascom stated it has nothing to do with that and explained the reason for this resolution.

ORDINANCE NO. 14-45 - ADOPTED

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

ORDINANCE NO. 14-45

AN ORDINANCE AUTHORIZING DEED OF EASEMENT AND RIGHT-OF-WAY FOR SIDEWALK, LANDSCAPING AND BUILDING OVERHANG ENCROACHMENT OF SHARK RIVER BEACH AND YACHT CLUB, INC., LOT 14, BLOCK 401, ON THE TAX MAP OF THE TOWNSHIP OF NEPTUNE

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

Dorothy Argyros stated she had a problem with them giving away something that did not belong to them but belonged to the body politic. She stated they were giving away certain items such as sidewalks, landscaping and building overhangs. She stated if she asked for those things for her own benefit you might tell her it would cost her.

Mr. Cuttrell stated the Township was not giving anything away they were installing them and we are giving them permission to do it in the Township right of away.

Mr. Anthony stated we were basically giving them the right to be in the right of way.

Mrs. Argyros stated they were treating the property like it was their own and if they could have gotten money for it then they should have.

Mr. Gadaleta stated this was the Yacht Club's building that they were constructing and not the Township's building. He stated this was a privately owned building that overhangs the Township's right of way. We are giving them air space in our right of way to build the overhang on their building.

Mrs. Argyros again asked if they would do this for her if she was building a building. She also questioned whether anyone on the dais would be receiving any privileges from this.

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

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

ORDINANCE NO. 14-46 - ADOPTED

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

ORDINANCE NO. 14-46

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-21 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY REMOVING HANDICAPPED PARKING ZONES ON MT. HERMON WAY AND HECK 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; Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

ORDINANCE NO. 14-47 - ADOPTED

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

ORDINANCE NO. 14-47

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING SECTION 12-5.14 ENTITLED "DISCONTINUATION OF CERTAIN UTILITY SERVICES" TO THE VACANT AND ABANDONED PROPERTIES ORDINANCE

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

Kathy Arlt, 106 Abbott Avenue, stated she was hopeful the Committee would pass this ordinance but she did not feel that it went far enough to address the problem which is an all of Neptune problem because the same problems also exist in Neptune that exist in Ocean Grove.

Hank Coakley stated as far as multiple dwellings with three units or more being vacant for 90 days the State can order that it be sealed. He questioned whether the Township had the same requirement for one and two family homes.

Mr. Anthony stated that can be done for any abandoned building.

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

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

ORDINANCE NO. 14-48 - APPROVED

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

ORDINANCE NO. 14-48

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

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

ORDINANCE NO. 14-49 - APPROVED

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

ORDINANCE NO. 14-49

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A RESIDENT HANDICAPPED ON-STREET PARKING ZONE ON MT. HERMON WAY AND REMOVING TWO HANDICAPPED PARKING ZONES ON CLARK AVENUE

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

Mr. Cuttrell stated that the Public Hearings on Ordinances 14-48 and 14-49 will be held on Monday, December 8, 2014.

CONSENT AGENDA

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

ACCEPT THE RESIGNATION OF CHARLES MOORE AS A MEMBER OF THE BOARD OF ADJUSTMENT

WHEREAS, the Township Committee has received a letter from Charles Moore resigning as the Alternate #2 member of the Board of Adjustment effective October 6, 2014,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Charles Moore as a member of the Board of Adjustment is hereby accepted effective October 6, 2014; and,

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

GRANT LEAVE OF ABSENCE UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, Jon Andrews, Driver in the Department of Public Works, has requested a leave of absence under the provisions of the Family Medical Leave Act during which time he will utilize accumulated sick time; and,

WHEREAS, the Business Administrator has approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that Jon Andrews, Driver in the Department of Public Works, is hereby granted a leave of absence, with the use of accumulated sick time, under the provisions of the Family Medical Leave Act from October 23, 2014 through November 30, 2014; and,

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

AMEND SALARY OF DRIVER HIRED IN THE DEPARTMENT OF PUBLIC WORKS BY RESOLUTION #14-382

WHEREAS, on July 28, 2014, the Township Committee adopted Resolution #14-382 which authorized the employment of Izameek Harris as a Driver in the Public Works Department at a starting salary of \$28,000.00; and,

WHEREAS, Mr. Harris has since provided proof of prior experience as a Driver in another municipality which qualifies him for a starting salary of \$30,000.00 in accordance with the starting salary appendix in the current AFSCME Local #1844 contract; and,

WHEREAS, the Human Resources Specialist has made her recommendation to amend said salary; and,

WHEREAS, funds will be provided in the 2014 Municipal Budget in the appropriation entitled 290-010, 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 Resolution #14-382, which authorized the employment of Izameek Harris Driver in the Department of Public Works on a probationary basis, be and is hereby amended to reflect an annual starting salary of \$30,000.00 effective on the date of hire; 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 Human Resources.

