

## TOWNSHIP COMMITTEE MEETING –MARCH 12, 2012

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

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

Mayor Bishop 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 5, 2012, 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:

Bill Doolittle, Construction Official, present for a discussion on construction permit fees. Mr. Houghtaling stated that the American Legion on Gully Road has requested a waiver of construction permit fees because they have to replace boilers due to flooding from Hurricane Irene. Mr. Doolittle stated that when fees are waived, that cost has been picked up by either increased fees or increased taxes for the Construction Department budget. He stated that the Department waived \$119,000 in fees in 2011 and \$161,000 in 2010 for other governmental agencies, volunteer members of first aid and fire and Schoolhouse Square. He stated that waiving fees for non-profits could also trickle down to zoning, HPC and mercantile fees. Mr. Anthony stated that the statutes allow a fee waiver under certain circumstances. If a statute regulates an activity, then a statute must exist to allow for a fee reduction or a fee waiver. There are specific examples that allow for a waiver of construction fees and the examples are for the situations for which Mr. Doolittle has waived fees. The Township Committee does not have the ability to arbitrarily waive fees outside of the those items listed and veterans associations or groups are not on the list.

Mr. Bascom stated there have been no changes to the proposed municipal budget in the past two weeks. The budget proposed for introduction this evening has a 2.8 cents increase over 2011 which is slightly higher than 2011, but lower than 2009 and 2010. Mr. Houghtaling asked why there is a significant increase in the police salary and wage line. Mr. Bascom stated that the number of new officers moving up through the step increase is a larger percentage than normal.

The Committee discussed the possibility of having a member of the Township Committee included on the Negotiating Team for municipal contracts. Mr. Houghtaling stated that the Committee should have a game plan before starting negotiations. Mr. Bascom stated that historically there is a game plan and guidance before negotiations start. He added that the Township has been doing better with contracts than the other municipalities in the County. Mr. Bascom stated that he has been an employee under all different types of scenarios for how contracts were negotiated. Back in the 1970s and 1980s, the governing body was involved and we are still working on removing some of the items that were added to the contracts back then. Mr. Anthony suggested that the liaison to each Department meet with the Negotiating Team prior to the start of negotiations. Mr. Bascom stated that the Labor Attorney really drives the negotiations since he has extensive knowledge on what is being negotiated throughout the state. The Committee indicated that the process should remain the same as in the recent past.

The Committee indicated their opposition to changing the traffic pattern on Route 33 between Union Avenue and Walnut Street to one lane in each direction with a center turning lane.

The Committee reviewed the calendar of upcoming events and each took responsibility for attending one or more of the various homeowners associations meetings.

Mr. Houghtaling asked that drainage at 207 Monmouth Avenue be added back to the list of pending items. Mr. Bascom stated that the Township Engineer is looking into this matter.

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

Mr. Houghtaling offered the following resolution, moved and seconded by Dr. Brantley, 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 – Appointment to Housing Authority and vacancy on Library Board of Trustees  
Contract negotiations – Sewer Service Agreement – 112 Cardinal Road  
Contract negotiations – Shuttle Bus services  
Personnel – Appointment of CDBG Citizen Participation Group

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: Brantley, aye; Houghtaling, aye; McMillan, aye; and Bishop, aye.

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

The Committee is reviewing the appointment to the Housing Authority.

Mr. Anthony stated that the Township needs to grant an easement on Township property to the owner of 112 Cardinal Road to allow them to tie into the sanitary sewer main to the rear of the property. The question is the amount of time the easement should be granted to complete the job. The Committee indicated two years.

The Committee reviewed options for summer shuttle services from to and from the Bradley Beach and Asbury Park train stations. The Committee indicated that funding would be granted for the same shuttle that was in operation last year, but no additional shuttle services would be funded at this time.

The Committee will seek members for the CDBG Citizens Participation Group. The staff that should be included is Leanne Hoffmann, Phil Huhn, Monique Burger and Michael Bascom.

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

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

Also present at the dais were Richard J. Cuttrell, Municipal Clerk; 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 Bishop 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 5, 2012, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are available online at [www.neptunetownship.org](http://www.neptunetownship.org) for public viewing before each Township Committee meeting.

#### APPROVAL OF MINUTES

Dr. Brantley offered a motion, seconded by Mr. Houghtaling, to approve the minutes of the

meeting held on February 13th. All were in favor.

