

TOWNSHIP COMMITTEE MEETING – MAY 23, 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, Mary Beth Jahn and Mayor Kevin B. McMillan. Absent: Dr. Michael Brantley

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

Matt Stanger, Blue Sky Energy, was present to discuss the renewable energy project. He stated that he reviewed several different energy scenarios as a joint project with the Township and Board of Education. After specifications are prepared, a third party investor would be sought to bid the project to save the Township energy costs. Mr. Stanger added that the process would be to finalize the scope of the project, review by the Township and Board of Education, decide whether or not to move forward with a RFP and then give six to eight weeks for bidders to respond. Mr. Stanger will continue to move forward with finalizing specifications.

The Committee reviewed the Monmouth County Open Space Grant application. Mr. Houghtaling suggested the Welsh Farms property. Mr. Bascom responded that the Welsh Farms received acquisition monies through the program so it would be a logical step to apply for a development project for recreation at the site.

The Committee discussed the on-going matter involving a challenge to the Board of Education's ability to conduct its annual commencement exercise at the Great Auditorium due to the presence of religious symbols. The Mayor stated that he, Mr. Bishop and Mr. Houghtaling attended the informational meeting at the High School gym and there was overwhelming consensus to fight to keep the graduation in the Auditorium. Ms. Jahn stated that it is a long standing tradition to hold the graduation at the Auditorium and the students should not be deprived of this opportunity. The Committee asked that a resolution be considered during the regular portion of the meeting to support the tradition of holding the Neptune High School graduation ceremony at the Great Auditorium.

Mr. Bishop stated that he wants to see simple applications to the Historical Preservation Commission (HPC) approved administratively by land use staff. The HPC process costs tax dollars because the cost of the attorney and any other professionals comes from the general fund. Bernard Haney, Land Use Administrator, was present. He stated that his department and the HPC has worked to reduce the number of HPC meetings. He added that the operating expenses of the HPC has gone from \$54,750 in 2008 to \$22,500 in 2010. Work continues on expanding the things that can be approved via administrative approval or technical review. Also, the land use and building departments are working to make the construction process more user friendly. The process processing zoning permits through construction permits is down to about 1 ½ weeks.

Mr. Bishop stated that he would like to see the Township get involved in a 10th anniversary 9/11 ceremony. The Ocean Grove Camp Meeting Association is planning an event with the New Jersey Symphony Orchestra and the Township should coordinate efforts with the Association on this day. The Committee agreed and asked Mr. Bishop to pursue further with the Association.

Diana Harris updated the Committee on MURC activities. A Community Block Party is scheduled for June 18th. A homebuyers workshop is planned and MURC continues to coordinate activities with the Schoolhouse Square development. Monica Burger, Community Programs Coordinator has been helpful in putting MURC in contact with grant opportunities and Ms. Jahn is assisting with financial seminar opportunities.

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

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

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

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

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

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

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

Potential Litigation – Recreation fields
Contract negotiations – Insurance Broker/Consultant RFQs
Contract negotiations – Shared Service Agreement/lease with County of Monmouth
Personnel – Police staffing

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; and McMillan, aye.

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

Mr. Bascom stated that an agreement has been reached with the County of Monmouth to take over dispatch services from the Township and to operate a regional center from the Senior Center building. The County will charge \$350,000 annually to the Township to provide dispatch services to the Township and pay the Township \$150,000 to lease the Senior Center. The County will sign a Letter of Agreement that they will provide positions for all current Township Communications Operators.

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, Eric J. Houghtaling, Mary Beth Jahn, and Mayor Kevin B. McMillan. Absent: Dr. Michael Brantley

Also present at the dais were Richard J. Cuttrel, Municipal Clerk; Philip D. Huhn, Township Administrator; Michael J. Bascom, Chief Financial Officer; and Michael Celli, Acting 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 for public viewing before each Township Committee meeting.

PROCLAMATION

The Mayor recognized Dyese Davis, Neptune High School Senior and winner of the 2011 Monmouth County Cotillion.

REPORT OF THE CLERK

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

Tax Collector's monthly reports for March and April and Senior Beacon for May.

Minutes from the March 15th and April 19th meetings of the Monmouth County Board of Health and the April 6th meeting of the Senior Advisory Council.

Letters of thanks to the Senior Center staff were received from Delores Smith, Lois and Loretta Bray, Frances Pettit, Anna White and Jersey Shore University Medical Center

COMMENTS FROM THE DAIS

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

Eric Houghtaling gave an update on the Michael Allen Davidson Foundation Award of the 2-5 playground equipment. He stated they've looked around and decided the equipment would fit at liberty but it would take a little bit of work to put it there. He stated they were going to use the paper road that was there and make the park a little bit wider to allow for the equipment to be installed. He also stated they were going to line the basketball courts at Liberty once the line painting crew was done freshening up the yellow lines in Ocean Grove. He stated recreation was still available for the summer recreation programs and anyone that was interested should get in touch with the Township and all of the information was available on the website. He also gave an update on their Gables Residents Association. He stated they had a meeting with the hospital to discuss problems and to hear the landscape plan for the buffer zone. He stated the hospital was also planning on installing a fence from their existing wall to Wakefield South to Route 33 and then to the entrance which they hope will stop the parking over there and to cut back on the people coming from the hospital to the gables. He went on to state that on this meeting they had quite a few employees retiring. He congratulated them for reaching the ultimate goal and thanked them for helping the Township out.