PLACE LIEN ON VARIOUS PROPERTIES

WHEREAS, Ordinance #843 of the Township of Neptune states that where a violation or condition exists on any property in the Township of Neptune that is of such a nature as to constitute an immediate threat to life, health, safety and the well being of residents in this township unless abated without delay, the Code Enforcement Supervisor may abate the violation or condition immediately or order the owner, operator or occupant to correct the violation or condition within a three-day period; and

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

WHEREAS, the Code Enforcement Supervisor has notified the Township Committee of the Township of Neptune that the owners of said property have failed to correct the condition/violation as ordered; and

WHEREAS, the Code Enforcement Supervisor has had the condition corrected in accordance with Article IV, Section 6.2 (a) of Ordinance #843 at a total cost as indicated below,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Tax Collector be and is hereby authorized to place the following costs as a lien against the following properties; and,

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
180/3	412 Myrtle Avenue	330.00
192/54.01	1706 Summerfield Place	125.00

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

AUTHORIZE THE CANCELLATION OF MARINA UTILITY BUDGET APPROPRIATION BALANCES

WHEREAS, the following Marina Utility budget appropriation balances remain unexpended:

Marina S&W	6,000.00
Marina O.E.	14,000.00

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to marina utility surplus; and,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the above listed Marina Utility unexpended appropriation balances in the total amount of \$20,000.00 be and are hereby cancelled; and,

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

AUTHORIZE TAX COLLECTOR TO SUBMIT APPLICATION TO PARTICIPATE IN 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 Auditor.

RELEASE ALL SURETY GUARANTEES AND DEVELOPERS ESCROW FOR IMPROVEMENTS AT DUNKIN DONUTS (CORNER OF ROUTES 33 & 35)

WHEREAS, Locations XVII, Inc. filed a cash performance guarantee in the amount of \$44,000.00, guaranteeing the site improvements at Dunkin Donuts, located at the intersection of Routes 33 & 35 (Block 212, Lots 1.01, 4.01 and 13.01); and,

WHEREAS, on April 23, 2012, the Township Committee adopted Resolution #12-176 which authorized a reduction of the performance guarantee to the amount of \$13,320.00; and,

WHEREAS, on November 10, 2014, the Township Engineering Consultant certified that all site work has been completed and said performance guarantee may be released; and,

WHEREAS, the Township Engineering Consultant also recommends the waiver of the posting of a two year maintenance guarantee because the required site work was completed well over two years ago,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the release of the performance guarantee as stated herein; and,

BE IT FURTHER RESOLVED, that all remaining balances of the cash performance guarantee account and inspection escrow account be and are hereby authorized to be refunded; and,

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

AUTHORIZE EXECUTION OF A DEVELOPER'S AGREEMENT WITH 1318 CORLIES AVENUE, LLC, IN CONNECTION WITH IMPROVEMENTS AT 1318 CORLIES AVENUE

WHEREAS, 1318 Corlies Avenue, LLC, applied for and was granted relief for the demolition of a single family dwelling and the creation of a fifteen (15) space parking lot with associated landscaping, draining and utility improvements before the Planning Board of Neptune Township at 1318 Corlies Avenue (Block 201.01, Lots 47 & 48 and Block 201, Lot 39.01); and

WHEREAS, 1318 Corlies Avenue, LLC, has agreed to enter into a Developer's Agreement with the Township of Neptune to guarantee the faithful performance of the obligations and representations associated with the application before the Planning Board of Neptune Township; and

WHEREAS, it is in the best interest of the citizens of the Township of Neptune to enter this Developer's Agreement with 1318 Corlies Avenue, LLC, to ensure the proper development of the aforesaid parcel and guaranteed performance of items and improvements made on said parcel,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the Mayor and Clerk are hereby authorized to execute the aforesaid Developer' Agreement with 1318 Corlies Avenue, LLC, for compliance with the Planning Board of Neptune Township's Resolution No. 13-09, and representations upon submission and approval of all conditions arising from the aforesaid Resolution, and return the same to the Township Attorney for recording in the Clerk's office of Monmouth County; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Attorney, Planning Board and Township Engineer.