### PROCLAMATION

The Mayor proclaimed the week of March 18<sup>th</sup> – 24th as National Poison Prevention Week.

### REPORT OF THE CLERK

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

Tax Collector's monthly statement for February .

Patricia Coffey and Mack & Christine Owens sent letters of thanks to the Senior Center staff.

Rosemary Gray sent letters of thanks to the following for donations to the Senior Center: The Red & Purple Social Club, Patricia Coffey, Yuriko Anderson, Christine & Mack Owens, Regina & Thomas Donohue, Elizabeth McElroy, Catholic Men for Jesus Christ, Wegmans, Michael Balzarano, Grace Christian Church, The Pastry Chef, Lynn Waddell, Frankie Winrow, Nilda Corvo, Barbara Neuman & Rita Munn, Frances Pettit, Lydia Diel, Rita Goldstein, DaMita Jo Warren, Leslie Cannon, Mary & Ronald Carr, Ingrid Farrell and The Basket Making Guild

### COMMENTS FROM THE DAIS

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

Dr. Michael Brantley stated he attended the retirement dinner of Deputy Chief Bailey and it was sad to see him retire.

Kevin McMillan stated he also attended Deputy Chief Bailey's retirement party and attended the St. Patrick's Day Parade in Belmar. He had the opportunity to march with the Mayor and Deputy Mayor and he was happy that the weather held up. He attended the Legislative Committee Meeting that was held in Princeton with William Dressel. He attended the Dr. Seuss Read For America Program that was held at Thurgood Marshall School in Asbury Park. He read to fourth graders. He attended the tail end of the Dr. Seuss program which was held in our library and the Mayor and the Deputy Mayor were also there. On Saturday, he attended the finals at the Pinebelt Center with Neptune vs Plainfield and Neptune gave a valiant effort and it was really a great game however Plainfield prevailed.

Deputy Mayor Eric Houghtaling stated he attended the Shark River Hills property owners meeting and the informal gathering for Deputy Chief Bailey for his retirement. He wished him well on his retirement and his new job in which he would still be serving the Township. He attended the celebration for Dr. Seuss at the library and they read books to the kids which they all enjoyed. He stated a wonderful job was done by both Ms. Baumann and her staff. He attended the Applebees fundraiser for the Gables School. It was well attended and reasonably priced. He also attended the fundraiser for the Police Officers bike ride to Washington. He stated he supported Captain Andrew Leather who would be participating in that bike ride. He marched in the St. Patrick's Day Parade with the High School marching band and flag twirlers. He felt they were a very impressive group. He attended the State Finals between Plainfield and Neptune. The coach and students did a great job. He stated the electronic wastes were doing very good in the recycling department.

Mr. McMillan stated he attended the State Football dinner and he had the opportunity to see the kids put on their jackets.

Dr. Brantley stated he did not attend the Dr. Seuss reading but he sent his sister in law in his place and she was excited about it and enjoyed herself tremendously.

Mayor Bishop stated he attended the retirement gathering for Deputy Chief Bailey. He stated he would be missed here but was glad that he would be working in Ocean Grove. He stated he also attended the Shark River Hills Read Across America Day. He also attended the Read Across America Day at the library. He attended the St. Patrick's Day Parade it was great and the weather was great. A meeting was held concerning dredging and they brought their Legislators up to speed and Senator Beck was in attendance. He stated he appreciated her being there. He attended the Ocean Grove Beautification Dinner and it was a wonder night. He attended the Shark River Hills

Casino PTA Night and the Gables School Talent Show. He stated he was proud of the students who participated. He attended the NTEA brunch and the Gables Applebee fundraiser. This coming Friday is the Green Grove PTA's Red Carpet Auction with the Real Housewives of New Jersey. He went on to state that the Monmouth Council Boy Scout's of America was doing a fundraiser at Perkins. He stated they were also starting a new Boy's Scout Troop in Neptune.

#### PUBLIC COMMENTS ON RESOLUTIONS

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

Hank Coakley, referred to Resolution #12-130 which would give permission to Avon to dispose of dredge material at the Township's old landfill. He stated he felt that the Township was being hypocritical for allowing someone to dump in our Township.

Mayor Bishop stated the Township's problem was not the dumping of the dredge material but where they were going to dry them but Avon is going to bring dried materials from theirs and place it on our landfill. He stated they had the money to do the dredging and a place to put the material after it's dried it's that interim piece we don't have which is the place to dry it.

Mr. Coakley questioned where was Avon drying their stuff.

