

TOWNSHIP COMMITTEE MEETING – MARCH 14, 2011

Mayor McMillan 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, and Mayor Kevin B. McMillan. Dr. Michael Brantley and Mary Beth Jahn both arrived during the executive session.

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

Mayor McMillan announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press and The Coaster on January 6, 2011, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

The following items were discussed in open session:

Mr. Bascom stated that the 2011 municipal budget is on the regular meeting for introduction. It includes a 5% reduction in appropriations versus 2010 and an increase of 3 cents on the tax rate. The budget is within all caps. The budget anticipates another two to four positions being eliminated via attrition. There will be a full budget presentation at the April 11<sup>th</sup> public hearing.

Mr. Bishop stated that the Committee discussed amendments to the Historic Preservation Commission guidelines in January. He wants to amend the guidelines to allow hardy blank for all structures whether they are key structures or not. The HPC has debated whether or not the hardy blank helps to slow the spread of fire. He spoke to firefighters who sat that hardy blank, rather than wood, on the exterior of a structure will buy an extra five minutes in a fire. Mr. Bishop marked up the proposed changes presented in January and recommended that the hardy blank or cement siding should be required to have the look and characteristics of wood. Mr. Bishop added that the State Historic Commission allows the material on state buildings and we need to look at what extends the health and safety of our residents. Mr. Houghtaling and the Mayor indicated agreement with Mr. Bishop. Mr. Bishop stated that several structures are awaiting action on this by the Committee so he asked that it be placed on the March 28<sup>th</sup> meeting.

Mr. Bishop asked that the owner of the former Exxon station at Routes 33 and 35 be contacted to replace or repair the fence that surrounds the property.

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 – Economic Development Corporation vacancy  
Personnel – Housing Authority appointments

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; and McMillan, aye.

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

Marc DiGiorgio was recommended for appointment to the Economic Development Corporation.

Mr. Bascom reported that he and Mr. Huhn met with Asbury Park officials to discuss interlocal opportunities.

Mr. Bascom reported that the cost to complete the entire Green Grove Road project would be about \$900,000, a portion of which the Township received a grant.

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

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

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

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

The Clerk stated, "Fire exits are located in the direction I am indicating, in case of fire you will be notified by bell and or public address system. If you are alerted of fire, please move in a calm, orderly manner to the nearest smoke-free exit or the next nearest exit as directed over the public address system.

Mayor McMillan announced that the notice requirements of R.S. 10:4-18 for an "Annual Notice" have been satisfied by the publication of the required advertisement in the Asbury Park Press and The Coaster on January 6, 2011, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are available online at [www.neptunetownship.org](http://www.neptunetownship.org) for public viewing before each Township Committee meeting.

#### APPROVAL OF MINUTES

Mr. Bishop offered a motion, seconded by Mr. Houghtaling, to approve the minutes of the meetings held on January 10<sup>th</sup>, January 24<sup>th</sup> and February 14<sup>th</sup>. All were in favor, except Ms. Jahn abstained on the meeting of February 14<sup>th</sup> due to an absence.

#### REPORT OF THE CLERK

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

Tax Collector's monthly statement for February.

#### COMMENTS FROM THE DAIS

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

Dr. Michael Brantley stated the Wesley Lake dredging project was complete and the dredging equipment has been moved by the County. He stated on behalf of the Neptune/Asbury Park Wesley Lake Commission they wanted to thank the Township of Neptune and the City of Asbury Park for their support because their help made it less expensive than what it would have been. They could dredge again without reapplying for a permit.

MaryBeth Jahn stated she hasn't been to the meetings because she had a sudden illness and was hospitalized. She stated she got better enough to go to the Bahamas. On a sadder note her heart went out to the residents who were involved in the fire on Friday morning. She stated she was happy to see Mr. Weck walk into the room because he was one of the residents that were involved in the fire. She congratulated the girls basketball team on their championship and wished them well.

Eric Houghtaling gave an update on the marina and the dredging that was taking place. He also stated that Dawn Thompson the Recreation Director also received an association service award for dedicated volunteer service from the New Jersey Recreation Park Association. He felt they were

lucky to have her and she does a lot for the Township and all summer recreation applications were online. He went on to state that he marched in the St. Patrick's Day Parade in Belmar with the Neptune High School Marching Band and they did a wonderful job. He commended the EMS for the services they provided in connection to the fire. He went to the girl's basketball game yesterday and they did a wonderful job. He wished them success as they go to the finals.

