

TOWNSHIP COMMITTEE MEETING –MARCH 26, 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: Eric J. Houghtaling, Mary Beth Jahn, Kevin B. McMillan and Mayor J. Randy Bishop. (Dr. Michael Brantley arrived during the open session workshop portion of the meeting)

Also present at the dais were Richard J. Cuttrel, Municipal Clerk; Philip D. Huhn, Business Administrator; 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:

The Committee discussed improvements and the addition of a playing field at the Little League fields. Mr. Houghtaling stated that Wayne Rode, Public Works Director and Nick Pasquale, Little League Officer, were present. Mr. Pasquale stated that the organization wants to create a 50/70 field (50 feet between the pitcher's mound and home plate and 70 feet between bases). This size field is a stepping stone to advance the players from Little League field dimensions to a regular sized field. This is needed because eight teams are currently utilizing the existing junior league field. Mr. Rode stated that the area needs to be stabilized with top soil and seeding regardless of whether it is going to be used as a playing field or not. Freehold Soil District has indicated the area needs erosion control measures. He estimated the cost of soil, seed and drainage at \$25,000. The cost to then build a 50/70 baseball field is an additional \$50,000 to \$60,000 for dugouts, fencing, foul poles, etc. Mr. Rode distributed pictures to show that the side of the area nearest to the Villas at Jumping Brook will be a garden walk with various plantings.

Dr. Brantley arrived.

Mr. Rode concluded that this work should be completed this year. Mr. McMillan suggested that the process be started to stabilize and seed the area. The Committee agreed.

The Mayor stated that Governor Christie removed the State of New Jersey from the Greenhouse Gas Plan. He asked if the Committee approved of sending a letter to request that the state be returned to the plan. The Committee agreed that a letter should be sent.

The Committee reviewed the upcoming activities and events calendar and committed to attend various homeowners meetings.

The Mayor announced that the Committee will was invited to attend a Relational Trust Course with the Board of Education on May 12th at the ropes course behind the High School.

Mr. McMillan stated that he received a complaint from 2110 Rutherford Avenue regarding debris blowing on to the property from 238 Neptune Blvd. The matter will be addressed and added to the list of outstanding items.

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

Ms. Jahn 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 – Appointments to Housing Authority and CDBG Citizens Participation Group.
Personnel – Assistant Business Administrator interview process.

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; Jahn, aye; McMillan, aye; and Bishop, aye.

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

The Committee discussed the appointment to the Housing Authority. Mr. Anthony stated that the Authority can have a maximum of one member who is an official or employee of the municipality. The Mayor recommended Beverly Holland for the position. The Committee took action during the regular business portion of the meeting.

Mr. Houghtaling recommended Debra Rawlings, Jack Pensabene and Jerard Terrell for the CDBG Citizens Participation Group. These individuals were added to municipal staff and action was taken on a resolution during the regular business portion of the meeting.

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, Mary Beth Jahn, Kevin B. McMillan, and Mayor J. Randy Bishop.

Also present at the dais were Richard J. Cuttrell, Municipal Clerk; Philip D. Huhn, Business Administrator; 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 for public viewing before each Township Committee meeting.

APPROVAL OF MINUTES

Mr. McMillan offered a motion, seconded by Mr. Houghtaling, to approve the minutes of the meeting held on February 27th. All were in favor.

REPORT OF THE CLERK

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

2011 Annual Report of the Tax Collector.

Senior Center monthly statistics for February.

A letter from Anna McHale thanking the Public Works staff for their dependable service throughout the year.

Dianna Harris and Dave Fernicola obtained the Certificate for Basic Course in Land Use Law and Planning.

COMMENTS FROM THE DAIS

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

Mary Beth Jahn reminded everyone that the Township's Easter Egg hunt would be held next Saturday at Bert Willis Fields for Pre K – 5th Grade and would go off at 10am.