Mr. Bascom stated Avon has such a small amount. He stated what has to be removed in Phase I of the channel dredging they are looking to move 150,000 cubic yards.

Kennedy Buckley, commented on the municipal budget and stated that it was nice that the Township has received a nice triple A rating. He stated he has read in the newspaper where communities all over America were going bankrupt. He stated we've had a nice winter and we should have a lot of money in our snow budget. He questioned what would happen to the unused funds and could it be banked to offset other budgets in years to come.

Mr. Bascom stated those excess funds that are available at the end of this cycle will then go into a snow removal trust fund. So in the more severe years for instance last year we had money in our snow removal trust fund so when everybody else was declaring emergencies and raising additional taxes we used our budget money plus our snow removal trust fund money so that we could manage without a spike in the tax rate.

Mr. Buckley stated he did not know about the snow removal trust fund but felt that it was a great example as to how Neptune was being run. He asked them to hold the line when it came to salary negotiations.

#### ORDINANCE NO. 12-04 - ADOPTED

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

#### ORDINANCE NO. 12-04

AN ORDINANCE AUTHORIZING THE TOWNSHIP OF NEPTUNE TO EXCEED THE 2.5% COLA RATE APPROPRIATION LIMITS AND ESTABLISH A CAP BANK FOR PURPOSES OF INTRODUCING THE 2012 MUNICIPAL BUDGET

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

Hank Coakley stated he had to read this ordinance twice and requested an explanation in English.

Mr. Bascom stated for the record that was a template that they had to use from the State and they did not come up with the wording themselves. Basically what this does is give them budget flexibility. This is strictly budget management.

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

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

ORDINANCE NO. 12-06 - APPROVED

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

ORDINANCE NO. 12-06

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A HANDICAPPED PARKING ZONE ON SPRAY AVENUE AND DELETING HANDICAPPED PARKING ZONES ON BROADWAY AND HECK AVENUE

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

ORDINANCE NO. 12-07 - APPROVED

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

ORDINANCE NO. 12-07

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO VARIOUS MUNICIPAL BUILDINGS AND FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$332,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 12-08 - APPROVED

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

ORDINANCE NO. 12-08

BOND ORDINANCE PROVIDING FOR VARIOUS 2012 PARK AND PLAYGROUND IMPROVEMENTS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$325,000 THEREFOR (INCLUDING A GRANT RECEIVED OR EXPECTED TO BE RECEIVED IN THE AMOUNT OF \$239,000) AND AUTHORIZING THE ISSUANCE OF \$81,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

Mr. Cuttrell stated that the Public Hearings on Ordinances 12-06, 12-07 and 12-08 (and Ordinance 12-05 which was introduced on February 27, 2012) will be held on Monday, March 26, 2012.

CONSENT AGENDA

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

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 25, June 29, July 27 and August 31 – 4:00 p.m. to 8:00 p.m.  
May 26, June 30, July 28 and September 1 – 8:00 a.m. to 6:00 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.

ACCEPT THE RESIGNATION OF LUKE TIRRELL AS A MEMBER OF THE LIBRARY BOARD OF TRUSTEES

WHEREAS, the Township Committee has received a letter from Luke Tirrell resigning as a member of the Library Board of Trustees effective February 17, 2012,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Luke Tirrell as a member of the Library Board of Trustees is hereby accepted effective February 17, 2012; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Secretary of the Library Board of Trustees.

AUTHORIZE THE SUBMISSION OF A FY11 EXERCISE SUPPORT PROGRAM PASS THROUGH GRANT

WHEREAS, the New Jersey Department of Law & Public Safety is providing FY2011 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; and,

WHEREAS, said application requires matching funds in an amount equal to the amount of grant funding sought; and,

WHEREAS, funds will be provided for the first three months of 2012 in the 2012 Temporary Budget and funds for the balance of 2012 will be provided in the Budget for the year 2012, when finally adopted, 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 submission of an application to the New Jersey Department of Law and Public Safety for an Emergency Management Preparedness Grant/FY2011 Exercise Support Program Pass Through Grant in the amount of \$15,000.00 with a municipal match 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.