Randy Bishop commended Mrs. Thompson on her recognition and the girl's basketball team for the State Championship. He stated the St. Patrick's Day Parade was fun. Both he and Phil met with Asbury Park regarding their RFP that went out unbeknownst to them. They applauded them for their efforts but stated they were not stopping their own ability to do work in the future. He went on to state that it has been quite a week and half for him and Dan due to a threat of flood in Lambertville where his shop is located and the fire in Ocean Grove. When he received the call about the fire he thought that he was dreaming. He personally thanked everyone who responded to this fire because it was frightening and devastating. He was thankful that no lives were lost and it was only due to the emergency personnel that was involved. He stated he was proud and thankful for the job that has been done. He knew that there were people who wanted to help and informed them that St. Paul's Angel Fund was taking donations to help individuals and Nancy Hoffman of the Ocean Grove Camp Meeting were preparing a service of Thanksgiving on April 2<sup>nd</sup> without losing any lives. He told Mr. Weck that he was happy to see him.

Mayor McMillan stated he also marched in the St. Patrick's Day Parade and he had the opportunity to go to two schools during Dr. Seuss Week. He also stated he attended the Mayor's book club in the library. He attended the New Jersey League of Municipalities meeting and they were looking at pension and benefits. He stated he attended the Ocean Grove Beautification annual dinner which was well attended. Both Mr. Houghtaling and himself attended the Liberty Fire annual dinner as well. On Friday, Mr. Bascom took him around to see the site of the fire and it was really devastating but it was wonderful to see all the fire companies that came out to help Ocean Grove. He told Mr. Weck that he was happy to see him. He recognized those individuals and organizations that responded to the fire which he named.

#### PUBLIC COMMENTS ON RESOLUTIONS

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

Dorothy Argyros questioned where was the budget and if they would get copies.

Mayor McMillan stated as it relates to the budget they would have a detailed budget hearing on April 11<sup>th</sup> but he had statements he would read tonight and the budget would be posted online tomorrow, no later than the end of the week

Mrs. Argyros commented on Resolution #11-146 and asked how much was allocated for the change over of the Senior Center.

Mr. Houghtaling stated it was \$1,423,609.54

Mrs. Argyros questioned whether we've gone over the allocation and if so by how much.

Mr. Bascom stated they have not gone over and they were still within the budgeted amount.

Mrs. Argyros questioned Resolution #11-144 and questioned what pesticides were being used.

Mr. Cuttrell stated the County send down the information regarding the chemicals they use.

Mrs. Argyros questioned whether she had to fill out an OPRA request to find out what chemicals were being used.

Mr. Cuttrell stated the best thing to do is to go to the County website but if they do spray they notify him in advance and he could put the information on line.

Ms. Jahn asked Mr. Cuttrell if he could find out if there was an exception process.

Mrs. Argyros questioned Resolution # 11-136 are they being paid for waiting on working.

Mr. Bascom stated they were typically responding to calls and assisting public workings. They are assigned to standby and station and working. They are working the entire time.

Mrs. Argyros stated if they were just standing around then she would like to offer her name.

Kennedy Buckley commented on Resolution #11-145 and questioned whether money would be appropriated that would tow vehicles not moved next winter and has the twice a week garbage pick up been addressed.

Mr. Bascom stated there was not a specific line item for towing but in an emergency situation funds could be appropriated for that. As far as the twice a week garbage pick up the sanitation budget has been reduced and it is something they are considering.

Mr. Buckley questioned whether there were any cuts.

Mayor McMillan stated he would be making a statement regarding the budget.

Richard Inkeles commented on Resolution #11-147 questioned where was the bill list

Mr. Cuttrell stated it was posted with the resolution.

Mr. Inkeles questioned what was the money appropriated for the Senior Center geared for.

Mr. Bascom stated was appropriated for the renovations to the former Rite Aid building. He advised him that additional information was on file in the Clerk's Office and the Engineer's Office.

Mr. Inkeles questioned whether that amount included the purchase price.

Mr. Bascom stated no it did not.

Mr. Inkeles questioned whether the furniture was included in that amount.

Mr. Bascom stated some of the funds for the furniture would come out of that as well as from funds that that the Senior Center has raised.

