

TOWNSHIP COMMITTEE MEETING – JULY 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 and Mary Beth Jahn arrived during the executive session)

Also present at the dais were Richard J. Cuttrell, 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.

There being no items to discuss in open session, Mr. Bishop asked to consider the following resolution:

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

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

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

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

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

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

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

- Personnel – Public Works personnel
- Potential Litigation – Recreation fields
- Potential Litigation – Planning Board for property with delinquent taxes
- Personnel – Rooming and Boarding Licensure Board vacancy
- Contract negotiations – Attendance at Recreation Committee meetings by groups under recreation contracts

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

4. This Resolution shall take effect immediately.

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

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

Alyn Heim was recommended for appointment to the Rooming and Boarding Licensure Board.

Mr. Bascom recommended to the Committee that the Township permanently finance a portion of outstanding debt. He added that the Bond Counsel and he recommend that the Township authorize a bond sale for about \$7 million and sell \$3 million in notes.

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

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

Also present at the dais were Richard J. Cuttrell, 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 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:

Senior Center monthly statistics for June.

Monmouth County Board of Health Activity Report for June.

Rosemary Gray sent letters of thanks to the following for recent donations to the Senior Center: Harry Johnson, Barbara Macomber, Marina Vargas, Diane Olsen, Carol Wilson, Joan and James Keleigh, Alice Fiorillo and Sharon Johnston, American Legion and Legion Auxiliary Post #346, Jane Competello, Elsie Pennell, Villas at Jumping Brook Women's Club, Don Bartlett, Shop-Rite, Catholic Men for Jesus Christ, Wegmans, Tinton Falls Pastry Chef, Betty Thompson, Grace Christian Church, Rhenita DeSola, Bea Taylor, Friends from the Villa's Michelle D'Amato, Charles Nicosia, Nilda Corvo, Margaret McGinn, Mary Carr, Estella Robinson, Jean Dabler, Louise Beverly and Hazel Beling.

COMMENTS FROM THE DAIS

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

Mary Beth Jahn stated last Thursday she attended MURC's forum on gun violence. She felt it was a great platform to make a change.

Eric Haughtaling stated he attended the Monmouth County Freeholders meeting and the Township received plaques. He stated he attended the World Changers Beach Party and he had a terrific time. He attended the Touch A Truck event and the Friday Bowling held by MURC. He went on to state that he attended the soccer clinic as well. He attended the Mayor's Business Forum which Marian Bauman the Librarian attended. He attended the STOP meeting which was held by MURC and on Saturday he attended the dedication for the new equipment at Liberty Park. The equipment was donated by the Michael Allen Davidson Group whose son was lost on 911. The family was presented with a proclamation. He felt Dawn Thompson was very helpful in getting this implemented. He also stated he was happy the Senior Center was open as a cooling center.

Randy Bishop thanked the Senior Center for being open as a cooling center. He felt it was nice that some people just stopped by to offer their assistance. He attended the Ocean Grove Homeowners meeting. He commended the Mayor on the Business Forum. He stated Touch A Truck was a lot of fun but loud. He attended the Foodbank Culinary School. They also offer courses for people who want to turn their lives around. He stated he was proud of the members of World Changers who paid to come work here. He stated they also gave a \$3000 donation to the Foodbank. He thanked the Board of Education for opening up the High School for them. He thanked the Foodbank and the employees of the Public Works Department, Jersey Shore Medical Center for supplying the blankets, American Red Cross for supplying the cots, IHOP for feeding the crew chiefs, Office of Emergency Management for setting up the cots and New Jersey Natural Gas for paying for the food and for serving the kids and the Ocean Grove Camp Meeting for opening the beach to them. He stated Mission 101 was in town to do work as well. He felt this was how you get things done the right way and this is what it means to be a community

Mayor Kevin McMillan stated he also attended the World Changers beach party and there was a whole sea of young people there. He also attended the closing ceremony where they donated a

bible. He attended the STOP the violence meeting held by MURC. He felt the meeting went well. He also participated in the dedication of Liberty Park. He stated the residents would participate with the Park. They held the Mayor's Business Forum. He thanked all those involved and they would be doing additional work to help get the contractors certified. He stated that both he and Monique Burger participated in a Webinar and they were looking into grants by using key words.

PUBLIC COMMENTS ON RESOLUTIONS

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

Dorothy Argyros commented on Resolution # 11-309 stated it bothers her when one of our police officers were being sued for punitive damages.

Mr. Anthony said he did not know anything about the lawsuit.

