

TOWNSHIP COMMITTEE MEETING – APRIL 25, 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 arrived during the workshop open session. Ms. Jahn arrived during the open session and left the meeting between the open session and 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:

Charles Callari, American Traffic Solutions provided a presentation on traffic safety cameras. Dr. Brantley and Ms. Jahn arrived during the early part of the presentation. The Mayor asked what the length of the contract would be if the Township decided to pursue the concept. Mr. Callari stated that contracts are for five years. Dr. Brantley asked how often an appeal of a summons is successful. Mr. Callari responded that because the system provides a picture showing the vehicle behind the stop line with the traffic signal red followed by a picture with the automobile in the intersection, there are no successful appeals. The only exception would be if the car was forced into the intersection by another car or if a car is waived into the intersection by a police officer. Chief Adams stated that this is a public safety issue. He stated that he has spoken to other municipalities with the cameras and cannot find any negatives. He added that he strongly supports the installation of traffic safety cameras.

The Mayor asked Roselyn Steverson, President of the Gables Homeowners Association, to address the Committee regarding a parking problem in the Gables. Ms. Steverson stated that the problem with hospital employees parking on the streets within the Gables continues. The hospital administration has tried to help with the situation and the Township enacted parking on one side only on several streets but the abundance of cars parked on the roadways continues. In addition, the employees come to the Gables to smoke cigarettes because they cannot smoke on hospital property. Ms. Steverson continued that the problem is worse in the middle of the week but is a problem Monday through Friday. Ms. Jahn stated that every hospital has this problem and perhaps time restricted parking is the answer. Chief Adams stated that he spoke to some of the Gables residents. He believes a solution is to enact permit parking which is similar to what is in place near the Monmouth County Courthouse. The permit parking would be in effect on Newgate Lane, part of Wakefield Road, part of Oxford Way and Fenchurch Way between 7am and 8pm everyday of the week. The resident would apply to the Police Department for permits and in the event of a party or event, they could obtain additional temporary permits. Mr. Bishop stated that he is concerned other parts of the Township will want permit only parking. Chief Adams stated that this is a year round issue and it involves a business rather than visitors coming to a natural resource such as the beach. Ms. Jahn stated that unless the hospital is willing to pay for the permits, time restricted parking during certain hours would be better.

Mr. Bascom stated that a revised draft snow removal plan has been circulated to the Committee and Local Emergency Planning Committee. The plan will eventually become part of the overall Emergency Operations Plan.

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

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

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

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

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

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

subject matters.

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

Personnel - Retirements

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

Ms. Jahn left the meeting.

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

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, 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.

#### REPORT OF THE CLERK

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

Notice of public hearing on an amendment to the Land Development Ordinance of the Borough of Tinton Falls.

Senior Center monthly statistics for March.

#### COMMENTS FROM THE DAIS

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

Eric Houghtaling stated the Recreation Department had their Easter Egg hunt last weekend which went very well despite the damp weather. He stated a lot of kids showed up as well as a lot of volunteers. He thanked the students from Neptune High School Student Council for showing up and helping. He stated the municipal budget has been good for the last three years and they have still been able to provide all the essential services that are needed. He thanked the township employees for their help and understanding in trying to keep the municipal budget where it is and without them it would not have been possible.

Randy Bishop stated they were continuing to get the World Changers Program together for the summer and it looks like they have ten projects in Neptune. He stated they had a meeting with the Mayor's Youth Advisory Cabinet and they had a very interesting discussion on cyber bullying. He

went on to state that he attended the Easter Egg Hunt. He stated he was proud to announce that Neptune Township was being honored with three awards by the Planning Commission and one of them was for School House Square, the other one was for Midtown Commons but he could not remember what the third one was for. He stated today they were notified that Neptune Township was being honored this Thursday for EGovernment for the website the Township has. He thanked Roberta Grace for all the work that she does on the website.

Mayor Kevin McMillan stated he also attended the Mayor's Youth Advisory Cabinet and they are working on cyber bullying. He stated he also met with Ellis Jones and Diana Harris to discuss issues as it relates to MURC. He stated in July he hoped to have a Mayor's Business Summit with the local area businesses and they would like to get the EDC involved as well as New Jersey Redevelopment Authority as well. He stated he met with the Passion Group today and on October 1<sup>st</sup> they would have their first Riverfest which would replace Neptune Day. He stated it was something new and they hoped to have great participation by all Neptune residents.