AUTHORIZE APPROPRIATION FOR ANNUAL WORLD CHANGERS INITIATIVE

WHEREAS, World Changers will again be visiting the Township to undertake an urban development program by making minor repairs to various residential homes and assisting our residents in cleaning their properties; and,

WHEREAS, there is the need to purchase building supplies and materials to utilize in this program; and,

WHEREAS, funds are available for this purpose in the U.D.A.G. Trust Fund 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 up to \$25,000.00 from the U.D.A.G. Trust Fund for the purchase of building materials and supplies in connection with the 2012 World Changers urban development initiative to repair various residential homes in the Township; and,

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

AUTHORIZE EMPLOYMENT OF PART-TIME TEMPORARY PLUMBING SUB-CODE OFFICIAL

WHEREAS, due to an extended absence of the Plumbing Sub-Code official, there is a need in the Construction Department for a part-time temporary Plumbing Sub-Code official to perform inspections as needed; and,

WHEREAS, the Construction Official recommends the temporary employment of an individual to serve in this capacity; and,

WHEREAS, funds will be provided for the first three months of 2012 in the 2012 Temporary Budget in the appropriation entitled \_\_\_\_\_, known as Account No. \_\_\_\_\_ and funds for the balance of 2012 will be provided in the Budget for the year 2012, when finally adopted, 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 part-time temporary employment of John Germann as part-time temporary Plumbing Sub-Code Official from February 15, 2012 to April 30, 2012 at an hourly rate of \$30.00; and,

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

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 048

WHEREAS, S&G Florida Management, LLC is the owner of Neptune Township Taxi Medallion No. 048; and,

WHEREAS, she has notified the Taxi License Coordinator of the intent to sell and transfer ownership of said medallion to Mohamed Elgamal; and,

WHEREAS, the Taxi License Coordinator has certified that all requirements of transfer have been satisfied,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted for the transfer of Taxi Medallion License No. 048 to Mohamed Elgamal; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Taxi License Coordinator and Municipal Clerk.

AUTHORIZE RETURN OF DEVELOPERS ESCROW FUNDS FOR CLOSED OUT PROJECTS

WHEREAS, in accordance with New Jersey State Land Use Law, the Township maintains escrow accounts for cash guarantee and inspection fees posted by developers for Board approved site plans and subdivisions; and,

WHEREAS, a review of said accounts reveals numerous balances in accounts for projects that have been closed out and completed for which the Developers have not requested the return of the funds; and,

WHEREAS, the Township Engineer recommends that said funds be returned to the respective Developers,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the refund of developers escrow accounts for closed out projects as indicated on the attached

list, including both cash guarantee and inspection escrow accounts, is hereby authorized to be refunded to the appropriate Developer; and,

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

## MUNICIPAL ESCROW CASH GUARANTEE ACCOUNT

ACCOUNT #	VENDOR	
7200005680	Rt 66 Auto Gallery	\$4,835.51
7200005687	Tyree Organization	\$841.18
7200005690	Coast Cities	\$7,009.99
7200005691	Robert Strano	\$554.25
7200005693	Fasano Contracting	\$2,730.91
7200005695	Neptune Investors	\$14,897.48
7200005699	JSMC	\$4,569.20
7200005708	Electro Impulse	\$136.85
7200005709	John Pittenger	\$280.61
7200005711	Diversified Productions	\$108.00
7200005712	Fords National Auto Mart	\$4,875.97
7200005715	Allied Fire	\$356.10
7200005720	Cellular One	\$1,284.60
7200005721	Modern Health Affiliates	\$3,579.83
7200005726	Diversified Productions	\$4,454.25
7200005730	Prospect Hill	\$23,477.74
7200005733	Cotina Associates	\$1,236.19
7200005736	Conti Enterprise	\$1,762.38
7200005748	RIR II	\$725.33
7200005757	WellsBrook	\$112.50
7200005759	Jumping Brook Country Club 1A	\$4,629.10
7200005760	Jumping Brook Country Club 1B	\$59,735.39
7200005773	Vintage Community at Knox Hill	\$7,963.47
7200005868	Kenderian-Zilinski Assoc	\$2,000.00
7200005902	Woodlands	\$153.42
7200005915	Jumping Brook Country Club LLC	\$2,079.00
	<b>TOTAL</b>	<b>\$154,389.25</b>

