

TOWNSHIP COMMITTEE MEETING – APRIL 23, 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, and Mayor J. Randy Bishop. (Dr. Michael Brantley arrived during the workshop open session). Absent: 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.

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 2012 capital projects. Mr. Houghtaling stated that he met with Engineering and Public Works. Several Public Works projects need to be done, but we must look at the costs. Mr. Bascom stated that there is follow-up occurring on the cost estimate for the single stream recycling to ensure all costs are being included. Mr. Houghtaling stated that the Public Works Director highlighted the need to purchase a hot patch machine, leaf truck and a Bobcat.

Dr. Brantley arrived.

Mr. Bascom stated that the next phase (Phase V) of the Gables sanitary sewer project should be given priority. Mr. Houghtaling added that several drainage problems need to be addressed, particularly Loffredo Fields. Mr. Bascom asked if the Committee is agreeable to proceeding with the items on the list that were identified as priorities by Administration. The Committee agreed and will discuss the items designated as "further discussion required" at a later date.

The Mayor stated that the Committee needs to provide guidance on policy relating to Township Committee members attendance at seminars, meeting and other functions. Ms. Jahn stated that Committee members receive a stipend and do not require continuing education credits. The Township has been under strict budget constraints so the Township should not pay for Committee members to attend these types of events. The Mayor stated that he has received many invitations for high priced dinners where residents are being honored and has not attended because of the cost. Dr. Brantley stated that he does not want to use taxpayers dollars on these types of functions. Mr. Houghtaling stated that if a class or seminar is required of an elected official, it should be pay by the Township, everything else should be paid for by the Committee member. Mr. Huhn stated that there are classes that Committee members are required to attend pursuant to the state's best practices checklist. The Mayor summarized that dinners, classes and functions that are not required will not be reimbursed by the Township. If a Committee member feels strongly about attending a particular seminar, they can make a case to the Administration, but no exceptions for dinners and special functions.

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

Mr. Bascom stated that various departments are preparing for traffic and safety issues in connection with the New Jersey Marathon on May 6<sup>th</sup> in Ocean Grove and Bamboozle on May 18-20 in Asbury Park.

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

Ms. Jahn 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:

Potential Litigation – Walnut Grove bond reduction  
Contract negotiations – P.B.A. Arbitration decision  
Personnel – Part-time Assistant Business Administrator

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; and Bishop, aye.

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

The Committee discussed the performance bond reduction for the Walnut Grove subdivision. Mr. Anthony advised that once a percentage of the site work is complete, the Committee must approve a reduction of the bond if requested by the developer. A resolution will be on the next 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, and Mayor J. Randy Bishop. Absent: 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 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

Mr. Houghtaling offered a motion, seconded by Ms. Jahn, to approve the minutes of the meetings held on April 9<sup>th</sup> and April 10<sup>th</sup>. All were in favor.

#### REPORT OF THE CLERK

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

Tax Collector's monthly statement and Senior Center monthly statistics for March.

Monmouth County Board of Health April 17<sup>th</sup> agenda.

#### COMMENTS FROM THE DAIS

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

Dr. Michael Brantley stated he attended the MURC job session on April 19<sup>th</sup> and he felt that it was a wonderful affair. He stated he could not wait to see what happens with it. He felt it was successful and it was a great event. He stated he felt there was a lack of diversity in Department Heads and leadership positions in Neptune Township including the Police Department. He stated some of the senior residents have expressed a past history of cronyism and political hiring and many of the younger citizens feel that they need not apply to jobs in Neptune because of a glass ceiling and presently some of our employees do not perform above the call because of this perceived glass ceiling and as Neptune continues to advance to be one of the best municipalities in Monmouth County it is apparent that this flaw will be revealed and will become more obvious. He stated during the recent interviews with the candidates for the part-time business administrator's position he questioned all of the candidates about this flaw and the response that he received that they were aware of these practices in many different municipalities throughout the State and each candidate expressed an interest in addressing this in Neptune. He stated he would actively support our new part-time Business Administrator and all of the professional staff that try to address the diversity issues.

Mary Beth Jahn stated that both she and the Mayor attended the ribbon cutting ceremony for the grand re-opening of the McDonald's on Route 33 and Route 35. She stated Dunkin Donuts has reinvested in their building as well. She went on to state that the old Penn furniture store has been turned into an antique store. She stated they were very proud of what has developed throughout the town.

Eric Houghtaling stated he attended the MURC fundraiser meeting last Thursday and reported they would be conducting a bus trip to Atlantic City on Saturday, June 2. He went on to state that he attended the Memorial Day planning meeting at the VFW and they have one more before the parade and they were hoping to have a good parade this year. He attended the West Neptune Homeowner's Meeting at the Senior Center and Rosemary Gray and Ellen Sanderson gave a wonderful presentation. He also attended another MURC function in conjunction with the Township and it was a job training session. He commended everyone who helped out. He stated well over 100 people attended and on Sunday he attended the Gables Homeowner's Meeting.

Mayor Randy Bishop stated he also attended the MURC job fair and informed everyone that he hoped that they could find a career. He attended the ribbon cutting ceremony for the re-opening of McDonalds. He stated Stokes Fire House had a dinner honoring 50 years of volunteer service by Bob and Ken Orr who are twin brothers. He met with the Homeowners Presidents. He attended the Rugby Jamboree that was held by Neptune Pop Warner. He attended the Veterans Day Committee. He attended a Rally for Stop the Violence and Sexual Abuse Awareness Month. He attended but arrived late to the Senior Center Birthday luncheon because he was in Trenton meeting with the Commissioner of the DEP regarding the dredging of the Shark River. He thanked Wayne Rode, Leanne Hoffman, Tim O'Connor and Mike Balzarano because yesterday someone informed him that there was a potential flooding problem on Broadway in Ocean Grove and he called Mr. Rode and literally with a half an hour Mr. Rode, Mr. Balzarano and another gentleman from Public Work's showed up and got in contact with the contractor and they helped alleviate some of the bottle necks and Tim O'Connor and Leanne Hoffman were there checking things out. Also on Saturday, the 28<sup>th</sup> from 10-12 there will be a benefit at Mary's Place By the Sea. He went on to state that they received their Arbitration award for their PBA contract and they would not be appealing it because he felt that it was a fair contract and it reflected the tough economic times we are in and the PBA contract would be extended another year.