Mr. Inkeles questioned whether the garbage removal calendar was on the computer.

Mayor McMillan stated it was online under the Department of Public Works.

Mr. Inkeles questioned whether the Township paid the individuals to come in and be on standby whether they don't do anything.

Mr. Bascom stated during emergencies where it is difficult for emergency responders to travel to their stations to respond to emergencies in a timely manner we place on standby firefighters in the firehouses, EMT's in the first aid buildings and emergency responders in the emergency management headquarters and this practice has been in place since he's been around.

Mr. Inkeles questioned what was the purpose of OEM because he thought it was for disasters.

Mayor McMillan asked him to keep his questions to the resolutions.

Mr. Inkeles stated he was trying to understand what OEM was.

Ms. Jahn stated it was a NorEaster snow storm and that was why they had them at the stations.

Michael D. Fornino commented on Resolution #11-146 and stated they must have had some idea that they were going to need a new kitchen.

Mr. Bishop stated they were trying to save money by taking out the old stainless panels from the kitchen and move them and it turned out that the way they were put on the walls years ago they couldn't do it and the new hood came in and they had to have stainless panels.

Mr. Fornino stated a new hood does not cost \$1,000,200.00.

Mr. Bishop stated this resolution was the whole change order.

Mr. Fornino questioned whether anyone has gone over to the new center to see what it needs.

Mr. Bishop stated the engineer, Mr. Bascom and himself have gone over there.

Mr. Bascom stated just to make it clear the change order was for \$64,000.

Ms. Jahn stated what Mr. Fornino quoted was the over all purchase order cost.

Mr. Fornino questioned whether there were any plans up and running for the soon to be vacate senior center.

Mr. Bishop stated they have been in long term negotiations about the future of that building and they could not talk to him about it yet because it was in negotiations.

ORDINANCE NO. 11-16 - ADOPTED

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

ORDINANCE NO. 11-16

AN ORDINANCE AUTHORIZING THE EXECUTION OF A SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF NEPTUNE, THE BOROUGH OF TINTON FALLS, LEO WALTSAK, AND THE TOWNSHIP OF NEPTUNE SEWERAGE AUTHORITY TO PROVIDE SANITARY SEWERAGE SERVICE TO A RESIDENTIAL DWELLING AT 1997 JUMPING BROOK ROAD, IN THE BOROUGH OF TINTON FALLS

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

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

Mr. Cuttrell stated that the Public Hearing on Ordinance 11-17 will be held on Monday, March 28, 2011.

CONSENT AGENDA

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

AUTHORIZE THE DEFERMENT OF 2011 SCHOOL TAXES AS PROMULGATED BY THE DIVISION OF LOCAL GOVERNMENT SERVICES

WHEREAS, the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey desires to increase the 2011 deferred school taxes as promulgated by the Division of Local Government Services,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey to increase the 2011 deferred school taxes as follows:

	<u>From</u>	<u>To</u>	<u>Increase</u>
Local District School Tax	\$16,472,776.00	\$ 17,270,602.50	\$ 797,826.50

BE IT FURTHER RESOLVED, that the Municipal Clerk of the Township of Neptune be directed to file three certified copies of this resolution with the Division of Local Government Services.

AUTHORIZE THE EXECUTION OF THREE RELEASES OF PART OF MORTGAGED PROPERTY WITH TRF DP RIDGE AVENUE. LLC IN CONNECTION WITH THE SCHOOLHOUSE SQUARE PROJECT

WHEREAS, the Township of Neptune holds a mortgage dated April 8, 2009 in the amount of \$400,000 with TRF DP Ridge Avenue, LLC in connection with the Schoolhouse Square project; and,

WHEREAS, Block 197.04, Lot 5, with an address of 23 Ridge Avenue; Block 197.01, Lot 2,

with an address of 158 Myrtle Avenue; and Block 197.03, Lot 1, with an address on 1514 Embury Avenue, are included in the properties bound by said mortgage; and,

WHEREAS, said properties are being sold as housing units and TRF DP Ridge Avenue, LLC is requesting that these properties be released from the mortgage,

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 Releases of Part of Mortgaged Property to release Block 197.04, Lot 5, with an address of 23 Ridge Avenue; Block 197.01, Lot 2, with an address of 158 Myrtle Avenue; and Block 197.03, Lot 1, with an address on 1514 Embury Avenue, from the properties bound by the existing mortgage dated April 8, 2009 in the amount of \$400,000.00; and,