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
230	56	Le Beau	140 Oxonia Ave	2014	1,227.78
3051	21c431	Johnson	431 Lexington Ave	2014	1,059.80

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 REFUND OF SEWER RENT (606 ALPINE TRAIL)

WHEREAS, the properties listed below reflect overpayments; and,

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

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 refund the Sewer Rent as stated herein:

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
3000/37C0606	Langley	606 Alpine Trail	2014	214.98

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

PROVIDE FOR THE COMBINATION OF CERTAIN ISSUES OF NOT EXCEEDING \$2,007,000 GENERAL OBLIGATION BONDS, SERIES 2014 OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF SUCH BONDS, AND PROVIDING FOR THE SALE OF SUCH BONDS TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY PURSUANT TO THE AUTHORITY'S 2014 POOLED GOVERNMENTAL LOAN PROGRAM

WHEREAS, the Township of Neptune (the "Township"), in the County of Monmouth, State of New Jersey, has determined that there exists a need within the Township to finance the costs of various capital improvements throughout the Township (the "General Improvements Project"); and

WHEREAS, the Township Committee has duly adopted various bond ordinances (the "Ordinances") to appropriate moneys and authorize the issuance of bonds or bond anticipation notes to undertake the General Improvements Project; and

WHEREAS, the Township has determined to finance the General Improvements Project with the proceeds of a loan (the "Loan") to be made to the Township by the Monmouth County Improvement Authority (the "MCIA") in connection with the 2014 Pooled Governmental Loan Program, currently scheduled to close on December 24, 2014 (the "2014 MCIA Bond Program"); and

WHEREAS, in order for the Township to receive the Loan from the MCIA, it is necessary to combine the bonds authorized under said Ordinances into one consolidated issue of general obligation bonds in the aggregate principal amount of \$2,007,000 (to be issued in one series or more separate series aggregating said amount and to memorialize the applicable obligations of the general or utility funds of the Township, as and if applicable), pursuant to the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"); and

WHEREAS, to evidence the Loan, the MCIA also requires the Township to authorize, execute, attest and deliver the Township's \$2,007,000 General Obligation Bonds, Series 2014 (to be issued in one or more separate series aggregating said amount and to memorialize the applicable obligations of the general or utility funds of the Township, as and if applicable) (the "Bonds") in accordance with the provisions hereof and pursuant to the terms of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law") and other applicable law; and

WHEREAS, section 27(a)(2) of the Local Bond Law allows for the sale of the Bonds to the MCIA without any public offering, all under the terms and conditions set forth herein and in a Bond Purchase Agreement by and between the Township and the MCIA to be dated as of the date of the sale of such Bonds; and

NOW THEREFORE, BE IT RESOLVED BY A TWO-THIRDS VOTE OF THE FULL MEMBERSHIP OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the bonds of the Township, authorized pursuant to the bond ordinances of the Township heretofore adopted and described in Section 2 hereof, shall be combined into a single issue of General Obligation Bonds, Series 2014 in the aggregate principal amount of not exceeding \$2,007,000 to be issued in one or more separate series aggregating said amount and to memorialize the applicable obligations of the general or utility funds of the Township.

Section 2. The principal amount of bonds authorized by each ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the ordinance number, description and date of final adoption, amount of issue and average period of usefulness determined in each of the bond ordinances are respectively as set forth in Exhibit B hereto:

Section 3. The following matters are hereby determined with respect to the combined issue of Bonds:

(a) The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average periods of usefulness therein determined, is not more than 26.428 years.

(b) The Bonds of the combined issue shall be designated "General Obligation Bonds, Series 2014" (or such other designation if such Bonds are issued in two separate series to memorialize the applicable obligations of the general or utility funds of the Township) and shall mature within the average period of usefulness hereinabove determined.