Randy Bishop expressed condolences to both Mike Dileo and Gene Anthony on the passing of their mothers. He also stated he attended the EGovernment award with Roberta Grace and that both he and the Mayor attended the installation of the VFW officers and the Ladies Auxiliary. He stated he attended several of the retirement functions and thanked retirees for their many years of service. He stated he also attended the Monmouth County Cotillion and Neptune was well represented. He stated he was especially proud of Dyese Davis for winning the Cotillion and becoming the Queen. He stated it was not all about beauty and grace and that she scored the highest on the aptitude test to be administered at Brookdale College and that's how she won the Queen of the Cotillion. He stated she won it not only on her beauty but on her brilliance. He went on to state that he attended and participated in a fashion show at the Francis Asbury Manor along with the Mayor and Mr. Houghtaling and it was quite an event and a lot of fun. He stated he also attended the Power to Learn Literacy and a group of the students made a video on their own time concerning the importance of money management and were recognized by MSG Varsity a Division of Cablevision for their work. He also stated the Student Government group won the charity champions by the work they did to raise money and food for the Monmouth Ocean Food Bank. He gave them credit because \$5000 was given in their honor by Cablevision to the Food Bank and the Student Government received \$1000 seed money from Cablevision to help them in their efforts to continue to raise money next year. He went to the naming of the Neptune Housing Authority Administration building which was named after the late director and former Mayor of Neptune, Tony Molinaro. He had a cook out for the Mayor's Youth Advisory Cabinet and the Mayor came out. He stated he was able to spend a little bit of time at the MURC beautification and a great job was done by MURC and the community. He reminded everyone that the Police Memorial would be held tomorrow 11:00am at the great auditorium and encouraged everyone to attend.

Mayor McMillan stated he attended the Hispanic Affairs Resource Center's First Annual Black and White Gala that was held at the Sheraton in Eatontown. He represented the Township at the New Jersey PO Achievement Dinner where the Township received awards. He went on to state that he attended the disabled veterans dedication ceremony which was held at the James Albert Pritchard Memorial Chapter 55 Lodge and presented a proclamation to the commander on behalf of the Township. He also attended the clean energy capital project's meeting as it relates to renewable energy with Leanne Hoffman and the Board of Education. He stated he attended the 61st Annual Monmouth County Cotillion and it was a great evening for the Neptune students that received scholarships as well. He stated he attended the EDC meeting with Monique Burger and they plan on having an upcoming Mayor's Business Forum which will be July 20th and the forum would have individuals from the EDC, New Jersey Redevelopment Authority, National Black NBA Association, New Jersey Resources and JCP&L. He stated they were reaching out to the minority contractors of

Neptune letting them know what types of services, funds and grants are available from the State. He also stated he attended the 200 Club with the Chief and it was interesting where our Police Officers were awarded medals of valor for their courage in solving a bank robbery. He also attended the installation for VFW 2639 along with Deputy Mayor Bishop and this event was great with the installation of the new officers. He was on the bus tour with the Affordable Housing Alliance and it showcased the School House Square. He stated he attended the various retirements as did Mr. Bishop and Saturday he attended the Neptune's Education Foundation Brunch and yesterday he attended the Jet Ski for a cause at the Headliner.

COMMENTS ON MONMOUTH COUNTY SHARED SERVICE AGREEMENT RESOLUTION

Mayor Kevin McMillan read the following prepared statement:

Tonight I am pleased to announce a proposed agreement with the County of Monmouth for the transition of 9-1-1 and emergency communications services through a regional center which will be located here in Neptune Township at our former Senior Center building.

After two years of studies and six months of negotiations, the Township and the County have developed a plan that will rapidly advance the regionalization of emergency communications. This plan takes our agreement with Neptune City to the next level five years sooner than we had anticipated.

This decision makes economic sense, but more importantly, it greatly enhances public safety in Neptune and throughout the County. Our police officers, firefighters, emergency medical technicians and emergency management personnel will have access to the latest technology available to enhance their public safety capabilities.

Neptune Township expects to save \$1,000,000.00 over the first five years of this contract. In addition, Monmouth County will be able to accept dozens of public safety agencies that have been unable to contract with the County due to a lack of available space and equipment. The expanded regionalization will benefit all municipalities in Monmouth County as well as the County government itself.

In times of fiscal constraints such as these, we are pleased that we will be able to further our efforts to redirect police resources to other law enforcement priorities. Over the years we have continually improved efficiencies in various departments. The civilianization of our dispatch center greatly enhanced police capabilities and helped us to contain budgetary expenses. However, room to improve remained. Many police hours are utilized every day to manage our communications division and our public safety technology infrastructure. These areas will now be the responsibility of the County, freeing up valuable assets to re-establish our community policing efforts.

I am genuinely pleased that our administration and the County administration have been able to deliver to us an agreement that will set in motion a true regionalization project that will benefit the residents of Monmouth County for years to come.

Freeholder Arnone thanked the Committee and all those involved. He felt that this would benefit Neptune and other municipalities. He stated he has been a big proponent of shared services. He hoped that this was just a start and people want to be a part of this and to put the officers back on the streets where they really want to be. He felt that Neptune was going to be making a big statement throughout the State.

Michael Fornino questioned what would happen if there was a catastrophe such as what happened in Missouri.

Mr. Bascom stated Neptune Township currently has redundancy by placement of a back up communication center at the Mid-Town School and at the emergency operation center over at Public Works . Secondly, part of this agreement is the lease of the Senior Center to become a second dispatch center for the county. They would be able to work out of the Neptune Center or Freehold Center.

Mr. Bishop stated between the distance between the Neptune Center and Freehold Center it was a wonderful distance apart because it was very rare that any natural disaster would cover that scope of a piece of land at one time.