Mr. Huhn stated this was an incident that took place two years ago. It is more of a civil manner. It involved a minor traffic accident.

Mrs. Argyros stated she looked up the officer's salary and stated she did not believe that we should pay for his attorney.

Mayor McMillan stated the officer was entitled to representation.

Ms. Jahn stated the officer was a decorated marine.

Hank Coakley commended the Township on Resolution #11-314.

ORDINANCE NO. 11-38 - ADOPTED

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

ORDINANCE NO. 11-38

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A HANDICAPPED PARKING ZONE ON SURF AVENUE

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

Heinz Weck asked how many handicapped parking stalls would now be located on Surf Avenue. Mr. Cuttrell responded that he would have to check; however, this stall would be located in front of Mary Wallwork's house at 1 Surf Avenue. Mr. Weck stated that the ordinance should be adopted.

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; Jahn, aye; and McMillan, aye.

ORDINANCE NO. 11-39 - APPROVED

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

ORDINANCE NO. 11-39

AN ORDINANCE TO AMEND ORDINANCE #09-43 ENTITLED "AN ORDINANCE AMENDING AND SETTING THE SALARY RANGES FOR EXISTING JOB TITLES OF THE TOWNSHIP OF NEPTUNE AND REPEALING ALL PARTS OF PREVIOUS ORDINANCES INCONSISTENT HEREWITH." BY CREATING THE POSITION OF COMMUNICATIONS OPERATOR (PART-TIME HOURLY)

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

ORDINANCE NO. 11-40 - APPROVED

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

ORDINANCE NO. 11-40

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A HANDICAPPED PARKING ZONE ON BROADWAY

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

Mr. Cuttrell stated that the Public Hearings on Ordinance 11-39 and 11-40 will be held on Monday, August 8, 2011.

CONSENT AGENDA

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

AUTHORIZE THE CANCELLATION OF UNEXPENDED AND DEDICATED GENERAL CAPITAL APPROPRIATIONS

WHEREAS, certain Sewer Capital Improvement appropriation balances remain dedicated to a project that is no longer being pursued by the Township; and,

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus, and unused debt authorizations may be canceled; and,

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following unexpended and dedicated balances of General Capital Appropriations be canceled:

<u>ORD NO.</u>	<u>DATE AUTH.</u>	<u>PROJECT DESCRIPTION</u>	<u>AMOUNT FUNDED</u>	<u>CANCELLED UNFUNDED</u>
09-21/08-51	06/22/2009	Upgrades to Pennsylvania Avenue Pumping Station.	0.00	2,918,500.00
<u>TOTAL</u>			<u>0.00</u>	<u>2,918,500.00</u>

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

APPROVE SELECTION OF LEGAL COUNSEL TO REPRESENT POLICE OFFICER IN LAWSUIT FOR PUNITIVE DAMAGES

WHEREAS, in the matter of Jennifer Crews and Matthew Cusack v. Anthony Gualario and the Township of Neptune, Sgt. Anthony Gualario has requested that Matthew Adams; Fox Rothschild, LLP, serve as his legal counsel as to the claim for punitive damages; and,

WHEREAS, in accordance with the current F.O.P. Local #19 contract, the Township Committee must approve the selection of counsel; and,

WHEREAS, the Township will reimburse said police officer for legal fees incurred for personal counsel for lawsuits for punitive damages against officers pursuant to N.J.S.A. 40A:14-155; and,

WHEREAS, the Township's reimbursement will be limited to a rate per hour not to exceed the current hourly rate of the Township Attorney, the Township reserves the right to limit the total expenditure to a reasonable cost and the Township reserves the right to not reimburse for legal fees and costs should an officer be held liable for punitive damages,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted to Sgt. Anthony Gualario to retain Matthew Adams of the firm Fox Rothschild, LLP as legal counsel for the claim of punitive damages in the above referenced matter; and,

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

RENEW LIQUOR LICENSE HELD BY ROS ASSOCIATES, LLC

WHEREAS, The Ros Associates, LLC is the holder of a retail consumption liquor license that is inactive; and,

WHEREAS, in accordance with State law, Ros Associates, LLC. has petitioned the State of New Jersey Division of Alcoholic Beverage Control to permit the renewal of said inactive license; and,

WHEREAS, the Division of A.B.C. has issued a special ruling, dated July 7, 2011, to authorize the Township of Neptune to consider the application for liquor license renewal filed by Ros Associates, LLC, the holder of an inactive license #1334-33-002-005; and,

WHEREAS, Ros Associates, LLC has applied for renewal of said license for the 2011-2012 license year to continue in in-pocket status,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Liquor License #1334-33-002-005 issued to Ros Associates, LLC be and is hereby renewed for the 2011-2012 licensing year; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control and the License Holder.