Eric Houghtaling stated he attended the MURC Trustee meeting. He presented a proclamation to the Neptune High School Marching Band before they went off to march in New York City. He attended the Gables residents meeting and another meeting with the Veterans regarding the Memorial Day Parade. He attended the West Neptune Homeowners Meeting and a fundraiser for the Ladies Auxiliary from Unexcelled Fire House. He went on to state that he attended the Ocean Grove Homeowner's Association Meeting. He attended the Westside Community Center in Asbury Park for a stop the violence meeting. He felt it was really informative.

Mayor Randy Bishop stated he sat down with the Hampton Inn and the Restaurant Depot to discuss concerns and to ask them to please include the Township in how they reach out to the community as far as offering jobs. He stated the Hampton Inn would be working with MURC with their job fair and Restaurant Depot would be sending the Township their job blast so that they could put it out into the community. He attended the Senior Center St. Patrick's Day Luncheon and he went to Red Bank for the Interfaith March for Meals. He attended the West Neptune Homeowner's Association meeting. He met with the Winding Ridge Tenants and the Chairman of Primose Management company concerning the transformation of the Winding Ridge town homes from affordable housing to market rate housing which could potentially displace a hundred families that currently live in Winding Ridge. He attended the Veteran's Day Parade meeting and the High School Marching Band send off. He attended the Green Grove PTA – Real Housewives of New Jersey fundraiser. It was truly an evening to remember. He went on to state that the Township has received a Department of transportation grant in excess of \$237,000.00 to do improvements from Asbury Boulevard to Route 66 on Wayside Road.

The Mayor announced that the resolution to appoint a member to the Housing Authority would be considered at this time.

APPOINT MEMBER TO THE NEPTUNE TOWNSHIP HOUSING AUTHORITY

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

BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby appoints Beverly Holland to the Neptune Township Housing Authority for a five year term expiring March 31, 2017; and,

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

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

Mr. Anthony stated that a vote of abstention is treated as an affirmative vote unless the abstention is done because of a conflict. In this case, none of the abstentions are the result of a conflict so the resolution is adopted with five votes in the affirmative.

PUBLIC COMMENTS ON RESOLUTIONS

Mr. Cuttrell read the entire text of the last resolution because it was added late to the agenda.

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

Hank Coakley questioned the voting process on the appointment of the Neptune Housing Authority.

Mr. Anthony explained the process and reiterated his comments from earlier.

Michael Fornino commented on Resolution #12-150 and questioned whether this was equipment that has been requested from the employees of the Township of Neptune or were they just spending money for the sake of spending money.

Mr. Cuttrell stated they were upgrading emergency management equipment.

Mr. Fornino stated the resolution was not specific enough for him and he was just questioning what it was.

ORDINANCE NO. 12-05 - ADOPTED

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

ORDINANCE NO. 12-05

REFUNDING BOND ORDINANCE AMENDING AND RESTATING REFUNDING BOND ORDINANCE NUMBER 10-42 (WHICH PROVIDES FOR THE REFUNDING OF CERTAIN BONDS HERETOFORE ISSUED BY THE TOWNSHIP TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY), FINALLY ADOPTED BY THE BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, INCREASING THE NOT TO EXCEED AMOUNT OF REFUNDING BONDS BY \$5,270,000 THEREIN

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

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

ORDINANCE NO. 12-06 - ADOPTED

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

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

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

ORDINANCE NO. 12-07 - ADOPTED

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

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

Mike Fornino stated he was curious as to whether these projects would be sit out to bid.

Mayor Bishop stated they all had to be bid and were under state contract.

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

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

ORDINANCE NO. 12-08 - ADOPTED

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

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

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

ORDINANCE NO. 12-09 - APPROVED

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

ORDINANCE NO. 12-09

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-8.3 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY RESTRICTING VEHICLES OVER FOUR (4) TONS FROM JUMPING BROOK ROAD

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

Mr. Cuttrell stated that the Public Hearing on Ordinance 12-09 will be held on Monday, April 9, 2012.