(c) The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law that are applicable to the sale and issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the Bonds described in Section 2 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded heretofore and now remain in full force and effect as authorizations for the respective amounts of bonds set opposite the descriptions of the bond ordinances set forth in Section 2 hereof.

(b) The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and some of such improvements or purposes, if applicable and permitted by law, a deduction may be taken in any annual or supplemental debt statement.

Section 5. In accordance with the provisions of N.J.S.A. 40A:2-27(a)(2), the Township hereby sells and awards the Township's \$2,007,000 General Obligation Bonds, Series 2014 (collectively, the "Bonds") to the MCIA in accordance with the provisions hereof and in accordance with the terms of a Bond Purchase Agreement by and between the Township and the MCIA (the "Bond Purchase Agreement"). The Mayor of the Township (the "Mayor") and Chief Financial Officer of the Township (the "Chief Financial Officer") are each hereby authorized and directed on behalf of the Township, in consultation with Bond Counsel (as hereinafter defined), to negotiate the terms of such Bond Purchase Agreement, to be dated the date of sale of the Bonds, to approve the terms of aforesaid Bond Purchase Agreement and to execute and deliver said Bond Purchase Agreement to the MCIA. The Bonds have been referred to and described in the Ordinances being finally adopted at duly called and held meetings of the Township Committee and published as required by law and which Ordinances were combined for purposes of sale pursuant to this resolution, all pursuant to terms of the Local Bond Law and other applicable law.

Section 6. The Chief Financial Officer is hereby authorized and directed to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the MCIA and the terms and conditions hereof and set forth in the Bond Purchase Agreement, the following items with respect to the Bonds, except those terms and conditions which are set forth in the Bond Purchase Agreement:

- (a) The aggregate principal amount of the Bonds to be issued, provided that the total amount of Bonds issued shall not exceed the aggregate principal amount of \$2,007,000 (which may be issued in one series or two separate series aggregating said amount and to memorialize the applicable obligations of the general or utility funds of the Township);
- (b) The maturity and principal installments of the Bonds, which maturity shall not exceed 26.428 years;
- (c) The date of the Bonds;
- (d) The interest rates of the Bonds;
- (e) The purchase price of the Bonds; and
- (f) The terms and conditions under which the Bonds shall be subject to redemption prior to their stated maturities.

Section 7. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Bonds by the parties authorized under Section 8(c) hereof.

Section 8. The Township Committee hereby determines that certain terms of the Bonds shall be as follows:

- (a) The Bonds shall be issued in a single denomination and shall be numbered GO-1 (or such other designation if such Bonds are issued in two separate series to memorialize the applicable obligations of the general or utility funds of the Township);
- (b) The Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Clerk of the Township (the "Township Clerk").

Section 9. The Bonds shall be in the form set forth in Exhibit A attached hereto with such additions, deletions and omissions as may be necessary for the Township to comply with the requirements of the 2014 MCIA Bond Program, upon the advice of Bond Counsel.

Section 10. The law firm of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Township ("Bond Counsel"), the Township Engineer, the Township Attorney and the Township Auditor are each hereby authorized and directed to perform all actions necessary to consummate the issuance of the Bonds and the General Improvements Project for which the Bonds are issued, including but not limited to, drafting and arranging for the printing and execution of the Bonds and all applicable documentation necessary to memorialize and consummate the issuance of the Bonds and the undertaking of the General Improvements Project, preparing all necessary financial information, all engineering and design work, preparation of plans and specifications and conducting all necessary studies, searches and analysis in connection with the issuance of the Bonds and the undertaking of the General Improvements Project. The Mayor, the Chief Financial Officer, the Township Clerk, the Township Attorney and any other Township representative (including Bond Counsel or the Township Auditor) are each hereby authorized and directed to execute and deliver any certificates necessary or desirable in connection with the financial and other information.

Section 11. The Mayor, the Chief Financial Officer, the Township Clerk and any other Township representative, are each hereby authorized and directed to (i) execute any certificates or documents necessary or desirable in connection with the sale of the Bonds, including the Bond Purchase Agreement, or the undertaking of the General Improvements Project, and each are hereby further authorized and directed to deliver same to the County and/or MCIA, as applicable, upon delivery of the Bonds and the applicable receipts of payment therefore, or in accordance with the 2014 MCIA Bond Program and (ii) perform such other actions as they deem necessary, desirable or convenient, in consultation with Bond Counsel, in relation to the execution and delivery thereof.