AUTHORIZE THE CANCELLATION OF A MORTGAGE IN CONNECTION WITH A REGIONAL CONTRIBUTION AGREEMENT PROJECT

WHEREAS, the Township of Neptune holds a mortgage in connection with a Regional Contribution Agreement Project; and,

WHEREAS, six full years have passed since the date of the mortgage and the property remains in the ownership of the borrower; and;

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

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 a mortgage issued to Martin in connection with a Regional Contribution Agreement Program project and,

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

AUTHORIZE TEMPORARY NO PARKING ON A PORTION OF MCCLINTOCK STREET IN CONNECTION WITH OCEAN GROVE CAMP MEETING ASSOCIATION EVENTS

WHEREAS, the Ocean Grove Camp Meeting Association has events scheduled on July 30 and August 20 that will require large buses to drop off passengers on McClintock Street; and,

WHEREAS, it is necessary to designate temporary no parking on the north side of McClintock between Central Avenue and Pilgrim Pathway during the events; and,

WHEREAS, the Police Department has reviewed and approved this action,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the posting of temporary no parking on McClintock Street between Central Avenue and Pilgrim Pathway from 8:00 A.M. to 12:00 A.M. on Saturday, July 30, 2011 and Saturday, August 20, 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 Camp Meeting Association.

AUTHORIZE A PUBLIC AUCTION OF SURPLUS VEHICLES

WHEREAS, there are vehicles owned by the Township of Neptune which are no longer of use to the Township and the Director of Public Works, Purchasing Agent and Business Administrator have recommended that they be sold; and,

WHEREAS, the Township of Neptune will auction said vehicles through an on-line auction in compliance with state rules and regulations for a period of five days from August 13, 2011 through August 17, 2011, inclusive; and,

WHEREAS, the Municipal Clerk shall provide proper advertisement and notice in accordance with state statute in addition to posting the auction information on the Township's web site; and,

WHEREAS, said vehicles to be sold are as follows:

2006 Chevrolet Impala	2G1WS551469373956
2009 Chevrolet Impala	2G1WS57M291266480
2006 Chevrolet Impala	2G1WS551169369833
2006 Chevrolet Impala	2G1WS551069371394
1995 Jeep Cherokee	1J4F68S6SL588367
1999 Ford police sedan	2FAFP71W3XX201799
1999 Ford Crown Victoria	2FAFP71W1XX201778
1996 Ford 4 Dr sedan	2FALP71W7TX116179
1999 Ford Crown Victoria	2FAFP71W6XX170396
1994 Ford 4 Dr sedan	2FALP71W8RX198884
1995 Ford Bronco	1FMEU15H1SLCO1207
1995 Chevrolet Public Works vehicle	GCDC14Z5RZ129058
1993 Ford dump truck	FDYK74C5PVA12860
1995 Crane Carrier	1CYCAM2785T041679
1996 Crane Carrier	1CYCAM276TT042122
1997 Crane Carrier	1CYCCK489VT042802
1995 Ford Dump	1FDYF80E6TVA20414
GMC Armored vehicle	1GDG6PIBIGV529228
Ford Tractor	C682109
1962 Chevrolet utility truck	2C363T100058 (Ocean Grove Fire Dept)
1990 Chevrolet Suburban	1GNGV26K3LF166977

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

1. that the above listed vehicles are declared as surplus and not needed for public use,
2. that the execution of a contract with USGovBid/Auction Liquidation Services to provide on-line auction services is hereby approved,
3. that the sale of the above vehicles is hereby authorized through an on-line auction from August 13, 2011 at 9:00 A.M. to August 17, 2011 at 6:00 P.M. at www.usgovbid.com, the details of which will be provided in the required legal advertisements and on the Township web site,
4. that the said vehicles are being offered "as is - where is";
5. that should any vehicle be unsuccessfully sold at auction, disposal of such vehicle is hereby authorized in accordance with state law,

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

AMEND AUTHORIZATION TO SWAP AMMUNITION FOR RETIRED POLICE DEPARTMENT WEAPONS FOR AMMUNITION USED IN WEAPONS CURRENTLY IN USE

WHEREAS, the Police Department is in possession of 45,000 rounds of 9mm ammunition

that was in stock for use in 9mm Glock and 9mm MP-5 sub-machine guns. These weapons have been retired from service and the need for this ammunition is no longer required; and,