#### PUBLIC COMMENTS ON RESOLUTIONS

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

Dorothy Argyros made comments relating to Resolutions #11-203 and #11-204. She stated that Neptune pays the most taxes and gets the least for it such as the last snow storm and now many months later there still isn't a plan.

Mayor McMillan stated in the open session of the Workshop Meeting Mr. Bascom did speak about the plan.

Mrs. Argyros stated she just looked at the budget and she almost fell asleep during Mr. Bascom's speech and she did not understand what he was talking about. She requested a simple explanation as to the amendments. She also questioned the totals because everything was going up substantially and there were other parts where it went down a little bit.

Mr. Bascom stated budget amendments slightly reduces the amount of a grant they are to receive from the Drug Alliance by \$444.00, the second one moves an appropriation from one section of the budget to another at the direction of the Division of Local Government Services and it does not affect the bottom line of the budget. He stated the third amendment places the library tax and appropriation back within the budget but still keeps it as a separate tax on the tax bill. He stated there was no change in the bottom line of the budget. He stated the total budget was decreased by \$444.00 compared to the introduced budget that they discussed at the last meeting. He stated the budget appropriations were down several million dollars from last year and the year before.

Mrs. Argyros questioned whether taxes were going.

Mr. Bascom stated that was correct.

Mrs. Argyros questioned whether the copy of the budget that was on the board reflected the amendments.

Mr. Cuttrell stated the amendments were posted.

Mrs. Argyros questioned how much of an increase would the residents see.

Mr. Bascom stated it would be roughly three cents on the tax rate.

Mrs. Argyros stated they needed less taxes but the same services.

Diana Harris requested clarification of the location of the remediation that was taking place as mentioned in Resolution #11-202.

Mr. Cuttrell confirmed that it was on West Lake Avenue and that the Resolution was correct.

Michael Fornino questioned why the sewer rent was being canceled as mentioned in Resolution #11-197.

Mr. Bascom stated they were billed based upon an estimate because they did not receive their flow numbers until after the building was submitted and once they received their flow numbers they have to adjust the billing which requires a cancellation.

Mr. Fornino also had questions regarding Resolution #11-201 and questioned who was the Purchasing Agent for the Township of Neptune.

Mr. Bascom informed him that it was Edward Hudson.

Mr. Fornino stated he was not aware that he had to be authorized to do this.

Mr. Bascom stated there were some things that he is directed to do by the governing body so that we know that it is clear.

Mr. Fornino suggested Mr. Hudson contact the municipalities that already have the systems in place and learn from their mistakes.

Francis Paladino commented on Resolution #11-200 and questioned whether the Township had a new time table for the drainage project that was derailed.

Mr. Bascom stated Leanne Hoffman was putting it back out to bid because every bidder forgot to submit one document.

#### ORDINANCE NO. 11-20 - ADOPTED

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

#### ORDINANCE NO. 11-20

AN ORDINANCE TO AMEND VOLUME I, CHAPTER IV, SECTION 4-28 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY AMENDING THE PROVISIONS REGULATING CLOTHING DONATION BINS

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; and McMillan, aye.

#### ORDINANCE NO. 11-21 - ADOPTED

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

#### ORDINANCE NO. 11-21

AN ORDINANCE TO ADD VOLUME I, CHAPTER IV, SECTION 4-29 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ESTABLISHING PROVISIONS FOR THE PURCHASE OF PRECIOUS METALS AND PREVIOUSLY OWNED JEWELRY

The Mayor requested public comments on this ordinance and they were as follows:

Michael D. Fornino questioned what was the purpose of this ordinance.

Mr. Anthony stated the Police Department actually recommended this ordinance to help regulate the sale of gold which is very popular right now and a lot of people are selling gold because of the price of it. This would help prevent illegal transfer of jewelry to gold buyers which is often the case in a high gold market. He stated there were a lot of stolen good situations and this would attempt to regulate it so they would have to report the sale to the police department to make sure that the items were not stolen goods but there were some exemptions.

Mr. Bishop stated the reason being is that the people buying gold would melt it down and the item would never be found.

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

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

ORDINANCE NO. 11-22 - ADOPTED

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

ORDINANCE NO. 11-22

AN ORDINANCE TO ADD VOLUME I, CHAPTER III, SECTION 3-30 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ESTABLISHING PROVISIONS FOR SOLICITATIONS ON ROADWAYS FOR CHARITABLE ORGANIZATIONS

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; and McMillan, aye.