CONSENT AGENDA

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

AUTHORIZE THE REFUND OF MUNICIPAL MARINA SUMMER DOCKAGE DEPOSITS

WHEREAS, two individuals have submitted a deposit for summer dockage at the Municipal Marina for the upcoming summer season; and,

WHEREAS, they both have since advised the Marina Bookkeeper that unforeseen circumstances have caused them to be unable to utilize their boats and they have requested a refund of the summer dockage deposit; and,

WHEREAS, the Harbor Commission recommends the granting of refunds,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the refund of Municipal Marina summer dockage deposits as follows:

<u>NAME</u>	<u>AMOUNT</u>
Joseph Perry	\$ 371.00
Sue Harms	\$ 300.00

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 SUBMISSION OF AN APPLICATION FOR A SUSTAINABLE LAND USE PLANNING GRANT THROUGH THE ASSOCIATION OF NEW JERSEY ENVIRONMENTAL COMMISSIONS

WHEREAS, the Township of Neptune desires to submit an application to the Association of New Jersey Environmental Commissions (ANJEC) for a Sustainable Land Use Planning Grant to update the Township's Open Space and Recreation Plan; and,

WHEREAS, specifically, the Township proposes to update its current Open Space and Recreation Plan which was last updated in March of 1998 to examine and analyze existing data, address future recreation needs and recommended programs to be implemented over time in order to accommodate future recreational needs; and,

WHEREAS, the Township Committee supports this application because over the last fourteen (14) years numerous changes have occurred that could impact past recommendations including the increase of population and housing units within the Township coupled with the challenges of the current economic climate; and,

WHEREAS, the Township understands that the grant is a matching, reimbursement grant and is committed to providing the required municipal cash match up to a maximum amount of \$5,000 (\$2,500 in-kind and \$2,500 cash match); 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; and,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the submission of an application to the Association of New Jersey Environmental Commissions (ANJEC) for a Sustainable Land Use Planning Grant to update the Township's Open Space and Recreation Plan; and,

BE IT FURTHER RESOLVED, that the Township fully supports this application for the reasons stated herein and is committed to providing the required matching funds to a maximum of \$5,000 (\$2,500 in-kind and \$2,500 cash match); and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of Engineering and Planning, Community Programs Coordinator, Chief Financial Officer and Business Administrator.

TERMINATE EMPLOYEE

WHEREAS, Section 9-7.15 of the Code of the Township of Neptune states that at the conclusion of a three (3) month non-paid leave of absence, if an employee is not able to resume his/her normal duties, he/she shall be terminated by resolution as an employee of the Township; and,

WHEREAS, Colleen Lynch has been on an unpaid leave of absence for over three months and is unable to return to work,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Colleen Lynch be and is hereby terminated from employment with the Township in accordance with Section 9-7.15 of the Code of the Township of Neptune as stated herein; and,

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

EXTEND BID FOR REMOVAL AND RECYCLING OF WOOD MATERIALS

WHEREAS, on June 22, 2009, the Township Committee adopted Resolution #09-326 which awarded a contract to Reliable Wood Products for removal and recycling of wood materials collected at the Public Works Yard for a three year period with the option to renew for two additional years; and,

WHEREAS, the Purchasing Agent has recommended that the bid be extended for a two year period in accordance with N.J.S.A. 40A:11-15; and,

WHEREAS, in accordance with state statute regulating a bid extension, the cost of the original bid is increased by the prevailing Local Public Contracts Law index which is currently 2%; 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 the current contract with Reliable Wood Products for removal and recycling of wood materials collected at the Public Works Yard is hereby extended for calendar years 2012 and 2013 at a rate of \$9.17 per cubic year of brush and \$7.12 per cubic yard of leaves; and,

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

PLACE LIEN ON VARIOUS PROPERTIES

WHEREAS, Ordinance #843 of the Township of Neptune states that where a violation or condition exists on any property in the Township of Neptune that is of such a nature as to constitute an immediate threat to life, health, safety and the well being of residents in this township unless abated without delay, the Director of Code Enforcement may abate the violation or condition immediately or order the owner, operator or occupant to correct the violation or condition within a three-day period; and

WHEREAS, the Director of Code Enforcement determined that the condition of the properties listed below constituted such a threat; and,

WHEREAS, the Director of Code Enforcement has notified the Township Committee of the Township of Neptune that the owners of said property have failed to correct the condition/violation as ordered; and

WHEREAS, the Director of Code Enforcement has had the condition corrected in accordance with Article IV, Section 6.2 (a) of Ordinance #843 at a total cost as indicated below,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Tax Collector be and is hereby authorized to place the following costs as a lien against the following properties; and,

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
9005/4	734 Gail Drive	\$ 167.50
180/3	412 Myrtle Avenue	47.50

BE IT FURTHER RESOLVED, that a copy of this resolution along with the Code Enforcement Supervisor's report be forwarded to the Tax Collector.