#### PUBLIC HEARING ON RECOMMENDATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

Mr. Bascom stated the Citizen's Participation Group met on April 16, 2012 at the Municipal Building in the Executive Conference Room as advertised. At that meeting, the Committee reviewed and discussed six different proposed projects for submission by the Township of Neptune under the Community Development Block Program. Mr. Bascom stated that CDBG typically funds Township projects at around \$175,000. He stated six projects were presented at the meeting and they were as follows:

Project 1. Demolition of structures at the Welsh Farms site on Old Corlies Avenue. The site is undergoing soil remediation which will not be completed by the time the grant is awarded. Cost of the project would be around \$140,000.

Project 2. Monmouth Avenue Road/Drainage Project. This would include repairs/replacement of sidewalk, curbs, drainage and handicapped ramps behind the curb line in the Township right-of-way along two blocks of Monmouth Avenue. Project would also improve access to Sunshine Village Parl

Project 3. Alberta Lake drainage. The drainage system around the lake cannot handle the amount of rain entering the lake and remove it fast enough to prevent flooding. This project is a large scale project; therefore, CDBG funding would not be sufficient.

Project 4. Accessibility improvements at the Municipal Building/Police Department. This project would include sidewalk and ramp improvements.

Project 5. 7<sup>th</sup> Avenue ADA Accessibility improvements. Similar to the last CDBG project on 6<sup>th</sup> Avenue. Project cost is around \$400,000.

Project 6. Beautification along Memorial Drive. Township does not own the right-of-way in this area. Project would not be eligible for CDBG funding.

Mr. Bascom stated at the recommendation of the Citizen Participation Group the Township should move forward with the Monmouth Avenue project.

Leanne Hoffman, Township Engineer, stated that the project would encompass Monmouth Avenue for about 1,000 feet between Asbury Park Blvd. and just past Central Blvd. The project would address accessibility and pedestrian safety. It would also alleviate standing water along the sidewalk, install handicapped ramps and include an underdrain behind the sidewalk to capture water before it crosses the sidewalk. Finally, the roadway would be milled and resurfaced. Mr. Bascom added that the school bus stop in the area cannot be used during cold periods due to the accumulation of ice.

The Mayor asked for comments from the public on the proposed CDBG grant application. There were no comments.

AUTHORIZE THE SUBMISSION OF A PROJECT TO THE COUNTY OF MONMOUTH FOR FUNDING UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

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

WHEREAS, the Township seeks to receive funding for an infrastructure project through the Community Development Block Grant Program; and,

WHEREAS, the Community Development Citizen Participation Group conducted a meeting on April 16, 2012 and made recommendations to the Township Committee; and,

WHEREAS, the Township has fulfilled the notice requirements of the required meetings; and,

WHEREAS, the Township Committee has conducted the required public hearing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes submission of the project entitled Monmouth Avenue Reconstruction for funding under the FY2013 Community Development Block Grant Program; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Community Development Representative, Business Administrator and Director of Engineering & Planning.

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

PUBLIC COMMENTS ON RESOLUTIONS

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

Hank Coakley, Valley Road, commented on Resolution# 12-187 and questioned how much money was involved and what would it be spent on.

Mr. Anthony stated they developed a fund for affordable housing and they don't have regulations on how they can use it. COAH before it was disbanded told the municipalities how it could be used. If the money was not committed toward affordable housing projects it had to be returned back to the state. This resolution says they didn't tell us how to use it but we do have

projects that it could be used for. He stated the amount of money in question was \$60,000.

Mr. Coakley then commented on Resolution #12-185 he questioned whether they were turning in the bonds.

Mr. Bascom stated they were doing refunds and were now moving forward. He stated the savings was less than \$100,000.

Mr. Coakley questioned whether the program he previously discussed would be run by the federal government or municipal government.

Mr. Anthony stated it would be run by the municipality.

Mayor Bishop stated they would like to use the money to rehabilitate homes.

ORDINANCE NO. 12-10 - ADOPTED

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

ORDINANCE NO. 12-10

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

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; and Bishop, aye.

ORDINANCE NO. 12-11 - ADOPTED

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

ORDINANCE NO. 12-11

AN ORDINANCE AUTHORIZING THE GRANTING OF AN EASEMENT AND RIGHT-OF-WAY ON A PORTION OF BLOCK 1001, LOT 4

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; and Bishop, aye.

CONSENT AGENDA

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

AUTHORIZE THE CANCELLATION OF A FAÇADE IMPROVEMENT PROGRAM MORTGAGE ISSUED TO PLUNKER, LLC FOR PROPERTY LOCATED 37 BATH AVENUE

WHEREAS, the Township of Neptune holds a mortgage dated February 22, 2007 in connection with a Façade Improvement Program grant in the amount of \$5,000 issued to Plunker, LLC for property known as the Bath Avenue House located at 37 Bath Avenue; and,

WHEREAS, the façade has been maintained for the required five year period; 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 in connection with a Façade Improvement Program grant loan issued to Plunker, LLC for property known as the Bath Avenue House located at 37 Bath Avenue; and,

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

AUTHORIZE A REDUCTION IN THE PERFORMANCE GUARANTEE FILED BY LOCATIONS XVII, INC. FOR SITE IMPROVEMENTS AT DUNKIN DONUTS (1400 CORLIES AVENUE)