ORDINANCE NO. 11-23 - ADOPTED

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

ORDINANCE NO. 11-23

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING HANDICAPPED PARKING ZONES ON PILGRIM PATHWAY

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; and McMillan, aye.

ORDINANCE NO. 11-24 - ADOPTED

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

ORDINANCE NO. 11-24

BOND ORDINANCE PROVIDING FOR THE WESLEY LAKE WALL RECONSTRUCTION – PHASE II, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$350,000 THEREFOR (INCLUDING A GRANT RECEIVED OR EXPECTED TO BE RECEIVED IN THE AMOUNT OF \$250,000) AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST 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; Brantley, aye; Houghtaling, aye; and McMillan, aye.

ORDINANCE NO. 11-25 - ADOPTED

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

ORDINANCE NO. 11-25

BOND ORDINANCE PROVIDING FOR VARIOUS ROADWAY IMPROVEMENTS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN

THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY;  
APPROPRIATING \$400,000 THEREFOR (INCLUDING A GRANT  
RECEIVED OR EXPECTED TO BE RECEIVED IN THE AMOUNT OF  
\$244,151) AND AUTHORIZING THE ISSUANCE OF \$148,000  
BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF  
THE COST THEREOF

The Mayor requested public comments on this ordinance and they were as follows:

Dorothy Argyros stated she did not like to read the word bond because that was something that they were sticking on their children. She stated she felt that some people's complaints in the Township get a lot of attention and others don't. She questioned what was their system for establishing priorities and where was Millbrook and Brockton Estates. She stated they never get a reason for what the Township does and questioned the need for the improvements.

Mr. Bascom stated the engineer, the police department and the department of public works are all involved in determining whether or not a road needs to be reconstructed and in this case it was his understanding that the Millbrook Avenue area and portions of Brockton Estates suffer from severe flooding during regular storms and that this is a fix that was financed in part by the Department of Transportation which they are eligible because these roads exits out to Route 35 and Neptune Boulevard which makes them feeder roads to a larger thorough fare so they qualify for the grant funding to offset the cost so in this case he believed the evaluation was based upon the need, public safety, the condition of the roads and the repetitive flooding and the fact that we could leverage our funds with State funds to get a larger project done.

Mrs. Argyros stated she would point out that State funds were still her money.

Mr. Bascom stated that was absolutely correct.

Mrs. Argyros stated she hoped they did their investigative work and found out that these areas were in the most need because in her area there was a standing flood. She suggested the areas be done based on priorities because there were other areas of town that were having more trouble.

Michael Fornino stated he has a friend that lives in that area and they've had a drainage problem for over forty years but he expressed concerns regarding the statement that says for a grant that is expected to be received. He questioned whether the same thing happened with the Senior Center. They were suppose to receive a grant but did not get it. He questioned whether he read the newspaper correctly.

Mr. Bascom stated he thought what the paper was trying to say was that future community development block grants were in jeopardy but that our senior center was already funded and the money was already dedicated to us as has these funds.

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

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

ORDINANCE NO. 11-26 - APPROVED

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

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

Mr. Cuttrell stated that the Public Hearing on Ordinance 11-26 will be held on Monday, May 9, 2011.

CONSENT AGENDA

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

ACCEPT A GRANT FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the Township of Neptune has applied for and has been awarded a grant in the amount of \$43,280.00 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority for the remedial investigation and remedial action along with report preparation at the former Chidnese property (1825 West Lake Avenue),

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the above referenced grant is hereby accepted and the Mayor is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Township of Neptune; and,

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority, the Chief Financial Officer, Business Administrator and Administrative Assistant to the C.F.O.