Section 12. Upon the adoption hereof, the Township Clerk shall forward certified copies of this resolution: (a) via facsimile, to (i) Marion Masnick of the MCIA at facsimile number 732-409-4821, and (ii) Anthony J. Pannella, Esq., of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Township, at facsimile number 732-726-6528; and (b) via certified first class mail, to (i) Marion Masnick of the MCIA at The Monmouth County Improvement Authority, Hall of Records, Main Street, Freehold, New Jersey 07728, and (ii) Anthony J. Pannella, Esq., of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Township at 90 Woodbridge Center Drive, Woodbridge, New Jersey 07095.

Section 13. This resolution shall take effect immediately.

EXHIBIT A

**UNITED STATES OF AMERICA
TOWNSHIP OF NEPTUNE
IN THE COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

GENERAL OBLIGATION BOND, SERIES 2014

NUMBER GO-1

DATE OF ORIGINAL ISSUE: December 24, 2014

REGISTERED OWNER: Monmouth County Improvement Authority

PRINCIPAL SUM: Two Million Seven Thousand Dollars (\$2,007,000)

THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, a body politic and corporate of the State of New Jersey (the "Township"), hereby acknowledges itself indebted and for value received promises to pay to the order of the Monmouth County Improvement Authority (the "Authority"), c/o _____, _____, _____ (the "Trustee"), Account Number _____, the Principal Sum specified above payable in the amounts and on the dates specified and set forth on Schedule A attached hereto and by this reference made a part hereof, and to pay interest on such sum from the Date of Original Issue of this Bond until payment in full at the interest rates per annum and in the amounts and dates specified and set forth on Schedule A attached hereto and by this reference made a part hereof. Interest is payable to the Authority at the corporate trust office of the Trustee five Business Days prior to each June 1 and December 1, commencing June 1, 2015, in an amount equal to the interest accruing to each such June 1 and December 1. This Bond as to principal will be payable five Business Days prior to the due date therefor at the corporate trust office of the Trustee. Upon the occurrence of an event of default by the Authority under the bond resolution adopted by the Authority on _____, 2014 (as the same may be supplemented and amended, the "Resolution") which event of default is directly attributable to a default hereunder or to a default by the Township under its Bond Purchase Agreement with the Authority relating to the Authority's purchase of this Bond, or in the event of default in any payments of principal or interest on this Bond, the Trustee may by notice to the Chief Financial Officer of the Township at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, New Jersey 07753, accelerate the principal amount of this Bond all as provided in the Resolution. Amounts not paid when due hereunder shall bear interest at the Late Payment Rate until paid. This Bond shall be prepayable as set forth in Section 1303 of the Resolution.

Both principal of and interest on this Bond is payable in lawful money of the United States of America and in immediately available funds.

As used herein, "Business Day" shall mean any day that is not a Saturday, a Sunday or a legal holiday in the State of New Jersey or the State of New York or a day on which the Trustee is legally authorized to close. "Late Payment Rate" shall mean a rate per annum equal to the lower of (i) the greater of (a) three percent above the interest rate that JPMorgan Chase publicly announces from time to time as its prime lending rate, such interest rate to change on the effective date of each announced change in such rate, and (b) the rate then payable on this bond, and (ii) the maximum interest rate allowed by law.

This Bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), and is one of the General Obligation Bonds referred to in and issued pursuant to a resolution duly adopted by the Township Committee on November 24, 2014 entitled, "RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF NOT EXCEEDING \$2,007,000 GENERAL OBLIGATION BONDS, SERIES 2014 OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF SUCH BONDS, AND PROVIDING FOR THE SALE OF SUCH BONDS TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY PURSUANT TO THE AUTHORITY'S 2014 POOLED GOVERNMENTAL LOAN PROGRAM" and the various bond ordinances referred to therein, all finally adopted and published as required by law.

The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal of and the interest on, and all other amounts due under, this Bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this Bond exist, have happened and have been performed and that this Bond, together with all other indebtedness of the Township, is within every debt and other limit prescribed by such Constitution or statutes.

The Township agrees to pay (i) all costs and expenses, including legal fees, in connection with the administration and enforcement of this Bond, and (ii) its share of the amounts payable pursuant to Section 9(vi)(C) of the Bond Purchase Agreement between the Township and the Authority.