WHEREAS, on January 10, 2011, the Township Committee adopted a resolution which accepted a check representing a cash performance guarantee in the amount of \$44,400.00 filed by Locations XVII, Inc. guaranteeing site improvements at the Dunkin Donuts located at 1400 Corlies Avenue (Block 212, Lots 1.01 and 4.01); and,

WHEREAS, at the request of the Developer, the Township Engineering Consultant has inspected the site improvements and has recommended a reduction in the performance guarantee from \$44,400.00 to \$13,320.00,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a reduction in the Performance Guarantee for site improvements at Dunkin Donuts located at 1400 Corlies Avenue (Block 212, Lots 1.01 and 4.01) be and is hereby approved to the amount of \$13,320.00; and,

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby instructed to refund a portion of the cash performance guarantee in the amount of \$31,080.00 to the Developer; and,

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

AUTHORIZE THE MONMOUTH COUNTY MOSQUITO EXTERMINATION COMMISSION TO CONDUCT MOSQUITO CONTROL MEASURES AS NECESSARY

WHEREAS, the Monmouth County Mosquito Extermination Commission has requested authorization to apply pesticides from aircraft to control mosquitoes over portions of the County of Monmouth and possibly the Township of Neptune; and,

WHEREAS, it is this Committee's understanding that all pesticides used are only those approved for aerial application by the New Jersey Department of Environmental Protection and the United States Environmental Protection Agency; and,

WHEREAS, the areas to be treated are only those which have significantly high mosquito populations to be either a nuisance or health hazard; and,

WHEREAS, prior to each and every application, the Monmouth County Mosquito Extermination Commission further agrees to notify the Neptune Township Police Department;

THEREFORE, BE IT RESOLVED, that the Mayor and Clerk are hereby authorized to execute an agreement authorizing the Monmouth County Mosquito Extermination Commission to apply pesticides from aircraft for the year 2012, pursuant to the conditions of this resolution; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Monmouth County Mosquito Extermination Commission, the Neptune Township Police Department, and the Business Administrator.

EMPLOY TOURISM REPRESENTATIVES FOR THE 2012 SUMMER SEASON

WHEREAS, there is a need for personnel to operate the Tourism Bureau for the 2012 Summer Season; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Kathryn Goslee, Robin Brown, Carol Bernard and Debbie Clark be and are hereby employed as Tourism Representatives in the Tourism Bureau not to exceed an average of 25 hours per week per employee or an average of 40 hours per week in total staffing beginning April 16, 2012 and

ending October 1, 2012, at \$12.54 per hour; and,

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

AUTHORIZE THE SUBMISSION OF A FY10-FY11 EMERGENCY MANAGEMENT PERFORMANCE GRANT/EMERGENCY MANAGEMENT OPEN INITIATIVE (EMOI) SUBGRANT

WHEREAS, the New Jersey Department of Law & Public Safety is providing FY2010-2011 Emergency Management Performance Grant/Emergency Management Open Initiative (EMOI) sub-grants to sustain and enhance all-hazards emergency management capabilities; and,

WHEREAS, the Office of Emergency Management Coordinator has recommended that an application be submitted to obtain a grant under this program for emergency management training and simulation equipment; and,

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

WHEREAS, funds for this purpose will be provided in the appropriation entitled \_\_\_\_\_, known as Account No. \_\_\_\_\_, and the Chief Financial Officer has so certified in writing.

THEREFORE, BE IT RESOLVED, 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 a FY2010-2011 Emergency Management Performance Grant/Emergency Management Open Initiative subgrant in the amount of \$18,500.00 with a municipal match in the amount of \$18,500.00 and that the Mayor and Chief Financial Officer are hereby authorized to execute grant documents, as needed, as representatives of the Township of Neptune; and,

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

PLACE LIEN ON 1706 SUMMERFIELD AVENUE

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

WHEREAS, the Code Enforcement Supervisor 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 Code Enforcement Supervisor 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> |
|------------------|-------------------------|---------------|
| 192/54.01        | 1706 Summerfield Avenue | 225.00        |

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

GRANT SOCIAL AFFAIR PERMITS TO AMERICAN LEGION POST #266

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Municipal Clerk and Chief of Police be and are hereby authorized to approve the applications of the

Frederick Dempsey American Legion Post #266 for social affair permits at the Legion Post, 240 Drummond Avenue, on April 27, 2012 (rain date April 28, 2012) and May 4, 2012 (rain date May 5, 2012 from 12:00 P.M. to 2:00 A.M.

RELEASE PERFORMANCE GUARANTEE FILED BY MATTHEW DELOYNES FOR IMPROVEMENTS AT 403 MOORE ROAD (BLOCK 151, LOT 2)

WHEREAS, Matthew Deloynes filed a cash performance guarantee in the amount of \$1,200.00, guaranteeing driveway improvements and soil control measures at 403 Moore Road; and,

WHEREAS, on April 17, 2012, the Township Engineer certified that all site work has been completed and said cash performance guarantee may be released,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the release of the cash performance guarantee as stated herein; and,

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

AUTHORIZE EXECUTION OF LEASE/USE AGREEMENTS WITH YOUTH SPORTS ORGANIZATIONS REGULATING USE OF MUNICIPAL BALL FIELDS

WHEREAS, the Neptune Soccer Association, Neptune Little League and AYF-Neptune Fliers Youth Football and Cheer, Inc. conduct organized youth sports leagues and activities on Green Acres designated fields owned by the Township of Neptune; and,

WHEREAS, the Township and Youth Sports Organizations desire to enter into Lease/Use Agreement for the use of each respective Township owned field; and,

WHEREAS, the term of each Agreement is five years; each Agreement will go into effect upon execution by the Township and the respective Youth Sports Organization; however, each Agreement will be submitted to the State of New Jersey Green Acres Program for approval,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of Lease/Use Agreements with the Neptune Soccer Association, Neptune Little League and AYF-Neptune Fliers Youth Football and Cheer, Inc. to establish regulations for conducting organized youth sports leagues and activities on Sunshine Village Fields, Jumping Brook Ballfields and Loffredo Fields, respectively; and,

BE IT FURTHER RESOLVED, that each Agreement shall be for a term of five years from January 1, 2012 to December 31, 2016 and shall be in effect upon the execution of the Agreement by the Township and respective Youth Sports Organization but will be subject to approval by the State of New Jersey Green Acres Program; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Township Attorney, Business Administrator and Recreation Director.