AUTHORIZE THE EXECUTION OF A SHARED SERVICE AGREEMENT WITH THE COUNTY OF

MONMOUTH TO PROVIDE EMERGENCY DISPATCH SERVICES TO THE TOWNSHIP

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

WHEREAS, the Township of Neptune, mindful of its duty and responsibility to protect and maintain the public health, safety and welfare of its inhabitants, has determined that its best interests would be served by joining the County of Monmouth Emergency Telecommunications System to provide emergency dispatch services for all Township emergency agencies; and,

WHEREAS, the Township of Neptune and the County of Monmouth desire to enter into a Shared Service Agreement pursuant to N.J.S.A. 40:8A-1 et seq. for the Township and County to cooperatively participate in this project; and,

WHEREAS, the County shall provide all calls to the Township by call relay, transfer, or direct emergency dispatch in accordance with the Township's participation plan; and,

WHEREAS, the County will provide direct emergency dispatch services for police, fire, emergency management and emergency medical services for the Township,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Shared Service Agreement with the County of Monmouth, a copy of which is on file in the Office of the Municipal Clerk, providing for the County to provide emergency dispatch services to the Township commencing January 1, 2012 and continuing for a period of five years at an annual fee to the Township of \$350,000 for years 2012 to 2014 and \$375,000 for years 2015 and 2016; and,

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

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

PUBLIC COMMENTS ON RESOLUTIONS

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

Hank Coakley commented on Resolution #240 and stated he had three daughters who did not go through Neptune High School or Grammar School and when they had their graduation at St. Rose and it was cramped and there were limited tickets and their grandparents could not attend. He applauded the Neptune school board and elected officials here. He stated if the civil liberties union challenged the Township with a lawsuit he would pledge a hundred dollars to fight the ACLU. He stated he hoped someone else would join in because he felt this was a cancer to society. He felt that if people did not like the way things were then they should leave.

Michael Fornino commented on Resolution #11-219 and questioned why were they reissuing a check.

Mr. Bascom stated the person misplaced the check.

Mr. Fornino questioned the qualifications needed to be on the Economic Development Corporation. He also questioned the qualifications of Peggy Hordt who was being appointed.

Mr. Houghtaling stated he knew her personally and stated she ran her own business Val Pak.

Mr. Fornino stated there was a resolution that was missing that has to do with the plan for snow removal.

Mayor McMillan requested that Mr. Bascom have it prepared for the next meeting.

Mr. Bascom stated it was proposed to be on this meeting.

Mr. Cuttrell stated the plan was in final review and assured him that it would be on the next meeting. He went on to state that they wanted to give the Committee the chance to review it.

Mr. Fornino went on to state that there was an error in grammar regarding the resolution dealing with the graduation. He stated that the students do not graduate and that they are graduated by the

school. He also read the first amendment and how it came about.

Mayor McMillan thanked Mr. Fornino for his comments and compassion towards this matter.

Roslyn Hurt-Steverson thanked the Committee for Resolution #11-240. She stated it was definitely something that they needed to hear for their graduates. She went on to state that there was a movement on Facebook to support the movement and there would be a number of parents that would be posting signs on their lawn in support of this and they would be posting ribbons from Corlies Avenue all the way to Ocean Grove.

Mayor McMillan thanked her for her efforts and comments but he felt that the Committee should put it in writing to make it a little bit stronger.

ORDINANCE NO. 11-26 - ADOPTED

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

ORDINANCE NO. 11-26

ORDINANCE AUTHORIZING ACCEPTANCE OF DEED OF DEDICATION FROM TOWNSHIP OF NEPTUNE HOUSING AUTHORITY TO BLOCK 174.02, LOT 1.03 AND AUTHORIZING LEASE AGREEMENT BETWEEN THE TOWNSHIP OF NEPTUNE HOUSING AUTHORITY AND NEPTUNE TOWNSHIP FOR THE USE THEREOF

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

ORDINANCE NO. 11-27 - APPROVED

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

ORDINANCE NO. 11-27

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING HANDICAPPED PARKING ZONES ON EMBURY AVENUE AND ABBOTT AVENUE

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

ORDINANCE NO. 11-28 - APPROVED

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

ORDINANCE NO. 11-28

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY AMENDING A MUNICIPAL OWNED PROPERTY PARKING PROHIBITION AT 1611 SEWALL AVENUE

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

ORDINANCE NO. 11-29 - APPROVED

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

ORDINANCE NO. 11-29

AN ORDINANCE AUTHORIZING LEASE AGREEMENT BETWEEN THE TOWNSHIP OF NEPTUNE AND THE FIRST PENTECOSTAL CHURCH AND MURC FOR THE USE OF A PORTION OF LIBERTY PARK AS A COMMUNITY GARDEN

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

Mr. Cuttrell stated that the Public Hearings on Ordinances 11-27, 11-28 and 11-29 will be held on Monday, May 23, 2011.

CONSENT AGENDA

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

EMPLOY PART-TIME KITCHEN AIDE IN THE SENIOR CENTER

WHEREAS, there is a vacancy in the position of part-time Kitchen Aide in the Senior Center; and,

WHEREAS, the position was advertised and the Senior Center Director has conducted interviews and made her recommendation; and,

WHEREAS, funds will be provided 2011 Municipal Budget in the appropriation entitled _____, known as Account No. _____, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Teresa Richard be and is hereby employed as a part-time Kitchen Aide in the Senior Center, for an average of 27.5 hours per week, effective May 9, 2011, at an hourly wage of \$9.49; and,

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

AUTHORIZE AN AMENDMENT TO THE 2011 MUNICIPAL BUDGET TO REALIZE MONIES FROM A 2011 CLICK IT OR TICKET MOBILIZATION GRANT

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2011 in the sum of \$4,000.00 which is now available from a NJDL&PS Division of Highway Traffic Safety Click It or Ticket 2011 Mobilization Grant in the amount of \$4,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$4,000.00 is hereby appropriated under the caption of Click It or Ticket 2011 Mobilization; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a NJDL&PS Division of Highway Traffic Safety Click It or Ticket 2011 Mobilization Grant in the amount of \$4,000.00; and,

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

AUTHORIZE AN AMENDMENT TO THE 2011 MUNICIPAL BUDGET TO REALIZE MONIES

FROM A FY2009 EMERGENCY MANAGEMENT PERFORMANCE GRANT EXERCISE PASS THROUGH GRANT

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2011 in the sum of \$15,000.00 which is now available from a NJDL&PS Division of State Police FY 2009 Emergency Management Performance Grant Exercise Pass Through Grant in the amount of \$15,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$15,000.00 is hereby appropriated under the caption of FY2009 EMPG Exercise Pass Through Grant; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a NJDL&PS Division of State Police FY2009 EMPG Exercise Pass Through Grant in the amount of \$15,000.00; and,

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

AUTHORIZE TEMPORARY NO PARKING ON A PORTION OF WEST LAKE AVENUE IN CONNECTION WITH CONSTRUCTION OF WEST LAKE PARK

WHEREAS, construction of West Lake Park is due to commence on or about May 15, 2011; and,

WHEREAS, it is necessary to designate a temporary no parking zone to allow construction equipment to access the new park area,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the establishment of a temporary no parking zone on the north side of West Lake Avenue beginning 150 feet east of the intersection with Highway 35 and continuing 250 feet to the east from May 15, 2011 to August 15, 2011; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Director of Public Works and Director of Engineering and Planning.