ACCEPT THE RESIGNATION OF MARC DIGIORGIO AS A TRUSTEE OF THE ECONOMIC DEVELOPMENT CORPORATION

WHEREAS, the Township Committee has received notification from Marc DiGiorgio resigning as a Trustee of the Economic Development Corporation effective April 8, 2011,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Marc DiGiorgio as a Municipal Trustee of Economic Development Corporation is hereby accepted effective April 8, 2011; and,

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

ACCEPT A FY09 EMPG EXERCISE PASS THROUGH GRANT AND AUTHORIZE EXECUTION OF REQUIRED GRANT DOCUMENTS

WHEREAS, on October 25, 2010, the Township Committee authorized the submission of a New Jersey Department of Law & Public Safety FY2009 Emergency Management Preparedness Grant/Exercise Program Pass Through Grant for haz-mat equipment and training; and,

WHEREAS, the New Jersey Department of Law & Public Safety has notified the Township a grant has been awarded in the amount of \$15,000.00; and,

WHEREAS, the Township desires to accept said grant,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby accepts a New Jersey Department of Law and Public Safety FY2009 Emergency Management Preparedness Grant/FY2009 Exercise Support Program Pass Through Grant in the amount of \$15,000.00; and,

BE IT FURTHER RESOLVED, that Michael J. Bascom, Deputy Office of Emergency Management Coordinator, is hereby authorized to execute any and all required grant documents and/or agreements in connection with said grant; 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.

ACCEPT THE RESIGNATION OF MICHAEL DONOVAN AS A MEMBER OF THE ENVIRONMENTAL/SHADE TREE COMMISSION

WHEREAS, the Township Committee has received notification from Michael Donovan resigning as a member of the Environmental/Shade Tree Commission effective April 13, 2011,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Michael Donovan as a member of the Environmental/Shade Tree Commission is hereby accepted effective April 13, 2011; and,

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

AUTHORIZE NAJARIAN ASSOCIATES TO SUBMIT AN APPLICATION TO THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND FOR REMEDIATION OF THE FORMER WELSH FARMS PROPERTY

WHEREAS, the Township of Neptune has acquired the property known as the former Welsh Farms property located at 703 Old Corlies Avenue (Block 7013, Lot 11); and,

WHEREAS, the Deed indicating conveyance to the Township was filed with the County of Monmouth on December 30, 2010; and,

WHEREAS, the Township desires to preserve said property for open space and the recreational use and benefit of the citizens of the Township; and,

WHEREAS, the NJ Economic Development Authority has previously approved HDSRF funds for remediation of this site; and,

WHEREAS, immediate implementation of environmental remediation is necessary on the property due to the presence of sensitive receptor (community drinking water source) at the downstream location and the Township Engineer has recommended that application be made to the Hazardous Discharge Site Remediation Fund for funding to perform the necessary remediation,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Najarian Associates be and is hereby authorized to prepare and submit an application to the Hazardous Discharge Site Remediation Fund for funding to perform necessary environmental remediation at the former Welsh Farms property located at 703 Old Corlies Avenue (Block 7013, Lot 11); and,

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

AUTHORIZE THE CANCELLATION OF SEWER RENT (1945 CORLIES AVENUE)

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>
3000/1.02	Meridian Hospital Corp.	1945 Corlies Avenue	2011	10,083.49

**REASON:** Error in calculation of water bills

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

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT (52 PITMAN AVENUE)

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>
34/1545C312	STANTON	52 PITMAN	2011	2,073.92

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

AUTHORIZE EXCAVATION AND ASSESS PENALTY FOR EXCAVATION TO CONNECT UTILITIES AT 65 ABBOTT AVENUE

WHEREAS, Section 13-1.12A provides that street opening permits are not to be granted for an opening of improved street surface less than three (3) years old; and,

WHEREAS, said section of the Code also provides that the Township Committee may take special action to allow a permit to be issued provided that a penalty charge is assessed based on the age of the improved street surface and the dimension of the street opening; and,

WHEREAS, the Director of Public Works has forwarded a memo indicating that the property owner at 65 Abbott Avenue is requesting street openings for the purpose of gas disconnection,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the following street opening on the newly improved street surface on Abbott Avenue:

65 Abbott Avenue – Gas disconnection – penalty charge \$774.00

TOTAL PENALTY CHARGE - \$774.00

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

REJECT ALL BIDS FOR IMPROVEMENTS TO BROADWAY NJDOT MUNICIPAL AID PROJECT

WHEREAS, on April 6, 2011, the Township Engineer received bids for improvements to Broadway NJDOT Municipal Aid Project; and,

WHEREAS, after reviewing said bids and consulting with the bidders for the project, the Township Engineer has determined that the Responsible Contractor Certifications were not submitted with the bids in accordance with Ordinance #11-01 and all bids will be rejected in accordance with N.J.S.A. 40A:11-13.2; and,