AWARD BID FOR UNIFORM MAINTENANCE FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, on March 15, 2012, the Purchasing Agent received bids for the award of a contract for uniform maintenance for Department of Public Works staff; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that the bid be awarded to the lowest bid submitted by UniFirst Corp.; 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 in the 2012 municipal budget appropriation entitled \_\_\_\_\_, known as Account No. \_\_\_\_\_, 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 UniFirst Corp. for uniform maintenance for the Department of Public Works staff for a three (3) year period from June 1, 2012 through May 31, 2015 on their lowest responsible bid of \$313.50 per week in the first year, and \$329.17 per week in the second and third



years; 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.

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

RESOLUTION DELEGATING AUTHORITY TO DETERMINE THE FORM AND OTHER DETAILS OF NOT TO EXCEED \$7,520,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012 OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AND TO APPROVE A BOND PURCHASE AGREEMENT WHICH PROVIDES FOR THE SALE OF SUCH BONDS TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY PURSUANT TO THE 2012 GOVERNMENTAL LOAN REFUNDING PROGRAM

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

**WHEREAS**, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*, as amended and supplemented (the "Local Bond Law"), the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), had previously issued General Obligation Bonds, Series 2001 (the "2001 Bonds") to the Monmouth County Improvement Authority (the "MCIA") in connection with the Township's participation in the 2001 Pooled Governmental Loan Program (the "2001 MCIA Loan Program"), which 2001 Bonds were issued to (i) memorialize the Township's applicable loan through the 2001 MCIA Loan Program, and (ii) permanently finance the costs of various Township projects; and

**WHEREAS**, the Township previously issued General Obligation Bonds, Series 2004 (the "2004 Bonds") to the MCIA in connection with the Township's participation in the 2004 Pooled Governmental Loan Program (the "2004 MCIA Loan Program"), which 2004 Bonds were issued to (i) memorialize the Township's applicable loan through the 2004 MCIA Loan Program, and (ii) permanently finance the costs of various Township projects; and

**WHEREAS**, the Township previously issued General Obligation Bonds, Series 2005 (the "2005 Bonds") to the MCIA in connection with the Township's participation in the 2005 Pooled Governmental Loan Program (the "2005 MCIA Loan Program"), which 2005 Bonds were issued to (i) memorialize the Township's applicable loan through the 2005 MCIA Loan Program, and (ii) permanently finance the costs of various Township projects; and

**WHEREAS**, the Township has been informed by the MCIA that all or a portion of the outstanding 2001 Bonds, 2004 Bonds and the 2005 Bonds are eligible for refunding through the MCIA and that such a refunding will achieve debt service savings for the Township; and

**WHEREAS**, (i) \$848,000 aggregate principal amount of such 2001 Bonds, (ii) 1,323,000 aggregate principal amount of such 2004 Bonds, and \$4,413,000 aggregate principal amount of such 2005 Bonds are currently outstanding and can be defeased or are subject to redemption prior to their stated maturity (collectively, the "Refunded Bonds"); and

**WHEREAS**, the MCIA and the Township have determined that refunding bonds can be issued to refund such Refunded Bonds, which, under current market conditions, can generate a debt service savings to the Township due to the low long-term interest rate environment; and

**WHEREAS**, the Township has determined that it is in the best interests of the Township to refund all of the Refunded Bonds; and

**WHEREAS**, the Township has determined to provide for the refunding of the Refunded Bonds through its issuance of General Obligation Refunding Bonds in the aggregate principal amount of not to exceed \$7,520,000 to the MCIA (the "Refunding"), as provided in the refunding bond ordinances of the Township entitled, "REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,250,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS BY THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY (THE "MCIA") FOR THE PURPOSE OF REFUNDING CERTAIN BONDS HERETOFORE ISSUED BY THE TOWNSHIP TO THE MCIA", and "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", such refunding bond ordinances being finally adopted by the Township Committee on October 25, 2010 and March 26, 2012, respectively (collectively, the "Ordinance"); and

**WHEREAS**, to accomplish the Refunding, the MCIA requires the Township to authorize, execute, attest and deliver the Township's not to exceed \$7,520,000 General Obligation Refunding Bonds, Series 2012 (the "Bonds"), in accordance with the provisions hereof and pursuant to the terms of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law") and other applicable law; and

**WHEREAS**, such Bonds shall be comprised of one or more series, and any portion of such Bonds attributable to the Township's Sewer Utility shall, in accordance with the Local Bond Law, be deductible from gross debt when such Sewer Utility is self-liquidating; and

**WHEREAS**, section 27(a)(2) and section 59 of the Local Bond Law allow for the sale of the Bonds to the MCIA without any public offering, all under the terms and conditions set forth herein and in a Bond Purchase Agreement by and between the Township and the MCIA and dated as of the date hereof.

**NOW THEREFORE, BE IT RESOLVED** BY A TWO-THIRDS VOTE OF THE FULL MEMBERSHIP OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

**Section 1.** The Township Committee hereby delegates to the Chief Financial Officer or Administrator of the Township, in accordance with the provisions of N.J.S.A. 40A:2-27(a)(2) and N.J.S.A. 40A:2-59, the power to sell and award the Township's not to exceed \$7,520,000 General Obligation Refunding Bonds, Series 2012 (collectively, the "Bonds") to the MCIA in accordance with the provisions hereof and in accordance with the terms of a Bond Purchase Agreement by and between the Township and the MCIA (the "Bond Purchase Agreement"), the form of which Bond Purchase Agreement is attached hereto as Exhibit B and is hereby approved, along with such changes to any information set forth therein as Bond Counsel to the Township (as defined herein) shall advise. The Bonds have been referred to and described in the Ordinance finally adopted at a duly called and held meeting of the Township Committee and published as required by law. The Bonds are being issued for the purpose of (i) refunding the principal amount of the Refunded Bonds, including the payment of interest accrued thereon to the date fixed for redemption or prepayment, if applicable, and the redemption or prepayment price thereof, if applicable, and (ii) paying the costs of issuance relating to the Bonds, including printing, advertising, accounting, financial and legal services, rating agency fees, underwriter's discount, and MCIA costs of issuance, which may include any of the foregoing.