AUTHORIZE THE CANCELLATION OF MORTGAGES IN CONNECTION WITH REGIONAL CONTRIBUTION AGREEMENT PROJECTS

WHEREAS, the Township of Neptune holds three mortgages in connection with Regional Contribution Agreement Projects; and,

WHEREAS, six full years have passed since the date of the mortgages and the properties remain in the ownership of the borrowers; and;

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and they are hereby authorized to execute the cancellation of mortgages issued to Dahrouge, Lillard and Jones in connection with Regional Contribution Agreement Program projects and,

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

AUTHORIZE THE CANCELLATION OF A FAÇADE IMPROVEMENT LOAN GRANTED TO AUTO AUDIO

WHEREAS, the Township of Neptune issued a Façade Improvement Loan in the amount of \$10,000.00 to Mark Kachersky d/b/a Auto Audio for improvements at Auto Audio located at 124 Highway 35; and,

WHEREAS, Auto Audio has made full payment on the loan; and;

WHEREAS, the Township desires to cancel said loan in accordance with the terms of the loan agreement,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Façade Improvement Program loan issued to Mark Kachersky d/b/a Auto Audio for improvements at Auto Audio located at 124 Highway 35 be and is hereby cancelled and considered paid in full; and,

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

AUTHORIZE THE EXECUTION OF A RELEASE 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 197.03, Lot 4, with an address of 1508 Embury Avenue is included in the properties bound by said mortgage; and,

WHEREAS, said property is being sold as a housing unit and TRF DP Ridge Avenue, LLC is requesting that this property 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 a Release of Part of Mortgaged Property to release Block 197.03, Lot 4, with an address of 1508 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.

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY JERSEY SHORE UNIVERSITY MEDICAL CENTER FOR SITE IMPROVEMENTS AT THE PARKING LOT LOCATED ON THE EAST END OF THE HOSPITAL COMPLEX

WHEREAS, on December 21, 1999, Meridian Health System filed a performance bond written by Travelers Casualty and Surety Company of America in the amount of \$122,153.40 guaranteeing site improvements at the additional parking lot located on Route 33 at the eastern end of the hospital complex (Block 283, Lots 1-5); and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of July 30, 2010 and said performance bond can be released; and,

WHEREAS, Jersey Shore University Medical Center has filed Maintenance Bond #105579783 written by Travelers Casualty and Surety Company of America 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.

APPROVE UNEXCELLED FIRE COMPANY TO SOLICIT DONATIONS ON A PUBLIC ROADWAY

WHEREAS, Ordinance No. 11-22 establishes procedures for qualified charitable organizations to solicit donations on public roadways; and,

WHEREAS, Unexcelled Fire Company has completed the required application and received approval from the NJDOT to solicit donations on a state highway; and,

WHEREAS, the Chief of Police has approved said request,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Unexcelled Fire Company be and is hereby authorized to solicit donations on State Highway 33 in front of Unexcelled Fire House at 1120 Corlies Avenue on the following dates and times:

May 27, June 3, July 1, September 2 and September 9 – 4:00 p.m. to 8:00 p.m.
May 28, May 29, June 4, July 2, July 3, September 3 and September 10 – 8:00 a.m. to 4:00 p.m.
July 4 - 8:00 a.m. to 12:00 p.m.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Chief of Police and Unexcelled Fire Company.

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,

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
270/18	Baldwin Realty, LLC	1501 Corlies Avenue	2011	860.00

REASON: Disconnected from sewer

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

APPROVE NEPTUNE FIRST AID SQUAD TO SOLICIT DONATIONS ON A PUBLIC ROADWAY

WHEREAS, Ordinance No. 11-22 establishes procedures for qualified charitable organizations to solicit donations on public roadways; and,

WHEREAS, Neptune First Aid Squad has completed the required application and received approval from the NJDOT to solicit donations on a state highway; and,

WHEREAS, the Chief of Police has approved said request,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Neptune First Aid Squad be and is hereby authorized to solicit donations on at the intersection of State Highway 35 and 6th Avenue on the following dates and times:

May 28, May 29, June 4, June 5, July 2, July 3, July 9, July 10, September 3, September 4, September 10 and September 11 – 8:00 a.m. to 4:00 p.m.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Chief of Police and Neptune First Aid Squad.

AUTHORIZE AN AMENDMENT TO THE 2011 MUNICIPAL BUDGET TO REALIZE MONIES FROM A CLEAN COMMUNITIES GRANT

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2011 in the sum of \$51,982.82 which is now available from a NJDEP Clean Communities Grant in the amount of \$51,982.82; and,

BE IT FURTHER RESOLVED that the like sum of \$51,982.82 is hereby appropriated under the title NJDEP - Clean Communities Program; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a State of New Jersey Clean Communities Fund Grant in the amount of \$51,982.82; and,

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

AUTHORIZE THE REISSUANCE OF A BAIL REFUND CHECK

WHEREAS, Lloyd Davis posted cash bail in the amount of \$50.00 to the Neptune Municipal Court on July 22, 2007; and,

WHEREAS, the Neptune Municipal Court issued a check to Mr. Davis in the amount of \$50.00 on January 16, 2009 to return said cash bail; and,

WHEREAS, the check remained outstanding for over six months and therefore the funds were turned over to the Township's Finance Department; and,

WHEREAS, Lloyd Davis is requesting that the funds be returned to the Municipal Court to allow for the bail to be refunded to him,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the transfer of \$50.00 from the Township to the Municipal Court to allow the re-issuance of a check in the same amount to Lloyd Davis representing a refund of cash bail posted on July 22, 2007; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer, Municipal Court Administrator and Auditor.