TERMINATE EMPLOYEE

BE IT RESOLVED, by the Township Committee of the Township of Neptune that Sharon Johnston be and is hereby terminated from employment with the Township as a Senior Kitchen Aide not in good standing; and,

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

RECLASSIFY EMPLOYEE TO THE POSITION OF SENIOR KITCHEN AIDE IN THE SENIOR CENTER

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

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

WHEREAS, the Senior Center Director has made her recommendation to reclassify an existing part-time Kitchen Aide to the position; 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, by the Township Committee of the Township of Neptune that Teresa Richard be and is hereby reclassified as a Senior Kitchen Aide in the Senior Center, on a probationary basis for a period of not less than 90 days and not exceeding one year, effective March 27, 2012, at an annual salary of \$24,283.00; and,

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

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 037

WHEREAS, Dieugrand Marcellus the owner of Neptune Township Taxi Medallion No. 037; and,

WHEREAS, he has notified the Taxi License Coordinator of the intent to sell and transfer ownership of said medallion to Gurkiran Kaur of Sohalz Management, LLC; 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. 037 to Gurkiran Kaur of Sohalz Management, LLC; and,

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

AUTHORIZE THE TRANSFER OF 2011 BUDGET APPROPRIATION RESERVES

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

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

FROM:

Administration O.E.	2,000.00
Telephone O.E.	30,500.00

TO:

Police Dispatch 911 S&W	30,500.00
Environmental/Shade Tree O.E.	2,000.00

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the 2011 Budget Appropriation Reserves be transferred as stated herein; and,

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

AWARD BID FOR BULKY WASTE DISPOSAL

WHEREAS, on March 15, 2012, the Purchasing Agent received bids for the award of a contract for disposal of bulky waste; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that the bid be awarded to the lowest bid submitted by Mazza & Sons, Inc.; and,

WHEREAS, said bids were advertised, received and awarded in a "fair and open" competitive bidding process in accordance with the Open Public Contracts Law; 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; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a contract be awarded to Mazza & Sons, Inc. for the disposal of bulky waste through December 31, 2013 on their lowest responsible bid of \$76.50 per ton in 2012 and \$79.50 per ton in 2013; 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 Director of Public Works.

EMPLOY PART-TIME ON-CALL CUSTODIAN IN THE BUILDING MAINTENANCE DEPARTMENT

WHEREAS, there is a need for a part-time on-call Custodian to work in the absence of regular full-time custodial staff in the Building Maintenance Department; and,

WHEREAS, the Business Administrator has recommended hiring an individual with to work in an on-call as-needed 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, by the Township Committee of the Township of Neptune that Michael Murphy be and is hereby employed as a part-time on-call Custodian in the Building Maintenance Department contingent upon favorable results of a background check and physical examination at an hourly wage of \$12.00; and,

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

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

URGE THE STATE LEGISLATURE TO IMMEDIATELY RESTORE FUNDING DIVERTED FROM ENERGY TAXES THAT IS INTENDED FOR MUNICIPALITIES

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

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and,

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the State is supposed to collect Energy Taxes for the benefit of municipal governments; and,

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and,

WHEREAS, while the State may need to have the right to over-ride the statutory dedication of these revenues to local governments, in order to deal with emergencies and crises that may occur; current State policy makers should not exercise that right automatically; and,

WHEREAS, while that right should be the exception, it has become the rule; and,

WHEREAS, by using tactics such as reducing CMPTRA, which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and,

WHEREAS, from \$72 million in State Fiscal Year 2005, to \$505 million in State Fiscal Year 2011, the State's diversion of Energy Taxes has continued to grow; and,