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

AUTHORIZE EXECUTION OF A GRANT AGREEMENT WITH THE COUNTY OF MONMOUTH FOR THE 2011 NEPTUNE ALLIANCE AGAINST ALCOHOLISM AND DRUG ABUSE GRANT

WHEREAS, the Neptune Township Municipal Alliance Against Alcoholism and Drug Abuse has prepared a comprehensive funding proposal for submission to the Monmouth County Division of Mental Health and Addiction Services for the year 2011; and,

WHEREAS, the Division has approved the Municipal Alliance funding proposal in the amount of \$51,074.00,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the required Township officials to execute a 2011 Grant Agreement with the Monmouth County Division of Mental Health and Addiction Services for funding to the Neptune Township Municipal Alliance to Prevent Alcoholism and Drug Abuse in the amount of \$51,074.00; and,

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

AUTHORIZE THE FILING OF A RECYCLING TONNAGE GRANT APPLICATION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and,

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and,

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and,

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and,

WHEREAS, a resolution authorizing this municipality to apply for the 2010 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and indicate the assent of the Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and,

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby endorses the submission of a recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Wayne Rode, Director of Public Works, to ensure that the said Application is properly filed; and,

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be

deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling; and,

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

AUTHORIZE STAND-BY DUTY PAYMENT TO OFFICE OF EMERGENCY MANAGEMENT PERSONNEL

WHEREAS, volunteer personnel in the Office of Emergency Management were placed on stand-by duty as a result of the snowstorm on January 26 & 27, 2011; and,

WHEREAS, overtime payment at the rate of \$10.00 per hour is authorized by resolution of the Township Committee to be paid to said personnel in the event of a long duration situation such as storm or disaster which requires readiness and staffing; and,

WHEREAS, funds will be provided for the first three months of 2011 in the 2011 Temporary Budget in the appropriation entitled \_\_\_\_\_, known as Account No. \_\_\_\_\_ and funds for the balance of 2011 will be provided in the Budget for the year 2011, when finally adopted, 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 stand-by duty payment at the rate of \$10.00 per hour be and is hereby authorized to the following Office of Emergency Management staff for the hours indicated as a result of the snowstorm on January 26, 2011 and January 27, 2011:

Jeffrey Devlin	21 hours
Kenneth Sprague	21 hours
Edward Sims	12 hours
Fred Kern	12 hours
Calvin Morrison	21 hours
David Shotwell, Jr.	6 hours

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

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY GM COASTAL PROPERTIES FOR THE AMENDED SITE PLAN AT MEDICAL BUILDING LOCATED AT ROUTE 33 AND SCHOOLHOUSE ROAD

WHEREAS, on April 13, 2009, GM Coastal Properties, LLC filed a performance bond written by Developers Surety & Indemnity Company in the amount of \$127,656.00 guaranteeing site improvements at the amended site plan and subdivision for the Coastal Medical Building at Route 33 and Schoolhouse Road (Block 1405, Lots 12, 13 & 13.01); and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of February 24, 2011 and said performance bond can be released; and,

WHEREAS, GM Coastal Properties, LLC has filed Maintenance Bond #587959S written by Developers Surety & Indemnity Company guaranteeing said site improvements for a period of two years; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Maintenance Guarantee as stated above be and is hereby accepted and the performance bond is authorized to be released; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee on escrow with the Township be and is hereby authorized to be refunded; and,

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

ACCEPT PERFORMANCE GUARANTEE FILED BY POPPY DO, LLC FOR SITE IMPROVEMENTS AT 601 HIGHWAY 35

WHEREAS, Poppy Do, LLC has posted a cash performance guarantee in the amount of \$1,800.00, guaranteeing site improvements at 601 Highway 35 (Block 247, Lot 1); and,

WHEREAS, the required inspection fee escrow has also been posted; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Performance Guarantee as stated above be and is hereby accepted; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Planning Board, Construction Department, Director of Engineering and Planning and Chief Financial Officer.