ACCEPT PERFORMANCE GUARANTEE FILED BY RD AMERICA, LLC FOR SITE IMPROVEMENTS AT RESTAURANT DEPOT (BLOCK 10000, LOT 7.03)

WHEREAS, RD America, LLC has filed performance bond CMS-251720, written by RLI Insurance Company in the amount of \$325,512.00, guaranteeing site improvements at the proposed Restaurant Depot at 3560 Highway 66 (Block 10000, Lot 7.03); and,

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

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

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

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

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

Developer.

AUTHORIZE AN AMENDMENT TO THE 2011 MUNICIPAL BUDGET TO REALIZE MONIES FROM A RECYCLING TONNAGE GRANT

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2011 in the sum of \$51,831.93 which is now available from a State of New Jersey Recycling Tonnage Grant in the amount of \$51,831.93; and,

BE IT FURTHER RESOLVED that the like sum of \$51,831.93 is hereby appropriated under the title Recycling Tonnage Grant; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a State of New Jersey Recycling Tonnage Grant in the amount of \$51,831.93; and,

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

AUTHORIZE THE CLOSING OF STREETS IN CONNECTION WITH THE OCEAN GROVE CHAMBER OF COMMERCE VINTAGE AUTO DISPLAYS

WHEREAS, the Ocean Grove Chamber of Commerce has scheduled two vintage auto displays for Saturday, June 11, 2011 and Saturday, September 17, 2011, on Main Avenue in Ocean Grove; and,

WHEREAS, it is necessary to designate temporary no parking and close two blocks of Main Avenue and one block of Pilgrim Pathway prior to and during the events; and,

WHEREAS, the Police Department has reviewed and approved these closures,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates temporary closure and posting of temporary no parking on Main Avenue between New York Avenue and Central Avenue and Pilgrim Pathway between Main Avenue and Olin Street from 7:00 A.M. to 6:00 P.M. on Saturday, June 11, 2011 and Saturday, September 17, 2011; and,

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

ACCEPT DONATION OF A 2002 CHEVROLET BLAZER FROM NEPTUNE TOWNSHIP FIRE DISTRICT #1

WHEREAS, Neptune Township Fire District #1 has declared that a 2002 Chevrolet Blazer is no longer needed by the District and is therefore surplus equipment; and,

WHEREAS, the Township of Neptune Public Works Department is in need of a vehicle to replace a 1994 Chevrolet pick-up truck that will be sold at auction; and,

WHEREAS, the Public Works Director and Fleet Maintenance Manager have inspected said vehicle and found that it is in good mechanical condition and requires only minor repairs; and,

WHEREAS, the Neptune Township Fire District #1 has offered the vehicle to the Township of Neptune at no cost,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby accepts a donation of a 2002 Chevrolet Blazer bearing vehicle identification

number 1GNDDT13W52K211210 from Neptune Township Fire District #1 at no cost to the Township for use by the Neptune Township Public Works Department; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Business Administrator, Assistant C.F.O, Director of Public Works and Neptune Fire District #1.

ACKNOWLEDGE RETIREMENT OF VARIOUS TOWNSHIP EMPLOYEES

WHEREAS, the Township Committee has received letters indicating that seven Township employees will be retiring from various positions within the Township of Neptune on either June 1st or June 30th,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following retirements of Township employees be and are hereby acknowledged:

Bernice Anderson	Admin Asst to the Business Administrator	June 1, 2011
Louise Coburn	Receptionist	June 1, 2011
Stacy Herms	Clerk/Typist	June 1, 2011
Elizabeth Sullivan	Deputy Court Administrator	June 1, 2011
Rebecca Northrup	Violations Clerk	June 1, 2011
Stanley Dierlam	Custodian	June 1, 2011
Jeannie Potts	Clerk/Typist	June 30, 2011

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

AUTHORIZE THE SUBMISSION OF A FY10 EXERCISE SUPPORT PROGRAM PASS THROUGH GRANT

WHEREAS, the New Jersey Department of Law & Public Safety is providing FY2010 Exercise Support Program Pass Through Grants to improve emergency preparedness programs that have conducted local exercises and have identified areas in need of modifications and enhancement; and,

WHEREAS, the Office of Emergency Management Coordinator has recommended that an application be submitted to obtain a grant under this program for hazardous materials response equipment,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the submission of an application to the New Jersey Department of Law and Public Safety for an Emergency Management Preparedness Grant/FY2010 Exercise Support Program Pass Through Grant in the amount of \$15,000.00; and,

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

RELEASE ALL SURETY BONDS AND DEVELOPERS ESCROW FOR IMPROVEMENTS AT GATEWAY CENTER PAD SITE (ROUTE 66 AND JUMPING BROOK ROAD)

WHEREAS, SSS Neptune Associates, LLC filed a performance guarantee written by International Fidelity Insurance Company in the amount of \$99,576.00, guaranteeing the performance of site improvements at the project known as Gateway Center pad site located at the west end of the project near Jumping Brook Road (Block 10017, Lots 7.03 and 7.07); and,

WHEREAS, the pad site was never developed and the approval for the pad site has been abandoned in order to expand the existing building (former Office Depot) which will house a Restaurant Depot and for which a new performance guarantee has been posted by a different owner; and,

WHEREAS, the Township Engineer has recommended that the bond, cash guarantee and inspection fee be released since the approval for the pad site has been abandoned,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the release of the performance bond 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 for the pad site as well as remaining inspection fee escrow for the existing building which formerly was the location of Office Depot; and,

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

AUTHORIZE CHANGE TO SUMMER OPERATING HOURS FOR THE MUNICIPAL COMPLEX

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the hours of operation of the Municipal Complex shall be 8:00 a.m. to 4:00 p.m. from Tuesday, May 31, 2011 through Friday, September 2, 2011; and,

BE IT FURTHER RESOLVED, that effective Tuesday, September 6, 2011, normal operating hours of 8:30 a.m. to 4:30 p.m. shall resume; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to all Township Departments.