## MUNICIPAL ESCROW INSPECTION FEE ACCOUNT

ACCOUNT #	VENDOR	BALANCE
7200005776	Rt 66 Galleria	\$1,618.15
7200005779	Tyree	\$224.65
7200005781	Tamarack Self Storage	\$260.41
7200005782	Coast Cities	\$1,420.39
7200005783	Fasano Contracting	\$1,165.15
7200005784	Homestead Dining	\$571.19
7200005788	One Ocean Avenue Assoc	\$4,209.13
7200005790	JSMC – Generation	\$338.56
7200005791	Jersey Shore Ambulatory	\$152.45
7200005793	JSMC - Emergency Room	\$130.00
7200005798	Playdromes Bradley Bowl	\$210.61
7200005801	Jody Distasio	\$1,029.57
7200005806	Summit Townhouse	\$3,057.83
7200005807	Pineiro Construction	\$503.70

7200005808	Atlantic Coast Communications	\$378.77
7200005813	Professional Touch Car Wash	\$912.39
7200005815	EGDC Neptune	\$623.08
7200005817	Jersey Shore Medical Arts Bldg	\$251.85
7200005818	Dykeman Associates	\$132.73
7200005821	Neptune Venture	\$451.55
7200005823	Remsen Mills	\$157.66
7200005832	Top of the Summit	\$261.86
7200005833	TMK Builders	\$580.50
7200005835	Wellsbrook LLC	\$203.37
7200005839	HK NJ Management	\$126.13
7200005846	Palesha Real Estate Partner	\$115.19
7200005849	Home Depot	\$2,974.09
7200005854	Macedonia Baptist Church	\$500.00
7200005855	King Manor Lodge	\$700.00
7200005856	Chateau Park	\$257.00
7200005859	OG Sewer District	\$103.00
7200005860	Living Word	\$351.00
7200005878	Quick Check Food Stores	\$277.55
7200005901	Edgewood Properties	\$703.75
7200005916	Jumping Brook Country Club	\$692.00
7200005930	Gene Armstrong	\$916.25
7760000610	W Lake Senior Apartments	\$1,333.43
7760000601	Monmouth Consulting	\$315.00
7760000605	Asbury Circle	\$297.33
<b>TOTAL</b>		<b>\$28,507.27</b>

**AUTHORIZE THE CANCELLATION OF RESIDUAL SMALL BALANCES IN DEVELOPERS ESCROW ACCOUNTS**

WHEREAS, in accordance with New Jersey State Land Use Law, the Township maintains escrow accounts for cash guarantee and inspection fees posted by developers for Board approved site plans and subdivisions; and,

WHEREAS, a review of said accounts reveals numerous accounts in which the funds were refunded to the Developer but received a residual interest payment (less than \$100.00) after the account was closed years ago; and,

WHEREAS, the Township Engineer recommends that said accounts be closed out with the small balances being cancelled to General Fund Balance,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the cancellation of small balances in aged developers escrow accounts, as indicated on the attached list, to General Fund Balance; and,

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

**MUNICIPAL ESCROW CASH GUARANTEE ACCOUNT**

<b>ACCOUNT #</b>	<b>VENDOR</b>	<b>BALANCE</b>
7200005692	Robert Strano	\$0.22
7200005694	HRA Real Estate	\$12.57
7200005696	Lowy's Express	\$0.08
7200005700	Meridian Health Systems	\$27.84
7200005701	Meridian Health Systems	\$33.45
7200005703	JSMC Child	\$6.49

7200005707	Holy Innocents Church	\$19.78
7200005716	Ely Funeral Home	\$10.74
7200005717	SLM II	\$51.30
7200005718	Pineiro Contructions	\$13.45
7200005719	Seaview Island Assoc	\$19.16
7200005722	Neptune Boulevard Properties	\$0.05
7200005723	Cariste Builders	\$6.60
7200005725	RBA Development	\$0.69
7200005727	Saddle Brook Development	\$3.61
7200005728	GW of NJ	\$0.12
7200005729	Creative Unit Officer	\$0.42
7200005732	Knox Hill	\$77.04
7200005734	Shark River Yacht Club	\$11.71
7200005735	Green Grove	\$42.36
7200005737	EGDC	\$13.84
7200005746	Remsen Mills	\$7.07
7200005753	Maggio Professional Plaza	\$11.76
7200005756	Fifth Avenue	\$14.40
7200005764	Frederick Dempsey Post 266	\$14.69
7200005766	Aldi Inc	\$36.94
7200005767	Tri Dim Filter	\$33.83
7200005769	Total Renal Care	\$32.71
7200005770	Dykeman III	\$0.00
7200005911	Corlies Avenue Land	\$43.84
7200005927	W Lake Sr Apartments Urban	\$36.45
7760000512	CJS Investments	\$2.10
<b>TOTAL</b>		<b>\$585.31</b>