WHEREAS, the Township Engineer recommends that all bids be rejected and the project be re-bid with the clarified specifications,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that all bids received for improvements to Broadway NJDOT Municipal Aid Project be and are hereby rejected; and,

BE IT FURTHER RESOLVED, that the Committee authorizes the project be re-bid immediately; and,

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

AUTHORIZE THE PURCHASING AGENT TO INITIATE COMPETITIVE CONTRACTING FOR THE TRAFFIC SAFETY PROJECT IN CONFORMANCE WITH N.J.S.A. 40A:11-4.3(j)

WHEREAS, PL 1999 c.440 amended the Local Public Contracts Law and created a new category of contracting called Competitive Contracting; and

WHEREAS, N.J.S.A. 40A:11-4.3(a) requires that in order to initiate competitive contracting, the governing body shall pass a resolution authorizing the use of competitive contracting each time specialized goods or services enumerated in N.J.S.A. 40A:11-4; and,

WHEREAS, N.J.S.A. 40A:11-4.3(b) requires that the competitive contracting process shall be administered by a purchasing agent qualified pursuant to 40A:11-9, or by legal counsel of the contracting unit or by an administrator of the contracting unit; and,

WHEREAS, the Purchasing Agent has determined that it is in the Township's best interest to acquire the Traffic Safety Camera Program through Competitive Contracting; and,

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

- 1) That the Purchasing Agent be and is hereby authorized to initiate Competitive Contracting for the Traffic Safety Project in conformance with N..S.A. 40A:11-4.3(j)

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

AUTHORIZE THE REMOVAL AND DISPOSAL OF SOIL/MATERIALS AT THE FORMER CHIDNESE PROPERTY (1825 WEST BANGS AVENUE)

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

WHEREAS, the Township Engineer received three solicited quotes for the removal and disposal of soil/materials at the former Chidnese property at 1825 West Bangs Avenue; and,

WHEREAS, the cost of said project is less than the bid threshold but exceeds \$17,500 and therefore must be awarded by Resolution of the Governing body; and,

WHEREAS, said quotes were reviewed by the Township Engineer who has recommended that the low quote be accepted in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided for the first four months of 2011 in the 2011 Temporary Budget in the appropriation entitled Ordinance # 04-14, Ordinance # 01-14 and General Engineering, 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,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the removal and disposal of soil/materials at the former Chidnese property at 1825 West Bangs Avenue be and is hereby authorized through Enterprise Network Solutions, Inc. pursuant to their quote of \$19,123.00 to perform the services as stated herein; and,

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

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

AUTHORIZE AMENDMENTS TO THE TOWNSHIP OF NEPTUNE APPROVED 2011 BUDGET

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

WHEREAS, the local municipal budget for the year 2011 was approved on the 14th day of March, 2011; and,

WHEREAS, the public hearing on said budget has been held as advertised on April 11, 2011, and,

WHEREAS, it is desired to amend said approved as described below;

NOW, THEREFORE, BE IT RESOLVED, by the Committee of the Township of Neptune of the County of Monmouth that the following amendments to the approved budget of 2011 be made:

From To

GENERAL REVENUES

3. Miscellaneous Revenues – Section F: Special Items of General Revenue Anticipated with Prior Consent of Director of Local Government Services – Public and Private Revenues Offset with Appropriations:

Municipal Alliance of Alcoholism and Drug Abuse	51,343.00	51,074.00
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Total Section F: Special Items of General Revenue Anticipated with Prior Consent of Director of Local Government Services – Public and Private Revenues Offset with Appropriations:	106,952.83	106,683.83
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SUMMARY OF REVENUES

3. Miscellaneous Revenues:

Total Section F: Special Items of General Revenue Anticipated with Prior Consent of Director of Local Government Services – Public and Private Revenues Offset with Appropriations:	106,952.83	106,683.83
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Total Miscellaneous Revenues:	8,720,614.95	8,720,345.95
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5. Subtotal General Revenues (Items 1, 2, 3 and 4)	13,385,491.51	13,385,222.51
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7. Total General Revenues	37,216,467.83	37,216,198.83
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8. GENERAL APPROPRIATIONS

(A) Operations – within “CAPS”

Employees Group Insurance	5,099,100.00	5,002,400.00
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0Total Operations {Item 8(A)} within “CAPS”	25,767,250.00	25,670,550.00
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Total Operations Including Contingent within “CAPS”	25,777,250.00	25,680,550.00
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Detail:

Other Expenses (Including Contingent)	\$11,858,300.00	11,761,600.00
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(H-1) Total General Appropriations for Municipal Purposes within “CAPS”	\$29,481,740.00	\$29,385,040.00
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(A) Operations – Excluded from “CAPS”

Aid to Free Public Library	0.00	\$1,264,825.00
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Employee Group Insurance	0.00	96,700.00
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Total Other Operations – Excluded from “CAPS”	48,000.00	1,409,525.00
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DEDR – Drug and Alcohol Alliance	51,343.00	51,074.00
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Total Public and Private Programs Offset by Revenues	389,634.83	389,365.83
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Total Operations – Excluded from “CAPS”	922,456.83	2,283,712.83
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Detail:

Other Expenses	635,131.83	1,996,387.83
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(H-2) Total General Appropriations for Municipal Purposes Excluded from “CAPS”	3,669,902.83	5,031,158.83
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(O) Total General Appropriations – Excluded from “CAPS”	3,669,902.8	35,031,158.83
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(L) Subtotal General Appropriations	33,151,642.83	34,416,198.83
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9. Total General Appropriations	35,951,642.83	37,216,198.83
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SUMMARY OF APPROPRIATIONS

(H-1) Total General Appropriations for Municipal Purposes – within “CAPS”	29,481,740.00	29,385,040.00
(A) Appropriations Excluded from “CAPS” Other Operations	48,000.00	1,409,525.00
Total Operations – Excluded from “CAPS”	922,456.83	2,283,712.83
Total General Appropriations	35,951,642.83	37,216,198.83

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for her certification of the local municipal budget so amended and that a copy be forwarded to the Chief Financial Officer and the Township Auditor.

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

ADOPT 2011 TOWNSHIP OF NEPTUNE MUNICIPAL BUDGET

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

BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$22,566,151.32 for municipal purposes,

General Revenues

Surplus Anticipated	3,350,000.00
Miscellaneous Revenues Anticipated	8,720,345.95
Receipts from Delinquent Taxes	1,314,876.56
Local Tax for Municipal Purposes	22,566,151.32
Minimum Library Tax	1,264,825.00

Total Revenues 37,216,198.83

General Appropriations

Within "CAPS"	
Operations including contingent	25,680,550.00
Deferred Charges and Statutory Expenditures	3,704,490.00

Excluded from “CAPS”	
Operations	2,283,712.83
Capital Improvements	50,000.00
Municipal Debt Service	2,697,446.00
Reserve for Uncollected Taxes	2,800,000.00

Total General Appropriations 37,216,198.83

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

AUTHORIZE THE PAYMENT OF BILLS

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

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

CURRENT FUND	3,802,672.32
FEDERAL & STATE GRANT FUND	129,816.71
TRUST OTHER	454,515.79
GENERAL CAPITAL FUND	138,230.44
SEWER OPERATING FUND	11,815.71
MARINA OPERATING FUND	846.55
MARINA CAPITAL FUND	200.00
DOG TRUST	7,330.70
U.D.A.G RECIPRICOL TRUST	250.00
LIBRARY TRUST	7,811.00
BILL LIST TOTAL	\$4,553,489.36

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; and McMillan, aye, except abstain on his mileage reimbursement check.

#### PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Kennedy Buckley made it clear that he spoke as a citizen and stated he wished to discuss the trailer boat ordinance, the fire assessment applications to build new homes, parking issues during the winter and summer and demolition by neglect. As far as the parking ordinance he thanked the Committee for taking action on it. He stated a lot of fire applications that come before the HPC are reviewed and receives the best attention possible and is expedited as much as they can. He commended the Township officials and departments that have aided the people to get their buildings put up. He stated parking was a winter and summer problem he felt that if they were going to be rationing free parking they should have a plan. As far as winter parking he stated he hoped they were addressing warehousing issues where people were leaving their vehicles on the road when there was a snow storm.

Mr. Bascom stated the snow removal plan addressed moving the vehicles earlier on in the forecast rather than when the roads are covered.

Mr. Buckley stated some of the vehicles are warehoused in the parking spaces and remain there for months while the owners are in Florida.

Mr. Bascom stated the snow plan really only focused on snow emergencies and they would move them in those cases.