GRANT TEMPORARY EXTENSION OF LIQUOR LICENSE PREMISES TO SHORE LANES

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Municipal Clerk and Chief of Police be and are hereby authorized to approve the application of Shore Lanes for a temporary extension of premises at Shore Lanes, 701 Highway 35, on June 11, 2011, (rain date June 18, 2011) from 10:00 A.M. to 8:00 P.M.

APPOINT HEALTH BENEFITS PROGRAM BROKER/CONSULTANT

WHEREAS, the Township of Neptune desires to appoint a Health Benefits Program Broker/Consultant through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Township accepted Requests for Proposals for said position on May 17, 2011 and will make a selection from the proposals received; and,

WHEREAS, funds will be provided in the 2011 municipal budget in the appropriation entitled _____, known as Account No. _____ and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a contract to engage the services of Brown & Brown Benefit Advisors as Health Benefits Program Broker/Consultant for a one year period from June 1, 2011 through May 31, 2012 at the terms as indicated in said contract on file in the Office of the Municipal Clerk; and,

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

REJECT ALL BIDS FOR COMMERCIAL KITCHEN EQUIPMENT FOR SENIOR CENTER

WHEREAS, on May 5, 2011, the Purchasing Agent received bids for the award of a contract for commercial kitchen equipment for the Senior Center; and,

WHEREAS, a total of two bids were received; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that the low bid submitted by All Clean Building Services be rejected due to non-responsiveness to the bid specifications and the next lowest bid submitted by Devin Food Equipment be rejected because it exceeds the budget estimates,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that all bids for supplying commercial kitchen equipment for the Senior Center are hereby rejected due to the reasons as stated herein; and,

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

EXTEND CONTRACT OF FIRST VEHICLE SERVICES TO PROVIDE FLEET MANAGEMENT AND MAINTENANCE THROUGH AUGUST 31ST

WHEREAS, the Township contracted with First Vehicle Services, Inc. to provide fleet management and maintenance services to the Township through May 31, 2011; and,

WHEREAS, the Township Committee desires to extend this contract for three additional months during which time the fleet management and maintenance contract will be put out to bid; and,

WHEREAS, funds will be provided in the 2011 municipal budget in the appropriation entitled Maintenance of Motor Vehicles O.E., known as Account No. _____, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the extension of the contract with First Vehicle Services to provide fleet management and maintenance to the Township of Neptune through August 31, 2011 at the same terms, conditions and monthly rate as stated in said contract; and,

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

AUTHORIZE A PERSON TO PERSON TRANSFER OF THE INACTIVE PLENARY RETAIL CONSUMPTION LICENSE PRESENTLY ISSUED TO THE FOUR E'S INC.

WHEREAS, Neptune Ale House, LLC has applied for a person-to-person transfer of Plenary Retail Consumption License # 1334-33-023-005 which is presently issued to Four E's, Inc. and currently held in pocket (not licensed to a specific location); and,

WHEREAS, the application is complete in all respects; and,

WHEREAS, the required Affidavit of the source of funds of said liquor license has been filed by the applicant for the transfer and examined by the members of the Township Committee; and,

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey statutes, the regulations promulgated thereunder as well as the pertinent local ordinances and conditions imposed consistent with Title 33; and,

WHEREAS, all transfer procedures as outlined by state statute and local ordinances have been completed satisfactorily,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the person-to-person transfer of Plenary Retail Consumption License #1334-33-023-005 as stated herein to Neptune Ale House, LLC effective May 24, 2011; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the New Jersey Division of ABC, the Chief of Police and the Applicant.

EMPLOY SPECIAL LAW ENFORCEMENT OFFICERS IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

WHEREAS, there is a need for an additional Special Law Enforcement Officers – Class I & Class II in the Police Department on a part-time hourly basis; and,

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

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

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Victor Santos and Jean Pierre Marcent be and are hereby employed as part-time Special Law Enforcement Officers – Class I, and Glen Pacyna be and is hereby employed as a part-time Special Law Enforcement Officer – Class II and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical

evaluation, effective immediately, at an hourly rate of \$14.00 for Class I and \$17.00 for Class II; and,

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

The resolutions of the Consent Agenda were adopted on the following vote: Bishop, aye, except abstain on the resolution to close streets for an Ocean Grove Chamber of Commerce event; Houghtaling, aye; Jahn, aye; and McMillan, aye.

AUTHORIZE LEON S. AVAKIAN, INC. TO PREPARE A SURVEY, PLANS AND SPECIFICATIONS FOR RECONSTRUCTION OF THE WESLEY LAKE WALL

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

WHEREAS, the Township of Neptune desired to undertake a project to reconstruct approximately 930 linear feet of the Wesley Lake wall; and,

WHEREAS, it is necessary for a survey to be prepared along with plans and specifications in connection with this project; and,

WHEREAS, the Township Engineer has recommended that Leon S. Avakian, Inc. be awarded this work based on their submitted quote; and,

WHEREAS, Leon S. Avakian, Inc. has been designated as one of the Township's Consulting Engineers; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 11-24, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes Leon S. Avakian, Inc. to perform the services as stated herein at an amount not to exceed \$22,500.00; and,

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

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

AUTHORIZE CHANGE ORDER #2 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, on March 14, 2011, the Township Committee adopted Resolution #11-146 which authorized Change Order #1, increasing the amount of the contract by \$64,609.64; and,

WHEREAS, changes to the contract have been experienced as a result of replacing existing windows and frames; adding a new rolling counter/shutter screen; adding roof snow guards, adding a lobby cabinet; revising an office door; and revising the kitchen office to provide better visual capability over the kitchen; 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 #2 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 \$32,459.09 revising the total contract amount to \$1,456,068.73; 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; Houghtaling, aye; Jahn, aye; and McMillan, aye.

The Mayor announced the following appointments to the Environmental/Shade Tree Commission:

Barry Auerbacher and Peter Longo to unexpired three year terms expiring December 31, 2013.