**AUTHORIZE THE TRANSFER OF 2010 BUDGET APPROPRIATION RESERVES**

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of previous year appropriations during the first three months of the fiscal year; and,

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

**FROM:**

Electricity O.E.	20,600.00
Natural Gas O.E.	40,000.00
Solid Waste Collection S&W	64,000.00

**TO:**

Aid to Volunteer FAS	4,400.00
MOMV O.E.	12,100.00
Solid Waste Disposal O.E.	108,100.00

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the 2010 Budget Appropriation Reserves be transferred as stated herein; and,

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

**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,

<b>BLOCK/LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
263/50	CLAY	2106 RUTHERFORD	2011	120.64
1007.01/77	PUBLIC STORAGE	1001 NEPTUNE BL	2009	19,810.50
1007.01/77	PUBLIC STORAGE	1001 NEPTUNE BL	2010	18,884.50
3010/1	TRIBECA LENDING	2 MARLOW PL	2011	610.07

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 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,

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:

<b>BLOCK/LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
10000/27	MANCINO	3520 ROUTE 66	2011	47.68
3033/1	CPL	101 WALNUT ST	2011	1,664.00

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

AUTHORIZE THE CANCELLATION OF SEWER RENT

WHEREAS, the Tax Collector has requested the cancellation of sewer rent to the property listed below,

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 hereby is authorized to cancel Sewer Rent as stated herein; and,

<b>BLOCK/LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
210/21	R Deal Holdings, LLC	1402 9 <sup>th</sup> Avenue	2011	430.00

**REASON:** House demolished

<b>BLOCK/LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
10000/27	Jack & Karen Mancino	3520 Route 66	2011	430.00

**REASON:** Sewer capped off per Sewer Dept.

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

SUPPORT RECREATIONAL PADDLE BOATING ON WESLEY LAKE

WHEREAS, the City of Asbury Park has awarded a contract to a firm that will provide paddle boats to rent for recreational purposes on Wesley Lake; and,

WHEREAS, as an adjoining municipality to Wesley Lake, the Township of Neptune supports this activity provided that the Township is named as additional insured and has the ability to engage in future recreational activities on the lake,

THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby supports recreational paddle boating on Wesley Lake to be managed and operated by a vendor selected by the City of Asbury Park provided that said vendor names the Township of Neptune as additional insured and that the Township reserves the right to engage in future recreational activities on Wesley Lake; and,

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

AUTHORIZE THE MONMOUTH COUNTY MOSQUITO EXTERMINATION COMMISSION TO CONDUCT MOSQUITO CONTROL MEASURES AS NECESSARY

WHEREAS, the Monmouth County Mosquito Extermination Commission has requested authorization to apply pesticides from aircraft to control mosquitoes over portions of the County of Monmouth and possibly the Township of Neptune; and,

WHEREAS, it is this Committee's understanding that all pesticides used are only those

approved for aerial application by the New Jersey Department of Environmental Protection and the United States Environmental Protection Agency; and,

WHEREAS, the areas to be treated are only those which have significantly high mosquito populations to be either a nuisance or health hazard; and,

WHEREAS, prior to each and every application, the Monmouth County Mosquito Extermination Commission further agrees to notify the Neptune Township Police Department;

THEREFORE, BE IT RESOLVED, that the Mayor and Clerk are hereby authorized to execute an agreement authorizing the Monmouth County Mosquito Extermination Commission to apply pesticides from aircraft for the year 2011, pursuant to the conditions of this resolution; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Monmouth County Mosquito Extermination Commission, the Neptune Township Police Department, and the Business Administrator.

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

Mayor McMillan Tonight the Township Committee will be asked to introduce the 2011 Municipal Budget. The budget we will vote on this evening reflects a 5% decrease in spending as compared to 2010 and an 11% decrease in spending as compared to 2009. These spending cuts were made possible by tough decisions that have been made over the past 18 months to eliminate full-time and part-time positions, to privatize certain programs, to implement innovative methods of service delivery, and to right-size various departments and programs. Our Department Heads will work closely with the Administration to ensure that we can maintain the service levels our residents expect while implementing new efficiencies to comply with the spending allowances within this budget. This will be no easy task and will require further reductions in manpower and further savings in methods of service delivery.

Unfortunately, Governor Christie has not restored any of the municipal property tax relief funding that has been diverted away from the Township to State coffers. In addition, the Township must increase payments to the state pension program to cover losses that can be attributed to poor fiscal management by the state and the failure of the state to pay a fair share into the system for over a decade. As a result of these issues, a 5% reduction in spending still results in a moderate tax increase of 3 cents per \$100.00 of assessed value. In 2010, the average home in Neptune paid \$1,889.53 in municipal taxes (this does not include school, county, and fire) and will pay \$1,914.12 in 2011, an increase of approximately \$25.00 for the year.