Mr. Buckley stated parking in the summer was bad and he read in the newspaper that Asbury Park was going to stripe a thousand more parking spaces which will be without meters and another five hundred after that and then double the fees for the existing meters. He stated there would then be a lot of people not parking in Asbury Park and would come into Ocean Grove. He stated they had to satisfy the citizenry and it was a balancing act and whose rights take precedence. He went onto say that the Township has spent money regarding demolition by neglect and the addresses have been put into the paper. He stated it was an issue that was not going to go away and the Homeowner Association would do their part.

Michael Fornino requested an overview of the permit parking in the Gables.

Mayor McMillan stated the Chief eloquently discussed a plan that he had and they will also entertain input from Ms. Steverson-Hurt as well.

Mr. Fornino stated he was told that the Township had a snow removal plan in place.

Mayor McMillan stated Mr. Bascom spoke regarding that in open session.

Mr. Bascom stated the draft plan was completed and submitted to the Committee and the Local Planning Committee and various department heads for the final review and the final edits have been submitted back and will now become an attachment to the emergency operations plan which will be opted in whole in May and once it is approved you will have some public outreach and some information will be available to the public for review and it will be posted on the website.

Mr. Fornino stated he was not a website person and it bothered him that it would take five months to draft what is basically considered a business plan. He felt the Committee should be ashamed of themselves.

Mr. Houghtaling stated they did not want to rush into it. He felt they had a good plan and it would be in place by the time that they would need it.

Mr. Fornino suggested a sidewalk be put in on Wakefield Road between the old Thompson property that was torn down and the 200 block of Wakefield Road. He stated the property was owned by the hospital.

Mayor McMillan stated he would make sure the Police Department gets this information.

Diana Harris questioned when would the remediation for the park be done.

Mr. Bascom stated based on his conversation with the engineer it should be done in mid-August to September 1<sup>st</sup>.

Jim Granelli questioned whether any violations have been issued regarding the RV ordinance and if none have been issued when he receives his violation next week because he stated he knew he would. He questioned whether he would be able to face the person who called it in. He stated in the past they blanket violated it all and he hoped that they would continue to do the same in terms of equal enforcement. He also questioned how the Township was doing with the site triangle violation notices. He illustrated the problems he felt that the Township has caused him. He also questioned where the Township was on temporary shelters.

Mr. Bishop stated the temporary shelters has been turned over to the Land Use Department and they are waiting for them to get back to them.

Dorothy Argyros stated she was very impressed to their response to a few complaints that were made by people that did not like small boats and RV's when they've been complaining about the microphone system for years. She also complained about how high the resolutions were placed and she could not read them. She also stated how a neighbor of hers was complaining about the noise in her neighborhood. She stated she told the neighbor to tell the Committee but she stated she did but nothing was ever done. She further stated she knew her concerns would not be addressed. She also stated that she heard that Community Development Block Grants were in danger. She requested more information and whether the Township has violated anything.

Mr. Bascom stated the federal government has reduced and maybe eliminated Community Development Block Grants and it has nothing to do with Neptune.

Mr. Bishop stated it was one of the items on the table for review under the federal budget and they are looking to eliminate Community Development Block Grants.

Mrs. Argyros stated that she thought that it had come to the attention of the Government that it was not being used properly.

Mayor McMillan stated that was not true.

Mr. Houghtaling asked Mrs. Argyros if her friend approached everyone on the council about her complaint because he said that he had not spoken to her but he would be willing to.

Mrs. Argyros stated the neighbor did not speak to the Committee and that she had spoken to Mr. Cuttrell and the Police Department.

Mrs. Hurt-Steverson stated she had a problem with the Recreation Program in Neptune. She felt that it was too expensive to send her kids.

Mayor McMillan stated the Township has received a grant and the cost has gone back down.

Mrs. Hurt-Steverson stated even the one week camps were still too expensive and was not meant for the average person in Neptune. She stated they must make it inviting to both the parents and the kids. She did not feel that the time that the program was scheduled was not good as well. She stated there were not enough summer enrichment for the kids during the summer months especially the younger ones. She suggested they engage in something with the Board of Education.

Mr. Hougaling stated Ms. Thompson has a very reduced budget and unfortunately tennis is expensive but not one is volunteering to help.

Ms. Hurt-Steverson again suggested the Township join in with the Board of Education.

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

Richard J. Cuttrell,  
Municipal Clerk