CONFIRM MAYOR'S APPOINTMENTS TO THE ENVIRONMENTAL/SHADE TREE COMMISSION

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

BE IT RESOLVED, that the Township Committee confirms the Mayor's appointments of Barry Auerbacher and Peter Longo to the Environmental/Shade Tree Commission for unexpired three year terms expiring December 31, 2013; and,

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

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

The Mayor announced the following appointment to the Economic Development Corporation:

Peggy Hordt for an unexpired one year term expiring December 31, 2011.

CONSENT TO MAYOR'S APPOINTMENT TO THE ECONOMIC DEVELOPMENT CORPORATION

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

BE IT RESOLVED, that the Township Committee hereby consents to the Mayor's appointment of Peggy Hordt as a Municipal Trustee to the Economic Development Corporation for the year 2011; and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

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

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

CURRENT FUND	6,318,817.73
FEDERAL & STATE GRANT FUND	29,642.05
TRUST OTHER	40,119.91
GENERAL CAPITAL FUND	193,037.62

SEWER OPERATING FUND	1,082,067.40
SEWER CAPITAL FUND	3,963.06
MARINA OPERATING FUND	4,669.17
MARINA CAPITAL FUND	5,860.44
DOG TRUST	7,433.30
LIBRARY TRUST	2,015.64
BILL LIST TOTAL	\$7,687,626.32

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, adding that \$2.3 million is county tax, \$1 million is sewer charges, \$52,000 is Ocean Grove fire tax, \$148,000 is Neptune fire tax, \$2.8 million is school tax and \$45,000 is county health tax; and McMillan, aye.

SUPPORT CONTINUED USE OF THE GREAT AUDITORIUM AS THE VENUE FOR THE NEPTUNE HIGH SCHOOL ANNUAL COMMENCEMENT CEREMONY

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

WHEREAS, for over seven decades, the Neptune Township Board of Education has used the Great Auditorium in Ocean Grove to conduct its annual commencement ceremony for graduating high school students; and,

WHEREAS, the Great Auditorium is the largest indoor venue in the area, is able to accommodate over 3000 friends and relatives of graduating students, and is within walking distance of many attendees; and,

WHEREAS, generations of Neptune High School seniors have enjoyed the unique experience of graduating in an over 100 year old national historic landmark; and,

WHEREAS, one individual via the American Civil Liberties Union has challenged the Board of Education's ability to conduct the commencement ceremony in the Great Auditorium because the building contains several religious symbols; and,

WHEREAS, the graduation ceremony is conducted in the Great Auditorium based on tradition, the structure's seating capacity and design, and its rich historical significance as a place that has been visited by nine U.S Presidents and virtually every Governor of the State of New Jersey; and,

WHEREAS, the hard working students of the Neptune High School deserve the right to be graduated in this special place as fitting tribute to their accomplishment of fulfilling the requirements to earn a high school diploma; and,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby supports the continued use of the Great Auditorium as the location of the annual Neptune High School commencement ceremony; and,

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

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Dorothy Argyros stated she was still working on the increase in taxes which has her worried. She

also referred to an article in the newspaper regarding the high cost of double dipping and someone holding jobs in two different communities. She stated one of our employees, Michael Bascom, made it on the list and she was puzzled by the figure placed in the paper of \$195,684.00. She stated the figure was rather low. She went on to state that she believed that amount was only what Mr. Bascom was getting from Neptune because she checked her prior salary list and it seems that in 2008 his salary was \$165,782.00 and in 2009 it was \$179,381.00 and for 2010 it was \$179,452. She questioned what his present salary was.

Mr. Bascom stated he did not have the exact amount but he did receive a 2% increase.

Mrs. Argyros stated Mr. Bascom was the Chief Financial Officer in Neptune and the head of Emergency Management. She questioned what his title in Sea Bright and whether it was full or part-time. She questioned his salary in Sea Bright and whether his was in charge of OEM in Sea Bright and whether he received benefits in Sea Bright. She also questioned whether his Neptune job and Sea Bright job lead to pensions which she felt was kind of an enriching thing. She stated she was worried about him being in charge of OEM in Sea Bright as well as Neptune because that could cause a conflict where he would have to be a leading voice in one town or another. She stated she hoped that we got rid of double dipping especially when there were so many people out of work. She went on to state that the \$200,000 salaries that the police officers were getting could be split in half and have two officers working on half that money and support their families and a better job done. She questioned whether anything was going to be done on the local level about this because these people were making more than the Governor of New Jersey.

Mayor McMillan stated he would not take personal attacks against any employee.

Mrs. Argyros stated this was totally political and advised him not to talk down to her.

Mayor McMillan stated he was not talking down to her but was talking to her and he wanted her to deal with the employees in a respectful manner. He stated Mr. Bascom has done a fantastic job for twenty plus years.

Mrs. Argyros continued to interrupt Mayor McMillan by stating she wanted her comments answered and if they were not answered she would put in an OPRA request and would read the answers aloud at the next meeting.

Mayor McMillan stated if she wanted to make an OPRA request she was at liberty to do so.

Mr. Bascom stated he has a part-time job in the Borough of Sea Bright and he's had it for about fifteen years and he was the CFO and nothing else. He stated he was there some weeknights and some weekends and his salary was just over \$20,000 a year. He stated he was not the head of Emergency Management of Neptune and has not been for probably ten years. He stated he was the Deputy. He stated both municipalities were required to have certified individuals as Chief Financial Officers as well as with other positions. He stated there were not enough of those certified people available in New Jersey to cover every town with their own full-time person. He went on to state just like other township employees have second jobs, he just happens to have one with another public entity.

Mrs. Argyros then asked Mr. Bascom what his title was in Sea Bright.

Mr. Bascom stated he would repeat it again and he stated that he was the Chief Financial Officer in the Borough of Sea Bright and he was also the Chief Financial Officer, Tax Collector and Economic Development Director and Deputy Emergency Management Coordinator in the Township of Neptune.