**Section 2.** The Chief Financial Officer of the Township (the "Chief Financial Officer") is hereby authorized and directed to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the MCIA and the terms and conditions hereof and set forth in the Bond Purchase Agreement, the following items with respect to the Bonds, except those terms and conditions which are set forth in the Bond Purchase Agreement:

- (a) The aggregate principal amount of the Bonds to be issued, provided that the total amount of Bonds issued shall not exceed the aggregate principal amount of \$7,520,000;
- (b) The name and designation of the Bonds;
- (c) The maturity and principal installments of the Bonds;
- (d) The date of the Bonds;
- (e) The interest rates of the Bonds;
- (f) The purchase price of the Bonds;
- (g) The direction for the application and investment of the proceeds of the Bonds, if applicable; and
- (h) The terms and conditions under which the Bonds shall be subject to redemption prior to their stated maturities.

**Section 3.** Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Bonds by the parties authorized under Section 4(c) hereof.

**Section 4.** The Township Committee hereby determines that certain terms of the Bonds shall be as follows:

- (a) The Bonds shall be issued in a single denomination and shall be numbered GOR-1;
- (b) The Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Bonds shall be executed by the manual or facsimile signatures of the Mayor of the Township (the "Mayor") and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Clerk of the Township (the "Township Clerk").

**Section 5.** The Bonds shall be substantially in the form set forth in Exhibit A attached hereto with such additions, deletions and omissions as may be necessary for the Township to comply with the requirements of the MCIA's 2012 Governmental Loan Refunding Program (the "Program"), upon the advice of Bond Counsel to the Township (as defined herein);

**Section 6.** The law firm of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Township ("Bond Counsel"), the Township Attorney and the Township Auditor are each hereby authorized and directed to perform all actions necessary to consummate the issuance of the Bonds and the Refunding for which the Bonds are issued, including but not limited to, drafting and arranging for the printing and execution of the Bonds and all applicable documentation necessary to memorialize and consummate the issuance of the Bonds and the undertaking of the Refunding, preparing all necessary financial information and conducting all necessary studies, searches and analysis in connection with the issuance of the Bonds and the undertaking of the Refunding. The Mayor, the Chief Financial Officer and the Township Clerk are each hereby authorized and directed to execute and deliver any certificates necessary or desirable in connection with the financial and other information.

**Section 7.** The Mayor, the Chief Financial Officer, the Township Clerk and any other Township representative, are each hereby authorized and directed to (i) execute any certificates or documents necessary or desirable in connection with the sale of the Bonds, including the Bond Purchase Agreement, or the undertaking of the Refunding and each is hereby further authorized and directed to deliver same to the MCIA upon delivery of the Bonds and the receipt of payment therefor or in accordance with the Program and (ii) perform such other actions as they deem necessary, desirable or convenient, in consultation with Bond Counsel to the Township, in relation to the execution and delivery thereof.

**Section 8.** Upon the adoption hereof, the Township Clerk shall forward certified copies of this resolution: (a) via facsimile, to (i) Marion Masnick of the MCIA at facsimile number 732-409-4821, and (ii) John M. Cantalupo, Esq., of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Township, at facsimile number 732-726-6573; and (b) via certified first class mail, to (i) Marion Masnick of the MCIA at The Monmouth County Improvement Authority, Hall of Records, Main Street, Freehold, New Jersey 07728, and (ii) John M. Cantalupo, Esq., of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Township at 90 Woodbridge Center Drive, Woodbridge, New Jersey 07095.

**Section 9.** This resolution shall take effect immediately.

ADOPTED: April 23, 2012

Recorded Vote

AYE: Brantley, Houghtaling, Jahn & Bishop  
NAY: None  
ABSTAIN: None

ABSENT: McMillan

**EXHIBIT A**

**UNITED STATES OF AMERICA  
TOWNSHIP OF NEPTUNE  
IN THE COUNTY OF MONMOUTH  
STATE OF NEW JERSEY**

**GENERAL OBLIGATION REFUNDING BOND, SERIES 2012**

**NUMBER GOR-1**

**DATE OF ORIGINAL ISSUE:** \_\_\_\_\_, 2012

**REGISTERED OWNER:** The Monmouth County Improvement Authority

**PRINCIPAL SUM:** \_\_\_\_\_ Dollars  
(\$\_\_\_\_\_)

THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, a body politic and corporate of the State of New Jersey (the "Township"), hereby acknowledges itself indebted and for value received promises to pay to the order of The Monmouth County Improvement Authority (the "Authority"), c/o \_\_\_\_\_ (the "Trustee"), Account Number \_\_\_\_\_, the Principal Sum specified above payable in the amounts and on the dates specified and set forth on Schedule A attached hereto and by this reference made a part hereof, and to pay interest on such sum from the Date of Original Issue of this Bond until payment in full at the interest rates per annum and in the amounts and dates specified and set forth on Schedule A attached hereto and by this reference made a part hereof. Interest is payable to the Authority at the corporate trust office of the Trustee on the \_\_\_\_\_ and \_\_\_\_\_ prior to each \_\_\_\_\_ and \_\_\_\_\_, commencing \_\_\_\_\_, 2012, in an amount equal to the interest accruing to each such \_\_\_\_\_ and \_\_\_\_\_. This Bond as to principal will be payable on the first day of the month immediately preceeding the due date therefor at the corporate trust office of the Trustee. Upon the occurrence of an event of default by the Authority under the bond resolution adopted by the Authority on \_\_\_\_\_, 2012 (as the same may be supplemented and amended, the "Resolution") which event of default is directly attributable to a default hereunder or to a default by the Township under its Bond Purchase Agreement with the Authority relating to the Authority's purchase of this Bond, or in the event of default in any payments of principal of or interest on this Bond, the Trustee may by notice to the Chief Financial Officer of the Township at Township Municipal Complex, 25 Neptune Boulevard, Neptune, New Jersey, accelerate the principal amount of this Bond all as provided in the Resolution. Amounts not paid when due hereunder shall bear interest at the Late Payment Rate (as defined herein) until paid. This Bond shall be prepayable as set forth in Section 1303 of the Resolution.