IN WITNESS WHEREOF, the Township of Neptune, in the County of Monmouth, State of New Jersey has caused this Bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this Bond and the seal to be attested to by the manual signature of the its Clerk, and this Bond to be dated the Date of Original Issue as specified above.

**TOWNSHIP OF NEPTUNE,
IN THE COUNTY OF MONMOUTH,
STATE OF NEW JERSEY**

ATTEST:

(SEAL)

DR. MICHAEL BRANTLEY,
Mayor

RICHARD J. CUTTRELL,
Clerk

MICHAEL J, BASCOM,
Chief Financial Officer

ASSIGNMENT

FOR VALUE RECEIVED _____ hereby sells, assigns and transfers unto _____ (Please Print or Type Name and Address of Assignee) the within Bond and irrevocably appoints _____ as Attorney to transfer this Bond on the registration books of the _____ with full power of substitution and revocation.

NOTICE
The signature of this assignment must correspond with the name as it appears on the face of the within Bond in every particular.

Dated:

Signature of Guarantee:

SCHEDULE A

TOWNSHIP OF NEPTUNE
IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY

GENERAL OBLIGATION BOND, SERIES 2014

Schedule of Principal and Interest Payments

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest</u>	<u>Principal and Interest</u>
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Ordinance Number	Description and Date of Final Adoption	Useful Life	Authorization	History of Notes Being Refunded	Other Outstanding Obligations	Proceed Reimburse	Paydowns
08-51, as amended by 09-21	Upgrades to Pennsylvania Avenue Sanitary Sewer Pumping Station, finally adopted 12/1/08 (08-51) and 6/22/09 (09-21)	30 years	\$950,000 (08-51) + \$3,557,000 (09-21) = \$4,507,000	\$294,500 of \$4,585,000 BAN dated 9/13/13, maturing 9/12/14, with date of first issue being 9/15/11 as to \$300,000	N/A	\$0.00	2014 \$5,500
09-37	Acquisition and installation of various vehicles and equipment for Sewer Utility, finally adopted 08/24/09	5 years	\$166,250	\$147,500 of \$4,585,000 BAN dated 9/13/13, maturing 9/12/14, with date of first issue being 9/15/11 as to \$166,000	N/A	\$0.00	2014 \$18,500
12-14	Various sewer utility improvements and acquisition of utility truck, finally adopted 6/11/12	37.50 years	\$665,000	\$665,000 of \$4,585,000 BAN dated 9/13/13, maturing 9/12/14, with date of first issue being 9/14/12 as to \$665,000	N/A	\$0.00	N/A
13-18	Various 2013 Marina Utility Improvements, finally adopted 5/13/13	20.59 years	\$900,000	\$900,000 of \$4,585,000 BAN dated 9/13/13, maturing 9/12/14, with date of first issue being 9/13/13 as to \$900,000	N/A	\$0.00	N/A

RELEASE ALL SURETY GUARANTEES AND DEVELOPERS ESCROW FOR IMPROVEMENTS AT SURF AVENUE HOUSE (27 SURF AVENUE)

WHEREAS, PH Surf Avenue, LLC filed a cash performance guarantee in the amount of \$24,000.00, guaranteeing the site improvements at Surf Avenue House condominiums, located at 27 Surf Avenue (Block 27, Lots 370, 372 & 384); and,

WHEREAS, on November 19, 2014, the Township Engineering Consultant certified that all site work has been completed and said performance guarantee may be released; and,

WHEREAS, the Township Engineering Consultant also recommends the waiver of the posting of a two year maintenance guarantee because the required site work was completed well over two years ago,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the release of the performance guarantee as stated herein; and,

BE IT FURTHER RESOLVED, that all remaining balances of the cash performance guarantee account and inspection escrow account be and are hereby authorized to be refunded; and,

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

REQUEST THE DIVISION OF LOCAL GOVERNMENT SERVICES TO GRANT APPROVAL OF A DEDICATION BY RIDER OF REVENUES RECEIVED FOR WESLEY LAKE IMPROVEMENTS

WHEREAS, the Township has undertaken projects to make improvements to Wesley Lake and receives donations from time to time in support of these efforts; and,

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance: and,

WHEREAS, N.J.S.A. 40A:5-29 et seq. authorizes a municipality to accept donations and utilize same so long as the use is consistent with the laws of this State and of the United States; and,

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of said monies by dedication by rider;

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

1) The Township Committee does hereby request permission of the Director of the Division of Local Government Services to utilize donated funds received for Wesley Lake Improvements.