WHEREAS, the Department currently possesses weapons that utilize 5.56mm ammunition; and,

WHEREAS, at the recommendation of the Police Department, the Township Committee adopted Resolution #11-183 which authorized a swap of ammunition with Shore Shot Pistol Range, Lakewood, NJ of 5.56mm ammunition for 9mm ammunition possessed by the Township; and,

WHEREAS, the resolution requires an amendment to reflect that the swap is of equal value on ammunition and not of equal number of ammunition as the cost of 5.56mm ammunition is three times higher than the cost of 9mm ammunition,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the previous authorization to swap ammunition through Resolution #11-183 is hereby amended to reflect that the Neptune Township Police Department will swap 45,000 rounds of 9mm ammunition possessed by the Department for 15,000 rounds of 5.56 ammunition with Shore Shot Pistol Range, Lakewood, NJ ; and,

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

AUTHORIZE THE SUBMISSION OF A 2012 GRANT APPLICATION BY THE NEPTUNE ALLIANCE AGAINST ALCOHOLISM AND DRUG ABUSE

WHEREAS, the Neptune Township Municipal Alliance Against Alcoholism and Drug Abuse desires to submit a comprehensive funding proposal to the Governor's Council of Alcoholism and Drug Abuse for 2012; and,

WHEREAS, the Alliance is eligible to apply for funding in the amount of \$51,074.00 for 2012 prevention services,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the submission of a 2012 Grant Application by the Neptune Township Municipal Alliance Against Alcoholism and Drug Abuse to the Governor's Council of Alcoholism and Drug Abuse, which requests the amount of \$51,074.00 for 2012; and,

BE IT FURTHER RESOLVED, that the Mayor, Business Administrator and Drug Alliance Mayoral Representative are hereby authorized to execute said proposal; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Business Administrator, Chief Financial Officer and Drug Alliance Coordinator.

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT

WHEREAS, the properties listed below reflect overpayments; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to refund the taxes as stated herein; and,

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
9017/11.02	LAHENS	13 SMITH LN	2010	1,922.30
9012/6.05	SALOMON	728 GREEN GROVE R	2010	220.41
10024/12	CAVANAUGH	42 TOOMIN DR	2010	1,598.00
331.02/69	RICE	707 PROSPECT PL	2010	2,414.64
52/1023.02	NEWMAN	66 ½ WEBB AVE	2010	1,568.07
3005/9	ALEXANDER	5 SURREY LN	2011	211.15
471/34	PALLINI	103 MELROSE AV	2010	1,990.30

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

AUTHORIZE THE CANCELLATION OF SEWER RENT (3548 ROUTE 66)

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
10000/7.03	SSS Neptune Associates, LLC	3548 Route 66	2011	430.00

REASON: Over billed occupancy

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

AUTHORIZE THE CANCELLATION OF TAXES ON PROPERTY ACQUIRED BY THE TOWNSHIP OF NEPTUNE (1700 WEST LAKE AVENUE)

WHEREAS, the property known as Block 217, Lot 58, with an address of 1700 West Lake Ave, was purchased by the Township of Neptune on April 11, 2011 and should be tax exempt; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against the above property for the 2nd ½ of 2011; and,

WHEREAS, the amounts to be canceled are as follow;

TAX YEAR	AMOUNT TO CANCEL	REFUND
2011	\$1,940.80	\$0.00

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the Tax Collector be and hereby is authorized to cancel and refund taxes as stated herein; and,

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

AUTHORIZE THE CANCELLATION OF A FAÇADE IMPROVEMENT LOAN GRANTED TO SUNILAND FURNITURE

WHEREAS, the Township of Neptune issued a Façade Improvement Loan in the amount of \$3,296.03 to Abbas Osman Family Trust d/b/a Suniland Furniture for improvements at Suniland Furniture located at 216 Highway 35; and,

WHEREAS, Suniland Furniture 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 Abbas Osman Family Trust d/b/a Suniland Furniture for improvements at Suniland Furniture located at 216 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 AN INTERLOCAL SERVICE AGREEMENT WITH NEPTUNE TOWNSHIP FIRE DISTRICTS 1 AND 2 TO PROVIDE COMMUNITY SERVICE OFFICERS

WHEREAS, the "Uniform Shared Services and Consolidation Act", N.J.S.A. 40A:65-1 et seq. (the "Act"), authorizes local units of this State to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive in its own jurisdiction; and