Both principal of and interest on this Bond are payable in lawful money of the United States of America and in immediately available funds.

As used herein, "Business Day" shall mean any day that is not a Saturday, a Sunday or a legal holiday in the State of New Jersey or the State of New York or a day on which the Trustee is legally authorized to close. "Late Payment Rate" shall mean a rate per annum equal to the lower of (i) three percent above the interest rate that JPMorgan Chase announces from time to time as its prime lending rate, such interest rate to change on the effective date of each announced change in such rate, and (ii) the maximum interest rate allowed by law.

This Bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), and is one of the General Obligation Refunding Bonds referred to in and issued pursuant to an ordinances duly adopted by the Township Committee on October 25, 2010 and March 26, 2012, respectively, such ordinances duly approved and published as required by law, entitled, "REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,250,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS BY THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY (THE "MCIA") FOR THE PURPOSE OF REFUNDING CERTAIN BONDS HERETOFORE ISSUED BY THE TOWNSHIP TO THE MCIA", and "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", and a resolution duly adopted by the Township Committee on March 26, 2012 entitled, "RESOLUTION DELEGATING AUTHORITY TO DETERMINE THE FORM AND OTHER DETAILS OF NOT TO EXCEED \$7,520,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012 OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AND TO APPROVE A BOND PURCHASE AGREEMENT WHICH PROVIDES FOR THE SALE OF SUCH BONDS TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY PURSUANT TO THE 2012 GOVERNMENTAL LOAN REFUNDING PROGRAM".

The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal of and the interest on, and all other amounts due under, this Bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this Bond exist, have happened and have been performed and that this Bond, together with all other indebtedness of the Township, is within every debt and other limit prescribed by such Constitution or statutes.

The Township agrees to pay all costs and expenses, including legal fees, in connection with the administration and enforcement of this Bond.

IN WITNESS WHEREOF, the Township of Neptune, in the County of Monmouth, State of New Jersey has caused this Bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this Bond and the seal to be attested to by the manual signature of the its Clerk, and this Bond to be dated the Date of Original Issue as specified above.

TOWNSHIP OF NEPTUNE,  
IN THE COUNTY OF MONMOUTH,  
STATE OF NEW JERSEY

ATTEST:

(SEAL)

\_\_\_\_\_  
KEVIN B. MCMILLAN,  
Mayor

\_\_\_\_\_  
RICHARD J. CUTTRELL,  
Clerk

\_\_\_\_\_  
MICHAEL J. BASCOM,  
Chief Financial Officer

#### ASSIGNMENT

FOR VALUE RECEIVED \_\_\_\_\_ hereby sells, assigns and transfers unto \_\_\_\_\_ (Please Print or Type Name and Address of Assignee) the within Bond and irrevocably appoints \_\_\_\_\_ as Attorney to transfer this Bond on the registration books of the \_\_\_\_\_ with full power of substitution and revocation.

#### NOTICE

\_\_\_\_\_  
The signature of this assignment must correspond with the name as it appears on the face of the within Bond in every particular.

Dated:

Signature of Guarantee:

\_\_\_\_\_

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

SUPPORT THE EMPLOYMENT INITIATIVE PROGRAM OF THE THE NEW JERSEY EMPLOYER SUPPORT GUARD AND RESERVES (ESGR)

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

WHEREAS, on Tuesday, January 24, the Commander-in-Chief of our Armed Forces reminded all Americans that, "Above all, our freedom endures because of the men and women in uniform who defend it," and that " ... this generation of heroes has made the United States safer and more respected around the world."; and,

WHEREAS, the President, further, promised, "As they come home, we must serve them as well as they've served us. That includes giving them the care and the benefits they have earned ... And it means enlisting our veterans in the work of rebuilding our nation."; and,

WHEREAS, National Guard and Reserve forces today total over 1 million service members and represent 48 percent of our total military force; while every day around the globe, thousands of men and women in uniform, including dedicated members of the National Guard and Reserves, risk their lives and make great sacrifices to defend our national interests, serving extended tours away from their homes, families and jobs; and,

WHEREAS, at the same time, we are now seeing unprecedented levels of unemployment and underemployment among members of the Guard and Reserve, as up to 22 percent of Guard and Reserve members face unemployment; and,

WHEREAS, in this time of economic uncertainty, the Employer Support Guard and Reserve (ESGR) is focusing on connecting employers with the talented pool of service members and their spouses, with the intent of facilitating meaningful employment opportunities; and,

WHEREAS, to further this goal, the New Jersey ESGR has launched an Employment Initiative Program (EIP), which is a collaborative effort with federal agencies including the Department of Labor (Veterans Affairs), the Department of Veterans, the Small Business Administration and the Office of Personnel Management; and,

WHEREAS, the goal is to enhance the employment process and serve as an effective resource for service members and employers. ESGR is also partnering with Employer Partnership of the Armed Forces (EPAF) through EIP with a high-tech and high-touch approach; and,