WHEREAS, in 2008, 2009 and 2010 (SFY 2009, 2010 and 2011), funding for municipal revenue replacement was slashed by about \$26 million in 2008 and \$32 million in 2009, followed by losses of about \$271 million in 2010; and,

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and,

WHEREAS, local elected officials are in the best position to decide the best use for these resources, which were always intended to fund local programs and services,

NOW THEFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune joins with the League of Municipalities in calling for the immediate restoration of funding diverted from Energy Taxes intended for local use; and,

BE IT FURTHER RESOLVED, that we, respectfully, call on State policy makers to end the diversion of our municipal resources to cover State spending and to provide us with this important tool to relieve the worst-in-the-nation property tax burden borne, for too long, by the people of New Jersey; and,

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the Governor of the State of New Jersey, our State Legislators and the League of Municipalities.

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

AUTHORIZE THE PURCHASE OF HAZMAT EQUIPMENT AND SUPPLIES UNDER THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM

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

WHEREAS, the Neptune Township Office of Emergency Management wishes to purchase HazMat equipment, supplies, software and licensing 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, Rae Systems has been awarded New Jersey State Contract No. A68567 and A76129 for this equipment; and,

WHEREAS, the Chief Financial Officer recommends the utilization of this contract on the grounds that the price reflects a substantial savings; and,

WHEREAS, the amount of the equipment and supplies shall not exceed \$30,682.86; and,

WHEREAS, funds for this purpose are available from an Exercise Improvement Grant, grant match, and 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 the purchase of HazMat equipment, supplies, software and licensing through the New Jersey Cooperative Purchasing Program for the Neptune Township Office of Emergency Management be and is hereby authorized at an amount not to exceed \$30,682.86; and,

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

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

AUTHORIZE THE PURCHASE OF EQUIPMENT AND ACCESSORIES FOR NEW POLICE VEHICLES UNDER THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM

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

WHEREAS, the Neptune Township Police Department wishes to purchase and install pertinent equipment and accessories on recently purchased police vehicles 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, Major Police Supply has been awarded New Jersey State Contracts No. A74011 & A75947 for this equipment and accessories; and,

WHEREAS, the Chief Financial Officer recommends the utilization of this contract on the grounds that the price reflects a substantial savings; and,

WHEREAS, the amount of the equipment and accessories shall not exceed \$24,176.88 for three (3) police cars and \$4,458.89 for one (1) police Ford Explorer; and,

WHEREAS, funds in the amount of \$24,176.88 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 funds in the amount of \$4,458.89 will be provided in Ordinance No. 11-32 and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of equipment and accessories through the New Jersey Cooperative Purchasing Program for new police vehicles in the Police Department be and is hereby authorized at an amount not to exceed \$24,176.88 for (3) police cars and \$4,458.89 for one (1) police Ford Explorer; and,

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

APPOINT CITIZENS PARTICIPATION GROUP FOR THE FY2013 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

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

WHEREAS, the Township of Neptune desires to participate in the FY2013 Community Development Block Grant Program; and,

WHEREAS, the Township Committee must appoint a Citizens Participation Group to solicit ideas for and make recommendations on projects to be funded under the program,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that it hereby appoints the following individuals to the FY2013 Community Development Block Grant Program Citizens Participation Group:

Michael Bascom
Monique Burger
Jerard Terrell

Leanne Hoffmann
Debra Rawlings

Philip Huhn
Jack Pensabene

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Neptune Township Community Development Representative and Alternate Representative.

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

AUTHORIZE THE PAYMENT OF BILLS

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

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

CURRENT FUND	3,896,286.26
FEDERAL & STATE GRANT FUND	8,238.74
TRUST OTHER	5,365.97
GENERAL CAPITAL FUND	176,299.84
SEWER OPERATING FUND	3,477.14
MARINA OPERATING FUND	2,457.39
DOG TRUST	14,954.00
LIBRARY TRUST	1,434.17
BILL LIST TOTAL	\$4,108,513.51

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; Jahn, aye; McMillan, aye; and Bishop, aye.