Our budget falls \$2,776,000.00 below the state Budget Appropriations CAP and \$66,000.00 below the state Levy CAP. A public hearing and a more detailed presentation will be provided at our meeting of April 11, 2011.

#### INTRODUCE 2011 MUNICIPAL BUDGET

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

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2011; and,

BE IT FURTHER RESOLVED, that said Budget be published in The Coaster in the issue of March 24, 2011,

#### General Appropriations

Appropriations within "CAPS"	29,481,740.00
Appropriations excluded from "CAPS"	4,934,727.83
Reserve for Uncollected Taxes	2,800,000.00
Total General Appropriations	37,216,467.83

General Revenues

Anticipated Revenues Other Than Current Property Tax	13,385,491.51
Local Tax for Municipal Purposes	23,830,976.32
Total General Revenues	37,216,467.83

Notice is hereby given that the Budget and Tax Resolution was approved by the Township Committee of the Township of Neptune, County of Monmouth, on March 14, 2011. A hearing on the Budget and Tax Resolution will be held at the Neptune Township Municipal Complex, Township Meeting Room, 2<sup>nd</sup> Floor, 25 Neptune Blvd., Neptune NJ on April 11, 2011 at 7:00 P.M. at which time and place objections to said Budget and Tax Resolution for the year 2011 may be presented by taxpayers or other interested persons.

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

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH THE CONVERSION OF THE FORMER RITE AID BUILDING TO A SENIOR CENTER

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

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

WHEREAS, changes to the contract have been experienced as a result of adding a new kitchen stainless steel panel, additional costs to core through concrete footings, relocation of wiring, installation of counter and casework in main room, additional wiring and plumbing for hot water heater, installation of janitor mop sink, replacement of damaged gypsum board, new switch for generator and sign revisions; and,

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

WHEREAS, funds for this purpose are available in Ordinance No. 10-10 and 08-34 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #1 in the contract with Structural Concepts, Inc. in connection with the conversion of the former Rite Aid building on Route 33 into the new Neptune Senior Center resulting in a net increase of \$64,609.64 revising the total contract amount to \$1,423,609.64; and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

Ms. Jahn 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	415,450.18
FEDERAL & STATE GRANT FUND	7,110.75
TRUST OTHER	10,443.00
GENERAL CAPITAL FUND	3,446,975.00

SEWER OPERATING FUND	11,260.37
MARINA OPERATING FUND	9,922.92
MARINA CAPITAL FUND	2,127,000.00
DOG TRUST	737.00
BILL LIST TOTAL	\$6,028,899.22

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; Houghtaling, aye; Jahn, aye; and McMillan, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Ellis Jones, 30 Ridge Court Apt 4, stated he saw three vacant appointments to the citizen board for the Housing Authority. He questioned whether they've made a decision as to who would go on the board.

Mayor McMillan stated it was on executive session for discussion but they haven't decided.

Mr. Jones suggested they appoint someone that lived in the family & senior units because he felt that they needed better representation on the board because the commissioners did not cooperate with the residents who live there. He stated he hoped they would pick someone who was qualified and understood how HUD worked.

Jack Braden, 94 1/2 Heck Avenue, stated at the last meeting there was a discussion regarding the parking of recreational vehicles and a lot of the residents appeared to be concerned with the provision of that ordinance that requires vehicles not be parked in a site triangle. He requested they move that provision. He suggested recreational vehicles be set back 10 ft from the right away and then they wouldn't need the site triangle.

Ms. Jahn asked Sgt. Gualario whether the site triangle question fell under Title 39 of the parking ordinance.

Sgt. Gualario stated no it would be under the land use ordinance.

Ms. Jahn then asked Mr. Anthony if they were to go after RV's only that were parked in the site triangle under a land use enforcement prospective but not go after conversion vans, work trucks, or oversized SUV's would it be selective enforcement if they were to go after recreational vehicles and boats on trailers.

Mr. Anthony stated with his experience in many towns they don't treat an RV or a boat the same way they would treat a truck or a car but in many cases the boat or RV is being stored.

Ms. Jahn discussed several scenario's with Mr. Anthony.