WHEREAS, for almost a year, now, the United States Chamber of Commerce has also endeavored to find employment for our returning veterans and the spouses of those who continue to serve, at home and abroad, with its Hiring Our Heroes program; and,

WHEREAS, the Hiring Our Heroes program is a nationwide effort to help veterans and military spouses find meaningful employment, in partnership with the Department of Labor Veterans Employment and Training Service (DOL VETS), to improve public-private sector coordination in local communities, where veterans and their families are returning every day; and,

WHEREAS, despite those efforts, the unemployment rate for veterans of our Armed Forces in our Nation and in our State continues to exceed the over-all rate; and,

WHEREAS, in order to take the lead on advancing the EIP to the next level, the New Jersey ESGR has enlisted strong and positive support from corporate leaders, the New Jersey State Chamber of Commerce, US Dept. of Labor/VETS and the New Jersey League of Municipalities; and,

WHEREAS, it is incumbent on all of us to prove that New Jersey cares for the men and women in uniform who risk their lives and make great sacrifices to defend our national interests; and,

WHEREAS, this employment initiative can be New Jersey's way of saying thank you to the men and women who made great sacrifices to protect our nation's freedom; and,

WHEREAS, local officials throughout the State of New Jersey, working together through the

League of Municipalities, and with the New Jersey ESGR, their local and State Chambers of Commerce, and local business leaders can help to advance basic fairness to our vets and their families by pursuing one simple goal: to allow America's over one million unemployed veterans and military spouses to follow their dreams, instead of spending their lives just trying to catch up,

NOW, THEREFORE, BE IT RESOLVED, on this 23<sup>rd</sup> day of April, 2012 that the Township Committee of the Township of Neptune recognizes that we will never be able to repay the debt we owe to all members of our armed forces; and,

BE IT FURTHER RESOLVED, that in gratitude, the Township of Neptune pledges its enthusiastic and unqualified support for the Employment Initiative Program of the New Jersey Employer Support Guard and Reserves; and,

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

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

SUPPORT A-2717 WHICH EXTENDS THE TIME PERIOD FOR MUNICIPALITIES TO COMMIT TO EXPEND COLLECTED COAH DEVELOPMENT FEES

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

WHEREAS, P.L. 2008, c. 46 established a four year timetable for municipal housing trust dollars to be "committed for expenditure, or risk forfeiture to the State;" and,

WHEREAS, the 2008 Act did not define the term "committed for expenditure" and deferred to the Council on Affordable Housing (COAH) to promulgate regulations as to the requirements to be met for "committed" as well as a timetable for expenditures; and,

WHEREAS, neither COAH nor the Department of Community Affairs has adopted, nor proposed, the regulations pursuant PL 2008, c. 46; and,

WHEREAS, hundreds of municipalities submitted spending plans to COAH, of which only a fraction of these plans were reviewed by the agency, and most of these municipalities have not been provided any guidance on their spending plans; and,

WHEREAS, at the time of 2008 Act, COAH was prepared to adopt its "3<sup>rd</sup> round regulations" establishing municipal obligations under the "Fair Housing Act"; and,

WHEREAS, COAH's 3<sup>rd</sup> round regulations were highly controversial and fundamentally flawed, and subsequently set aside by the Appellate Division, and the appeal of that decision now awaits consideration by the State Supreme Court; and,

WHEREAS, eight years of litigation over COAH's methodology has had a chilling effect not only on the development of affordable housing, but on the ability of local governments to commit trust fund dollars without knowledge of their respective obligations, and certainty that such commitment would count towards its housing obligation; and,

WHEREAS, forfeiture of trust fund dollars starting in July 2012 would be fundamentally unfair, inequitable and indefensible since neither COAH nor DCA has provided the required guidance or certainty; and,

WHEREAS, these trust fund dollars should be used as intended: to subsidize the costs for municipalities in meeting their affordable housing obligations while assuring that these costs do not fall to local taxpayers; and,

WHEREAS, forfeiture of these dollars, estimated by some to be as much as \$200 million, would displace this financial obligation to the taxpayers in these communities,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township Neptune urges our State Legislators to support and approve A-2717, which will provide a four-year extension for municipalities to commit the municipal housing trust fund dollars; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the sponsor of

A-2717, Assemblyman Anthony Bucco, representatives of the 11<sup>th</sup> legislative district, members of the Assembly Housing and Local Government Committee, the New Jersey State League of Municipalities and the Office of the Governor.

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

#### EMPLOY PART-TIME ASSISTANT BUSINESS ADMINISTRATOR

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

WHEREAS, there is a vacancy in the position of part-time Assistant Business Administrator; and,

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

WHEREAS, the members of the Township Committee have made their recommendations; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Vito Gadaleta be and is hereby employed as part-time Assistant Business Administrator, pending favorable results of the required physical, effective May 1, 2012, at an annual salary of \$60,000.00; and,

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute an Employment Agreement defining terms and conditions of employment which is available for public inspection in the office of the Municipal Clerk; and,

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

The resolution was adopted on the following vote: Brantley, aye, reiterated his comments regarding diversity and that people do not apply for jobs because they think that they won't get it. He stated he wanted people to know that they could get jobs if they were qualified. He went on to say that there was a need to let people know that things have changed, Houghtaling, no; Jahn, aye; and Bishop, aye, adding that this appointment is to the position of Assistant Business Administrator, there is no guarantee of the Business Administrator position after Mr. Huhn retires.