AUTHORIZE THE REFUND OF MUNICIPAL MARINA SUMMER DOCKAGE DEPOSIT

WHEREAS, on January 17, 2012, Victor Maselli submitted a deposit for summer dockage at the Municipal Marina in the amount of \$744.00; and,

WHEREAS, he has since advised the Marina Bookkeeper that unforeseen circumstances has caused him to be without a boat and he has requested a refund of the summer dockage deposit; and,

WHEREAS, the Harbor Commission recommends the granting of a refund,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the refund of a Municipal Marina summer dockage deposit in the amount of \$744.00 to Victor Maselli; and,

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

AUTHORIZE THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT WITH THE BOROUGH OF NEPTUNE CITY FOR BRUSH DISPOSAL

WHEREAS, the Township of Neptune and Borough of Neptune City find it necessary to arrange for disposal of brush collected by the Borough at the Neptune Township Public Works Yard for ultimate disposal and recycling by the Township through a contracted third party; and,

WHEREAS, the Township of Neptune and the Borough of Neptune City desire to enter into an Interlocal Service Agreement pursuant to N.J.S.A. 40:8A-1 et seq. to serve the best interests of residents in both municipalities by enjoying the benefits of economies of scale through this arrangement; and,

WHEREAS, the Borough will agree to transport brush collected from Borough residents to the Township Public Works Yard and pay the Township at a rate of \$10.25 per cubic yard; and,

WHEREAS, this Interlocal Service Agreement shall be effective on the date of the signing of said Agreement through December 31, 2013,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Interlocal Services Agreement with the Borough of Neptune City, a copy of which is on file in the Office of the Municipal Clerk, providing for the disposal of the Borough's brush at the Township Public Works Yard at a rate of \$10.25 per cubic yard; and,

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

**GRANT PERMISSION TO THE BOROUGH OF AVON-BY-THE-SEA TO DISPOSE OF DREDGE MATERIAL AT THE FORMER NEPTUNE LANDFILL**

WHEREAS, the Borough of Avon-By-The-Sea has acquired property on Shark River with the intention of converting the property into a park and marina; and,

WHEREAS, it is necessary to dredge approximately 1,000 cubic yards of sediment from the area of the Shark River adjacent to said property; and,

WHEREAS, the Township desires to grant permission to the Borough to dispose of the dredge material at the former Neptune landfill adjacent to West Bangs Avenue and charge the Borough \$5.00 per cubic yard,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby grants permission to the Borough of Avon-By-The-Sea to dispose of approximately 1,000 square yards of dredge material as described herein at the former Neptune Township landfill located adjacent to West Bangs Avenue at a charge to the Borough of \$5.00 per cubic yard; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Business Administrator, Township Engineer, Public Works Director and the Borough of Avon-By-The-Sea.

**AUTHORIZE THE REFUND OF SEWER RENT**

WHEREAS, the properties listed below reflect overpayments; and,

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

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the Tax Collector be and hereby is authorized to refund the Sewer Rent as stated herein:

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
267.02/372	MERIDIAN	2110 HARDING AVE	2010	410.00
267.02/372	MERIDIAN	2110 HARDING AVE	2011	202.42
3003/11	MERIDIAN	206 WAKEFIELD RD	2011	430.00

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

**AUTHORIZE THE CANCELLATION OF SEWER RENT**

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

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

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR
AMOUNT 430.00	3003/11	Meridian Health Realty 206 Wakefield Rd	2011

**REASON:** Building demolished in 2010

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

AUTHORIZE THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT WITH THE BOROUGH OF NEPTUNE CITY TO PARTICIPATE IN THE TOWNSHIP'S PRISONER PROCESSING AND HOLDING SYSTEM

WHEREAS, the Township of Neptune has established a Prisoner Processing and Holding System in its Police Department; and,

WHEREAS, the Township of Neptune and the Borough of Neptune City desire to enter into an Interlocal Service Agreement pursuant to N.J.S.A. 40:8A-1 et seq. to allow the Borough to utilize the Township Prisoner Processing and Holding System to process prisoners from the Borough in accordance with standards set by the New Jersey State Attorney General; and,

WHEREAS, the Borough will agree to pay the Township a monthly fee of \$1,750.00 for the first three (3) years of the Agreement and a monthly fee of \$1,800.00 for the fourth and fifth years of the Agreement; and,