WHEREAS, the Township is in need of the services of Community Service Officers and appropriate staff in order to perform emergency response duties for the Township of Neptune; and

WHEREAS, Community Service Officers will respond to calls for emergency medical services throughout the Township; and,

WHEREAS, in the spirit of inter-municipal cooperation, and in furtherance of the principles underlying the Act, the Township and Fire Districts have negotiated an Agreement for the shared provision of the services within their respective jurisdictions; and

WHEREAS, the Township and Fire Districts will mutually agree on the number of hours that Community Service Officers will be provided and will share in the costs of providing Community Service Officers as follows: Township of Neptune - 50%; Neptune Township Fire District #1 - 35%; and Neptune Township Fire District #2 - 15%; and,

WHEREAS, this Interlocal Service Agreement shall be for a term of five (5) years,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Interlocal Services Agreement with Neptune Township Fire District #1 and Neptune Township Fire District #2, a copy of which is on file in the Office of the Municipal Clerk, which sets forth a cost sharing agreement and authorizes the use of Community Service Officers in the Township; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Business Administrator, Assistant C.F.O., Neptune Township Fire District #1 and Neptune Township Fire District #2.

ESTABLISH GRACE PERIOD FOR 3rd QUARTER TAX PAYMENTS

WHEREAS, the Township Committee has adopted a ten (10) day grace period for all tax payments due during the 2011 calendar year; and,

WHEREAS, the 3rd quarter tax payment for 2011 is due on August 1, 2011; and,

WHEREAS, due to the delay in receiving the final tax rate certification, the actual tax bills were not mailed until July 25, 2011 and the Committee desires to extend the zero percent interest grace period for the 3rd quarter tax payments,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a zero percent interest grace period is hereby established for receipt of 2011 3rd quarter tax payments until August 22, 2011; and,

BE IT FURTHER RESOLVED, that 2011 3rd quarter tax payments received after August 22, 2011 will be charged the applicable interest rate as of August 1, 2011; and,

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

WAIVE FEE FOR DUMPSTER RENTAL FOR WASHINGTON FIRE COMPANY

WHEREAS, the Washington Fire Company is undertaking a renovation project that requires the Township's 30 cubic yard dumpster for construction waste at their fire house located at 50 Olin Street; and,

WHEREAS, the building is owned by the Ocean Grove Fire District, a political subdivision of the State of New Jersey and the Washington Fire Company is a non-profit volunteer organization providing fire suppression services to the Township of Neptune,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby waives the rental fee for the Township's 30 cubic yard dumpster for renovations at the Washington Fire Company, located at 50 Olin Street for the reason as stated herein; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of Public Works and Washington Fire Company.

AUTHORIZE PURCHASE OF HAZARDOUS MATERIAL TRAINING

WHEREAS, the Purchasing Agent solicited quotes for hazardous material training for Office of Emergency Management personnel; and,

WHEREAS, the cost of said item is less than the bid threshold but exceeds \$17,500.00 and therefore must be awarded by Resolution of the governing body; and,

WHEREAS, said quotes were reviewed by the Purchasing Agent 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 in the 2011 Municipal Budget through a HMEP Training Grant received by the Township 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 purchase of hazardous material training for Office of Emergency Management personnel be and is hereby authorized through HazMatIQ.com, LLC pursuant to their quote of \$5,950.00 per session (not to exceed \$17,850.00); 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., and Emergency Management Coordinator.

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

AUTHORIZE THE PURCHASE OF A TELEPHONE SYSTEM, PAGING SYSTEM AND FURNITURE FOR THE NEW SENIOR CENTER UNDER THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM

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

WHEREAS, the Township wishes to install a telephone system, install a paging system and purchase furniture for the new Senior Center building through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Laws, N.J.S. 40A:11-12; and,

WHEREAS, Tricomm Services Corp. has been awarded New Jersey State Contract No. A42285 for an Avaya Telephone System and New Jersey State Contract No. A42285/A42303 for a paging system. All State Office Interiors has been awarded New Jersey State Contracts No. A57038, A57045, A67818, A69980 and A69941 for furniture; and,

WHEREAS, the Chief Financial Officer recommends the utilization of these contracts on the grounds that the prices reflect a substantial savings; and,

WHEREAS, the amount of the purchases shall not exceed the following amounts:

- Telephone system - \$27,235.79
- Paging system - \$20,130.52
- Furniture – \$123,135.56

WHEREAS, funds for this purpose are available as follows and the Chief Financial Officer has so certified in writing:

- Telephone system and Paging system - Ordinance No. 10-10
- Furniture – Ordinance No. 10-10 (\$24,711.09) and Senior Center Trust Fund (\$98,424.47)

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following purchases through the New Jersey State Cooperative Purchasing Program for the new Senior Center are hereby authorized:

- Avaya Telephone System - amount not to exceed \$27,235.79
- Paging System – amount not to exceed \$20,130.52
- Furniture – amount not to exceed \$123,135.56

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

The resolution was adopted on the following vote: Bishop, aye, adding that \$98,000 of the cost of the furniture is coming from the Senior Trust Fund so the seniors deserve thanks for their donations; Brantley, aye, adding that he sees all of the great work being done at the senior center; Houghtaling, aye; Jahn, aye, adding that its been a long journey, but the new facility is looking good; and McMillan, aye, with pleasure.

AUTHORIZE THE PAYMENT OF BILLS

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

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

CURRENT FUND	1,001,384.03
FEDERAL & STATE GRANT FUND	6,710.72
TRUST OTHER	12,088.50
GENERAL CAPITAL FUND	103,200.05
SEWER OPERATING FUND	23,686.70
SEWER CAPITAL FUND	3,599.00
MARINA OPERATING FUND	3,780.13
DOG TRUST	7,330.70
UDAG RECIPROCAL TRUST	7,867.41
LIBRARY TRUST	3,850.56
BILL LIST TOTAL	\$1,173,497.80

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

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Dennis Davis stated at the last meeting he was present to discuss the matter regarding his porch and today he received a phone call that did not deliver good news. He stated no one wanted to take the weight regarding the mistake made to his porch. He stated he was facing a hardship based on this. He was told that they were going to resolve it and then they wait until the last day to tell him bad news.

Anne Sibole thanked the Committee for the Senior Center and stated she was a member for 21 years.

Dorothy Argyros stated she hoped that this would not be the end of Section III. She felt that jobs were needed and she would like to see that WPA was brought back. It was a plan that was instituted by Franklin D. Roosevelt. She stated the Mayor was very responsive to their cries.

Mayor McMillan stated he would be in the office with both Roberta Grace and Monique Burger to work on the next step.

Michael Fornino stated out of the 750 billion dollar stimulus package put forth by the

President 6% went to shovel ready jobs and the other 98% went to make sure that government workers were not laid off. He stated he was in Freehold a couple of weeks ago and he took pictures of permit parking on Court Street. He stated the hospital has done all that they could do including putting up an expensive fence and people are still walking around the fence. He felt the Township should pass a temporary parking ordinance as soon as possible because it has been a nuisance for four years. He also stated that he brought up several times about the impassable sidewalk on Wakefield Road. He stated he noticed there was a root sticking up where you would walk and he stated he found out the Township Employees did it.

Mr. Huhn stated he had told him a half dozen times that the owner of that property had it cleared and then the owner was told by the Code Enforcement Officer that he did not like the way the job was done and to finish it and he did.

Mr. Fornino went on to state that anyone on this Committee will answer to the citizens. He stated he heard that on the Board of Education only the Board President could have dialogue with the citizens. He felt that it was unconscionable because they were elected by the citizens. He felt they sat at the meetings like they were zombies.

Ms. Jahn stated the last time he brought this matter up she sent a note out to Bill Doolittle to take care of it.

Mr. Houghtaling stated last week there was a meeting regarding the parking in the Gables and a survey was done.

Mr. Huhn stated he spoke with the Chief this morning and he was told that the survey was not complete but so far everyone they've surveyed on Newgate Lane did not want anything changed.

Betty Kern stated she had a serious problem with her husband who worked with Mr. Bascom. She stated her husband received favoritism from OEM and the Police Department. She stated she was arrested because her husband filed charges against her. She asked that the Police Department leave her alone and the favoritism to her husband stop. She questioned whether her husband was fit to be a member of OEM.

Rev. Paul Brown thanked the Committee for the improvements that were done on Saturday to Liberty Park. He stated he has already started additional work for the park and it was for a water fountain.

Mr. Bishop asked that Mr. Cuttrell draft a letter stating that Mr. Brown presented the necessary information to the Committee.

Heinz Weck stated a friend of his has a child that requires 24 hours attention and employee by the name of Monique helped her. He went on to state that when something was not broken why do they have to fix it. He did not see a good reason to change or form of government.

Mr. Bishop explained the ward form of government.

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

Richard J. Cuttrell,
Municipal Clerk