#### AUTHORIZE THE PAYMENT OF BILLS

Ms. Jahn 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               | 4,201,286.96 |
| FEDERAL & STATE GRANT FUND | 305.25       |
| TRUST OTHER                | 21,269.87    |
| GENERAL CAPITAL FUND       | 292,019.78   |
| SEWER OPERATING FUND       | 14,290.94    |
| SEWER CAPITAL FUND         | 132,399.42   |
| MARINA OPERATING FUND      | 1,695.51     |
| MARINA CAPITAL FUND        | 35,805.00    |



|                     |                    |
|---------------------|--------------------|
| DOG TRUST           | 2,502.96           |
| LIBRARY TRUST       | 39,191.86          |
| <br>BILL LIST TOTAL | <br>\$4,740,767.55 |

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, adding that included in this amount is \$2.8 million is school taxes; Jahn, aye, adding that this also includes \$377,014 to the State, \$282,000 to the Neptune Fire District and \$53,000 to the Ocean Grove Fire District; and Bishop, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Cynthia Revels, 1512 Monroe Avenue, stated where she lived there were conditions that contributed to her ill health. She expressed her concerns to the rental agency but she could never get a response back from them. She asked the Committee for their help.

Mayor Bishop stated both he and Mr. Fox were well acquainted with one another. He stated he would be meeting with West Walker and asked her to pass her concerns on to him and he would discuss it with him because Mr. Fox was a difficult person to talk with.

Margaret Boswell stated she lived in the same building as Ms. Revels and stated items have been missing from her apartment. She questioned who owned the building because she heard that it was the State of New Jersey.

Mayor Bishop stated Mr. Fox owned the building with other individuals.

Mayor Bishop asked Mr. Huhn to take her information and they would follow up with it along with the police department.

Linda Johnson, 704 Chaphagen Drive, stated she went to the library to renew her library card and they would not accept her veteran I.D. She stated she found it very offensive.

Mayor Bishop stated he tried to get involved with this and was reminded that they were an autonomos body. He stated he made the recommendation to the Library Board of Trustees and they turned it town. He invited her to attend one of their meetings.

Kennedy Buckley expressed his gratitude that Mr. Bascom was closely watching the budget. He urged him to keep it up.

Denis McCarthy, Broadway, stated yesterday morning he left a note of thanks to the Mayor regarding the helped they received in reference to the flooding in Ocean Grove. He stated Wayne Rode and his staff were wonderful and they were grateful.

Hank Coakley commented on Dr. Brantley's comments regarding promotions. He questioned whether the Township was civil service and discussed how civil service operating during his working years. He also stated he experienced the same thing that Ms. Johnson did as far as providing identification in the library. He felt it was an insult.

Mayor Bishop stated they were not civil service and urged Mr. Coakley to attend the Library Board of Trustees meeting.

Joseph Krimko stated in all the years he's been coming here he never thought that he would be standing here to defend the library and like all other organizations there were regulations. He stated he was made aware of Ms. Johnson's situation and the board & employees were adamant about following the rules. He welcomed those individuals with complaints to attend the meetings.

Mayor Bishop asked whether the rules could be altered as long as it did not change state law.

Mr. Krimko stated that was correct but no one pushed it.

Diana Harris thanked everyone for attending the workforce program and asked everyone to emphasize to businesses to hire people within the township.

Mayor Bishop commended MURC on the event and committed to helping them with the next event.

Joyce Williams stated she lived in the senior development on Monroe Avenue as well. She felt that they should be present in the meeting with Mr. West. She felt they all had a voice and it should be heard. She stated she's notified the police department of problems but they will not come into the driveway.

Mayor Bishop stated Mr. West was coming to the meeting and while he was there they wanted to set up a meeting to come to the building and discuss the problems with him.

Ian Polland discussed the illegal auto mechanic shop at 1016 Eton Way.

Mayor Bishop stated it was hard to comment because it has been turned over for an investigation.

Mr. Polland questioned whether there was a cut off time that someone could be working on their cars.

Mayor Bishop stated the noise ordinance does not address that. It only addresses excessive noise. He discussed refining the noise ordinance to include something like that. He also suggested he contact the police department.

Mr. Polland stated he's contacted the police and they've come out but the gentleman continues to work on the cars.

Ermon Jones stated about a year ago there was a tree service across the street from his residence and they would have tree trunks and branches all over the lawn. He called Mr. Huhn regarding the problem and within fifteen minutes code enforcement was out and citations were issued and within one week it was taken care of. He stated all they had to do was enforce their codes. He also spoke regarding the rules and regulations as far as identification for veterans and the library.

Mayor Bishop stated in 2010 the gentleman at 1016 Eton Way signed an affidavit stating he was not running an autobody shop and today he received proof that he was. The gentleman made a false statement to a government agency.

Mr. Huhn stated today they received information that they felt was actionable.

Warren Lapp stated he found it interesting that the Township did not have a noise ordinance but a lot of effort was put into the RV ordinance last year. He stated he felt things were a little out of balance.

Mayor Bishop stated they did have a noise ordinance but it did not have time frames associated with it, only noise from construction had times associated with it.

Mr. Lapp stated since he refinanced his home he now has to pay his taxes himself. He stated he sent in a payment and it arrived on the tenth of the month and it did not get cashed for a week so he received a late statement with interest. He came down and paid his taxes along with the interest but afterwards he received a letter from his mortgage company stating he was not paying his taxes and that his home could be foreclosed on for nonpayment. He questioned who else was notified and whether or not it was reported to the credit bureau.

Mr. Bascom stated all checks are deposited on the day they are received unless they are received after 3pm and then those are deposited before 11am the next morning. He went on to state that all funding entering into the tax office are deposited within 24 hours of receipt. He stated if his payment was received by the tenth of the month there would not be any interest. As far as notification the mortgage companies files an affidavit which is on file in his office that they will be notified if the homeowner is delinquent. Delinquent notices goes out to both the homeowner and the mortgage company and are not reported to the credit bureaus and no foreclosure action is taken by the town until you receive a tax sale notice.

Steven Binns, 205 Monmouth Avenue, questioned the process that had to be taken if an oil tank was found on the property. He also discussed a water problem in that area as well.

Mr. Anthony stated he may have to contact the previous owner regarding the oil tank.

Mayor Bishop stated they were applying for a grant that would help them to address the water infiltrating the curb and eroding the roadway. He stated they did not get involved with private property.

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

Richard J. Cuttrell,  
Municipal Clerk