WHEREAS, this Interlocal Service Agreement shall be automatically renewed on an annual basis on the anniversary date of the signing of said Agreement 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 the Borough of Neptune City, a copy of which is on file in the Office of the Municipal Clerk, which authorizes the Borough to utilize the Township's Prisoner Processing and Holding System for Borough prisoners; and,

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

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

INTRODUCE 2012 MUNICIPAL BUDGET

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

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2012; and,

BE IT FURTHER RESOLVED, that said Budget be published in The Coaster in the issue of March 22, 2012,

General Appropriations

Appropriations within "CAPS"	29,887,971.00
Appropriations excluded from "CAPS"	5,823,209.75
Reserve for Uncollected Taxes	2,850,000.00
Total General Appropriations	38,561,180.75

General Revenues

Anticipated Revenues Other Than Current Property Tax	13,833,385.76
Local Tax for Municipal Purposes	23,509,081.86
Minimum Library Tax	1,218,713.13
Total General Revenues	38,561,180.75

Notice is hereby given that the Budget and Tax Resolution was approved by the Township Committee of the Township of Neptune, County of Monmouth, on March 12, 2012. A hearing on the Budget and Tax Resolution will be held at the Neptune Township Municipal Complex, Township Meeting Room, 2<sup>nd</sup> Floor, 25 Neptune Blvd., Neptune NJ on April 9, 2012 at 7:00 P.M. at which time

and place objections to said Budget and Tax Resolution for the year 2012 may be presented by taxpayers or other interested persons.

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

EMPLOY DRIVER IN THE DEPARTMENT OF PUBLIC WORKS ON A PROBATIONARY BASIS

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

WHEREAS, due to the resignation of Daryl Albert, there is a vacancy in the position of Driver in the Public Works Department; and,

WHEREAS, the position was duly posted and applicants have been interviewed; and,

WHEREAS, the Public Works Director has made his recommendation; and,

WHEREAS, funds for this purpose will be provided for the first three months of 2012 in the 2012 Temporary Budget and funds for the balance of 2012 will be provided in the Budget for the year 2012, 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 Joseph Palmisano be and is hereby employed as a Driver in the Department of Public Works, on a probationary basis for a period of not less than 90 days and not exceeding one year, pending favorable results of the required physical, effective March 19, 2012, at an annual salary of \$26,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Public Works Director, Business Administrator, Chief Financial Officer, Assistant C.F.O., AFSCME Local #1844, and Mandy To.

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

AUTHORIZE THE PAYMENT OF BILLS

Mr. Houghtaling offered the following resolution, moved and seconded by Dr. Brantley, 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	886,490.20
FEDERAL & STATE GRANT FUND	10,285.06
TRUST OTHER	37,593.41
GENERAL CAPITAL FUND	138,023.75
SEWER OPERATING FUND	13,365.34
SEWER CAPITAL FUND	214,822.90
MARINA OPERATING FUND	5,207.50
DOG TRUST	55.20
BILL LIST TOTAL	\$1,305,843.36

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: Brantley, aye; Houghtaling, aye; McMillan, aye; and Bishop, aye.

#### PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Wayne Thomas, 6 White Drive, presented the Committee with pictures and complained about properties in his neighborhood. He stated that the properties were bringing down the property values in the neighborhood and was also destroying the tax base. He did not understand why Code Enforcement allowed this to go on.

Mayor Bishop stated that he would put it on the list of parking lot items and he noticed that Mr. Doolittle was present this evening and stated they would sit down and address the issues.

Hank Coakley questioned who were the judges that were involved in the dredging matter and what were their annual salaries.

Mr. Anthony stated he could not tell him who they were nor could he tell him their salaries because they have not been selected yet. He stated that it would normally be a two judge panel that hears these types of appeals.

Mr. Coakley questioned when were the courts going to do something that they were being paid to do. He also stated that he did not support the increase in the minimum wage.

Janice Sweeney, Norman Drive, stated she supported Wayne Thomas's request to have Code Enforcement canvas the neighborhood especially on Gail Drive where there were vacant homes. The grass is over grown, wild animals are living there and garbage was piling up.

Mayor Bishop requested a telephone number of someone and he would call and keep them abreast as to what was going on.

Mr. Doolittle stated he appreciated their eyes and ears and for them bringing it to their attention.

Felicia Gatson, 309 Michelle Court, stated her concerns related to an old home at 304 Michelle Court. She felt the home should be torn down and there were wild animals running around on the property.