Mrs. Argyros stated she would like to see something done about this because she felt that double dipping was a crime and it was keeping their taxes high.

Kennedy Buckley stated according to the census Neptune was the only town to have an increase in the population and he believed that the various committee's in Neptune deserved some credit for that due to the various development programs they've under taken. He stated per Mr. Haney's discussion at the Workshop the HPC has been streamlining the application process and they now approve applications in tech review weekly and at the beginning of each agenda they cut down on testimonies and cut their meeting short. He stated they use to have meetings twice a month but now they only have them once a month and that contributes to the decrease in HPC cost. He went on to state that he received a phone call one morning where someone asked him if a boat in Fletcher Lake was a prohibited use. He stated he looked it up and found out that all the lots around the lake including the Lake itself are zoned HDR. He questioned whether tax exemption had

anything to do with zoning and since the HDR was a permitted use would any use require a variance.

Mr. Celli stated any activity in the lake itself was governed by the DEP and not the Township and as far as tax exemption under the tax rule and the NJAC 7:35 it says that boating is a recreational use and therefore the Camp Meeting can allow this recreational use and also have a rental concession.

Frances Paladino stated there were some things that needed to be straightened out. He stated the HDR zone includes the lakes and the banks and shores of the lakes and it lists the permitted uses. He stated there were no commercial uses permitted in the HDR zone that were not included in the ordinance. He questioned how were they going to get a ticket booth to collect the money, anchor the boat or access the boat without going across the land.

Ms. Jahn stated in Asbury Park they created a floating dock and if they did the same thing then technically they were still in the water.

Mr. Paladino stated Asbury Park had a very elaborate ticket system that was not in the lake but on the shore. He stated the residents were concerned with what would happen on the shore. He questioned whether they would have carte blanche and not follow the ordinance. He felt that they should be bound to what everyone else was bound to. He stated that they've protected the boardwalk and the ocean front against commercial activity.

Mr. Bishop then questioned what was the recourse because everyone's interpretation was that it was a permitted use.

Mr. Huhn stated that Mr. Haney stated that both designations were correct.

Mr. Paladino questioned what would happen to the land and if it was not answered things would become messy.

Mr. Bishop stated the land use official made a decision and the decision was that it could be done.

Mr. Huhn stated he should be raising these questions with Bernie Haney.

Ms. Jahn questioned what was he concerned about.

Mr. Paladino stated the residents were concerned with commercial activity, parking and picnicking.

Joan Venezia stated she would like to see the interpretation in writing because they were getting answers that did not make sense. She stated a lot of people have asked for the approval from the DEP but they can't find it. She questioned why they could not get straight information because they disagreed with the interpretation.

Mr. Bishop stated everyone was acting like this was a huge conspiracy because he's getting phone calls and emails. He also stated that it was green acres land and they have a right to walk across the land.

Mr. Huhn suggested she obtain names and numbers of concerned residents and they would all get together and meet with Mr. Haney.

Mr. Bishop stated when he went to Asbury Park the DEP basically said that they did not care. They did not have an opinion because they said they did not have anything to approve.

Connie Ogden stated she was a life long resident and she felt offended by Mr. Bishop's comments towards her when she approached him. She also stated she was upset to hear this information from Bradley Beach rather than from Neptune Township. She felt that if they were insulted that the Township would allow this.

Mayor McMillan reiterated that Mr. Huhn has set up a forum for the residents to discuss this matter further.

Ms. Ogden stated if they had gotten straight answers it would not have to come to this.

Mr. Bishop stated she contacted him numerous times and after the fifth time he asked her not to contact him regarding this matter again and then turn around and called him again.

Linda Johnson stated she read in the paper that someone came to a meeting to discuss the

installation of red light cameras throughout the town. She questioned whether the committee was considering installing them.

Mayor McMillan confirmed that they were. He stated they authorized the study be done.

Ms. Johnson stated it was her understanding that they cause more problems than they are worth. She questioned who would do the study and on what basis would they have the camera's set.

Mayor McMillan stated all four tires would have to be behind the line when red.

Mr. Bascom stated in order to get a ticket when the light turns red all four of your wheels have to have been behind the stop line and then you went through the red light. He went on to state that if your front tires were in front of the stop line when the light turns red and you continue through you will not get a ticket from the system.

Ms. Johnson stated she felt this was a way to make money.

Mr. Bishop stated there were statistics and it will take awhile for the study to come back.

Mike Fornino stated he was walking on Route 33 one morning and he witnessed the crossing guard almost get hit by a car. He stated some things work very well but he noticed while walking that there were many things in violation of code. He suggested they do the same thing with code and have them dispatched right away.

Mr. Bishop stated that things could not be done so instantaneously as what he was suggesting.

Carol Wought questioned whether the bulk head has been inspected.

Mayor McMillan stated the engineer has inspected it.

Ms. Wought questioned who would inspect it if this went through.

Mayor McMillan stated the engineer would inspect it.

Mr. Bishop suggested Mr. Huhn look into what was going on in Asbury Park before he met with the residents.

Joe Abruzze questioned if it would be a done deal once they met with Mr. Huhn.

Mayor McMillan informed him to let Mr. Huhn know what he was interested in so that he could obtain the information.

Jane Cassell bought her house three months ago and she loves the lake and she hoped to keep it clean and quiet for the neighbors across the street. She stated she was trying to do the right thing and she hoped the Township would do the right thing for them.

Hank Coakley stated starting 45 minutes late was unacceptable and he felt that it was an insult. He requested an update on the dredging of the Shark River.

Mr. Bishop stated he would look into it.

Mayor McMillan stated they would make every intent to start at seven.

Robert Hilton stated he was part owner of the business that was discussed this evening. He stated he had a love for Ocean Grove and he was looking for a way to foster tourism and they were trying to do everything right.

Heinz Weck commended the Committee for standing up against the ACLU and if a donation was needed to help he would be willing. He also commended the employees of the Township for helping him get things done for his home. He also stated that whatever Mr. Bascom earned and where he earned it he deserved it.

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

Richard J. Cuttrel,

Municipal Clerk