Jim Granelli stated they maybe misinterpreting what it actually reads regarding the site triangle and that site triangles are actually to the side of the driveway.

Mr. Bishop stated he would defer to the engineer who gave him the interpretation.

Kennedy Buckley thanked the Committee for taking Ocean Grove's unique status into consideration. He also stated the fire brought up the issue of Hardy Board again. He stated he was disappointed that fire retardent wood and coating was not considered. He felt the buildings should have fire resistant walls in them. He also stated that people felt Ocean Grove should have paid firemen but he did not feel that was necessary.

Ms. Jahn stated it did not matter whether the men were paid or not it would not have made a difference, they could not have gotten there any faster

Dorothy Argyros stated they need a reduction in taxes because they paid the highest in the country. She discussed the amount of money the police department made. She felt the only way to save money was to lay off policemen. She stated she spoke with Chief O'Neill and he advised her that when the officers retired they would not be replacing them but she noticed they hired four officers two weeks later. She stated other towns were laying officers off but Neptune was hiring and they were getting high salaries and a pension. She suggested Neptune do a merger or consolidate services. She stated Governor Christie was considering penalties for Township's who do not consider consolidating services. She stated if Neptune did not want to lay off officers or file bankruptcy then they should try a merger. She stated other areas in the state have laid off police officers.

Ms. Jahn stated Pennsylvania works under a different system and second of all things were set up very differently because they set their fire and police very broadly. She stated Neptune was looking at different things and Camden laid off their cops and people were being killed.

Ermon Jones stated a very productive meeting was held today with the hospital, the police department, Mr. Huhn and some of the residents from the Gables all met concerning the parking and the development at the hospital. He thanked Mr. Bascom for having Ms. Burger send him information on the development and sale of affordable housing on Ridge Court.

Michael D. Fornino stated he felt that we did our assessments backwards. He stated Mr. Haney has to come up with the money but he's not spending it. He stated the township passed a resolution regarding speeding in Eldridge Park. He felt they should pass one for the Gables as well.

Mr. Bishop stated they only took over their ability to enforce.

Mr. Fornino stated he would continue to ask even if it was in July if a snow plan was in place for Neptune..

Mr. Bascom stated the Department of Public Works has a plan and they were working on an after action plan.

Mr. Fornino stated he wanted the Committee to come up with a plan.

Mayor McMillan asked Mr. Bascom for a bound plan.

Mr. Bascom stated he would ask Mr. O'Neill for a copy.

Hank Coakley asked when does an ordinance become effective.

Mr. Anthony stated when it is published.

Mr. Coakley stated he paid his sewer bill with the increase included prior to the ordinance being adopted. He questioned how could that be done.

Mr. Anthony stated that particular one was set for 2011.

Mr. Bascom stated they were trying to give everyone the opportunity to pay their sewer bill in a timely manner.

Mr. Coakley stated it did not feel right to send out the bill before the ordinance was actually passed. He also stated he believed there were a lot of violations on Route 33 West Bound from Route 18. He questioned whether they were going to have the State cut the trees down or could they do it without a permit.

Mr. Anthony stated they would have to see if it was in a State right away or on private property. He stated he needed a little bit more of clarity.

Dennis & Mary Moneau, 107 Hawthorne Street, stated there was a problem with the drainage in front of his home.

Mayor McMillan stated he would have Mr. Huhn follow up with Leanne Hoffman the Township Engineer who said she would put it on the road program.

Michelle Lewis, 1305 Fifth Avenue, stated she had a family of stray cats in her yard. She was told by the SPCA in Tinton Falls that she should trap the cats. She stated she was not going to catch any stray cats.

Ms. Jahn stated she had a friend that worked with SNAP who spayed, neutered and protected the animals and they have a no kill shelter. She requested her information.

Frances Paladino requested the status of the Broadway drainage. He also stated part of the fence at the tot lot was partly caved in.

Mr. Bishop stated they have the approval and it should happen this spring and they would have it paved in the fall. He also stated if there was a problem with the fence we need to have it taken care of.

Mayor McMillan stated he would put both drainage items on the parking lot list.

Heinz Weck thanked all those that helped with the fire for their love and compassion that was shown to him and his neighbors.

Dorothy Argyros read an article that reported the proposed changes that the Governor wanted. She stated she had made an incorrect statement earlier.

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

Richard J. Cuttrell,  
Municipal Clerk