2) The Township Clerk is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

3) The Township Clerk shall forward certified copies of this resolution to the Business Administrator, Chief Financial Officer and Assistant C.F.O.

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

The Mayor announced the following appointment to the Planning Board:

Mychal Mills as a Class IV member for an unexpired four year term.

CONFIRM MAYOR'S APPOINTMENT TO THE PLANNING BOARD

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

BE IT RESOLVED, that the Township Committee hereby confirms the Mayor's appointment of Mychal Mills to the Neptune Township Planning Board as a Class IV member for an unexpired

four year term expiring December 31, 2015; and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

Mr. Bishop 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	6,542,807.25
FEDERAL & STATE GRANT FUND	16,178.44
TRUST OTHER	29,605.56
GENERAL CAPITAL FUND	139,868.28
SEWER OPERATING FUND	74,655.55
MARINA OPERATING FUND	40,633.29
MARINA CAPITAL FUND	321.30
DOG TRUST	7,587.40
LIBRARY TRUST	1,223.13
BILL LIST TOTAL	\$6,852,880.20

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

The resolution was adopted on the following vote: Bishop, aye; Houghtaling, aye; Jahn, aye, noting that \$121,000 is County Open Space Tax, \$44,000 is County Health Tax, \$2.3 million is County Taxes, \$2.2 million is School taxes, and \$59,000 is Ocean Grove Fire Tax; McMillan, aye; and Brantley, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Michael Fornino, 120 Fulham Place, asked if the Township can handle seven feet of snow because that amount of snow fell in Buffalo. He stated that he and his wife wrote a letter to the Township regarding utility patch sinkholes on Walnut Street. He contacted the Public Works Department and the holes were repaired immediately. He asked why the Police or Code Department employees can not see these sinkholes when they are on the road patrolling. Mr. Bascom stated that employees from many different departments are riding on the Township's streets and he will remind staff to report problems when they are observed.

Kathy Arlt, Abbott Avenue, stated that there are 13 houses on the current abandoned property list. Six of these properties should be removed because they are being rehabilitated, but seven abandoned properties should be added. Mr. Gadaleta asked Ms. Arlt to supply the addresses to the Code Enforcement Department. Ms. Arlt asked if the Township will provide a copy of the new list in April when the six month mark from the date of adoption of the new ordinance hits. Mr. Anthony stated that the list will be a public record. Ms. Arlt stated that she is concerned that the new list will indicate a date as to when a property is added to the list.

Dorothy Argyros, 2100 Rutherford Avenue, read an article regarding police brutality. She stated that the Township Committee authorized an independent review of the Police Department and then appointed James Hunt to Chief of Police, who was named in a lawsuit. She asked that a Civilian Review Board be created to review police brutality cases in Neptune Township to bring

accountability to this town.

Celestine Overby, Bingham Street, asked that the plow drivers lift the plow blade when they pass in front of her driveway.

Hank Coakley, Valley Road, thanked the Committee for Veterans Park. He stated that the red light camera test period ends December 16th and he hopes they are removed statewide. He added that the camera flash is blinding to drivers based on his experience in Brick Township. He stated that the President caters to lawbreakers. There is a way to enter this country legally and people need to obey the law.

Russ Hamstead, stated that last meeting he brought up the subject of the Township being reimbursed for the damaged sidewalk at the Water Company entrance on Old Corlies Avenue. The Mayor promised an update, but he has not received an update. The Mayor stated that the matter was discussed in Executive Session and an update can be provided now. Mr. Gadaleta stated that the Township does not have sufficient evidence as to who damaged the sidewalk to pursue the matter further. Mr. Harmstead asked for standing to pursue the matter on behalf of the Township. Mr. Anthony stated case law indicates that being a taxpayer does not give him standing to sue in place of the Township. Mr. Harmstead asked if he can go to small claims court. Mr. Anthony stated that he would not have standing in small claims court.

Heinz Weck, Ocean Grove, stated that Neptune has the finest police department in New Jersey. The Road Department is great and fixes road cavities very quickly.

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

Richard J. Cuttrell,
Municipal Clerk