Kennedy Buckley stated it was nice to see the Committee agree about the budgeting. He requested an update on the Koplitz Parkview Inn situation.

Mr. Anthony stated they entered into a stipulation of settlement in municipal court that has phasing. He explained the process and stated Mr. Koplitz has completed phase one and he hoped that he complied with phase two.

Julia Straughter, 301 Michelle Court, discussed the wetlands behind her property and stated the water that was running onto her property was making her property erode. She stated she's met with Township officials regarding having the banks stabilized and was told they would get back to her within two weeks but she has not heard from them since. She stated they did come out and check the sewerage. She also stated she's spoken with Wayne Rode and he hasn't gotten back to her either. She went on to state that the municipal officials said they would speak with FEMA. She stated this was beginning to be very frustrating to her.

Mayor Bishop stated Leanne was in contact with the Mosquito Commission and they had spoken about the potential of getting the equipment further down to do some work and the Mosquito Commission said they could not do it because of their type of equipment. He stated Ms. Hoffman spoke to Mr. Rode about the trees and debris that have fallen and he stated he hadn't had a chance to follow up with FEMA yet.

Mr. Anthony stated they almost need an easement to get there and there was an access problem and second of all they were responsible for maintaining the brook but they were not responsible for maintaining the property outside the brook but genuinely they do try to help out in terms of trees going into the brooks.

Mayor Bishop stated it was confusing to him as well and questioned what did the easement mean.

Mr. Anthony stated an easement meant that no one could build on it and that this was more of a conservation easement where they try to prevent people from damaging the stream area by doing things they should not be doing on it.

Ms. Straughter stated they were not maintaining the brook.

Mayor Bishop stated he would have to get every one back together to discuss this matter further so that they could get answers because it was obvious they were not giving.

Jack Pensabanne 1306 Ninth Avenue questioned whether there would be details prior to the adoption of the municipal budget.

Mayor Bishop stated the budget would be published in the newspaper and would be available on the Township website.

Mr. Pensabanne questioned what was the Township's bond rating and if they were Triple A rating.

Mr. Bascom stated the Township had three increases over the last several years and they did not have a Triple A rating. He stated Monmouth County was one of the only counties in the country with a Triple A rating. He stated Neptune's rating was A++ and their rating was different from Moody's.

Mr. Pensabanne questioned what rate did they think the Township would get for the proposed bonds.

Mr. Bascom stated it depends on when they actually decide to go out and finance it.

Mr. Pensabanne stated he felt it was be better to secure the bonds now rather than later. He also questioned whether the Township was able to establish a savings account for future projects.

Mr. Bascom stated there were trust funds for specific purposes then there were fund balances that are surplus for the entire town which was in the general fund. He stated that in the event of an emergency which causes you to exceed your budget then you appropriate money from your surplus or fund balance but then you have to replenish it depending on the type of emergency you have.

Mr. Pensabanne stated he noticed that Mr. Tirrell resigned from the Library Board of Trustees. He stated he felt he was a great guy and he hoped he was fine.

Mayor Bishop stated that he had a young child that required more of his time.

Mr. Pensabanne stated he's noticed that his area Bradley Park was really littered. He called in reference to the triangle that was located on Ninth Avenue and it was cleaned up. He questioned whether there was a group that went out to clean such things.

Mr. Houghtaling stated when they see a problem they try to address it.

Jake Gatson, 309 Michelle Court, stated the residents needed something that would keep the banks from deteriorating.

Mayor Bishop stated that was one of the reasons he wanted to meet with everyone again.

Dorothy Argyros, 2100 Rutherford Avenue, stated that her dear friend Franchesca Girolomi passed away on January 19<sup>th</sup>. She stated her dear friend always commended someone whenever they were kind to her. She stated she too wanted to commended Rick Cuttrell, Pam Howard, Rose Havey and George Waterman who assist her when she needs information. She read an excerpt from the Watch Dog and passed around copies of it.

Heinz Weck questioned whether Ms. Jahn was well.

Mayor Bishop stated Ms. Jahn's father was scheduled for surgery tomorrow and she was on her way to be with him.

Mr. Weck stated that Neptune was the envy of so many towns especially since Neptune has the Bishop and the Brain. He stated the streets near Mayor Bishop's home was in need of repair and his friend sent in a letter regarding the cemetery near her home at the Summit. They started the work but then they stopped.

Mayor Bishop stated he would look into why they stopped.

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

Richard J. Cuttrell,  
Municipal Clerk