OPPOSE RATE INCREASE REQUESTED BY NEW JERSEY AMERICAN WATER

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

WHEREAS, New Jersey American Water Company, Inc. is seeking a proposed rate increase of \$95.5 million, or approximately twenty (20%) percent over present rate revenues of \$565 million; and,

WHEREAS, New Jersey American Water Company, Inc. has already received a compounded fifty-one (51%) percent in rate increases since 2004; and,

WHEREAS, this rate increase, if approved by the New Jersey Board of Public Utilities will negatively impact ratepayers in the Township of Neptune at a time when many homeowners and businesses are struggling to survive financially; and,

WHEREAS, elected County and Municipal officials have, by contrast, demonstrated a sensitivity to our residents, struggling to cut spending and taxes event against a tide of rising expenses, while faced with a two (2%) percent cap; and,

WHEREAS, New Jersey American Water Company, Inc., a publicly traded company which already enjoys the highest rate of return on water and sewer services in the State of New Jersey, should share in the responsibility of reducing the unprecedented financial burdens on out residents; and,

WHEREAS, the bureaucratic process for consideration of such rate increases defies logic, escapes the notice of those most impacted, and, at best, results in a negotiated rate increase which adds to the financial burden of Township ratepayers,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth, hereby calls on the Board of Public Utilities to reject the rate increase requested by New Jersey American Water; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to all State and Congressional Legislators representing the Township of Neptune and to the Monmouth County Board of Chosen Freeholders.

The resolution was adopted on the following vote: Brantley, aye; Houghtaling, aye; Jahn,

aye; McMillan, aye; and Bishop, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Kennedy Buckley thanked the Committee for the information regarding the Broadway drainage project. He stated he did not feel that it was fair that a committeeperson was not being supported by her own party especially when she's done so much for the Township. He expressed his disappointment in the political process. He stated he's voted for both Democrats and Republicans and he hoped the best candidates win.

Michael Fornino stated he received a letter in the mail today in response to a letter he submitted to the Coaster. He stated he would not be intimidated and it was uncalled for that they also included his wife who did not have anything to do with the letter he submitted. He felt his opinion was his opinion only.

Wayne Thomas questioned whether there were any rules and regulations regarding property owners not keeping up their homes.

Mr. Anthony stated they had a property maintenance code and suggested he contact Code Enforcement and they would go out to the homes and inspect it and violations would be issued if necessary.

Mr. Thomas stated the homes were located at 16 Sunnyfield Terrace and another one on Norman Drive.

Mr. Huhn presented him with a card and asked him to contact him tomorrow and he would follow up on it.

Julia Straughter stated she was here two weeks ago to complain about the water screen that was on wetlands and running through her property. She questioned the status for 301 Michelle Court in Neptune.

Mr. Anthony stated a meeting was going to be set up with the engineer to discuss the issues.

Jack Pensabene questioned where could he find more information pertaining to buying equipment as mentioned in the ordinances prior to coming to the meetings.

Mr. Cuttrell stated the full text of the ordinances were posted and they only appropriate the money and that a specific amount does not go to a particular person. He stated that would be determined by resolution at a later date.

Mr. Pensabene questioned how could he go about getting different organizations to clean up an area he has in mind.

Mr. McMillan stated he could look into it further but requested he submit additional information to Mr. Cuttrell.

Heinz Weck questioned whether Mr. Bascom was well.

The Committee confirmed that he was well.

Mr. Weck commended Mr. Houghtaling and his wife for being a fashion statement. He also questioned when the cleaning would continue at the cemetery near the Summit Town homes because his friend told him that they started and then stopped. He also suggested at the request of the young couple that was present at the last meeting that a more visible sign should be erected in front of the building indicating where DPW was located. He also stated there was nothing but potholes in front of the Bishop residence.

Mr. Houghtaling stated that Mr. Hoffman was working on the matter with the cemetery.

Dr. Brantley stated Mr. Fornino has made his opinions and he's stood by them and if anyone has something to say they should do as he did and put their name on it just as he did or just say it to him.

Mr. Houghtaling stated he's been Mr. Fornino's neighbor for a long time and he's never been at a loss for words and he's never been afraid to say what's on his mind.

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

Richard J. Cuttrell,
Municipal Clerk