

TOWNSHIP COMMITTEE MEETING – OCTOBER 27, 2014

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

Also present at the dais were Richard J. Cuttrell, Municipal Clerk; Vito D. Gadaleta, Township Administrator; Michael J. Bascom, Chief Financial Officer; and Gene Anthony, Township Attorney.

Mayor Brantley 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 on January 2, 2014 and The Coaster on January 3, 2014, 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:

Police Chief Hunt presented the new police department uniforms. He stated that the uniforms were discussed and agreed upon with both police unions. One significant change is that Sergeants will wear blue shirts with white shirts being worn by all ranks above Sergeants.

Mr. Gadaleta stated that the Township Engineer will be meeting with the Asbury Park staff electrician regarding the Broadway lighting project. After the meeting, a determination can be made as to whether the project can be done in-house with union electricians and Public Works staff, or go out to bid. Mr. Houghtaling stated that the project needs to move forward in either direction because the Committee does not have answers on a completion date when questioned by the public.

The Committee reviewed aspects of the Abandoned Property Ordinance. Mr. Anthony stated that he sent a letter to the Committee which outlined the legal basis for the ordinance, the legal authorities available to municipalities when crafting such an ordinance, and the comments/recommendations received from residents. He added that any provisions in a local ordinance need statutory authority under the Abandoned Property Rehabilitation Act. He cited certain items which is allowed for by statute, some of which the Committee chose to include in the ordinance, and some they did not. The registration of properties is not in the Act, but is based on home rule police powers; therefore, towns that require registration are not doing so under authority of this specific Act. There are no case decisions on the registration of properties. Registration can be required within less than six months of the property becoming abandoned, but statutorily, a property cannot go on an abandoned property least until six months has passed. Mr. Anthony reviewed various items requested by the public and gave reasons why, or why not, things can be done based on statutory authority.

The Mayor asked if Mr. Gadaleta can look into the idea of providing public notice of the Abandoned Property List. The Committee discussed this issue and indicated that they would like to require the publication of the Abandoned Property List once a quarter in the official newspaper followed by a discussion of the list at the subsequent workshop meeting.

Mr. Houghtaling suggested that the word “may” be changed to “shall” as it relates to the addition of a property to the Abandoned Property List by the Code Enforcement Officer. Mr. Anthony stated that there are some instances where a property is sold or in transition and it is better to leave the Code Official some discretion. Mr. McMillan asked if a lack of tax payments means abandonment. Mr. Anthony replied that tax delinquency is on the numerous criteria. Mr. Bishop also that the Committee should consider amending the ordinance to require utility disconnects in consultation with the Fire Official. Mr. Anthony stated that would come under a different statute and he will prepare a draft ordinance.

The Mayor and Mr. Gadaleta will follow-up on the date for the Mayor’s Roundtable discussion with the various Township authorities.

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

Mr. Bishop offered the following resolution, moved and seconded by Mr. McMillan, 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:

Contract negotiations – West Lake Avenue Redevelopment
Contract negotiations – Deed of Easement with Shark River Beach & Yacht Club
Personnel – Vacancy in Public Works Supervisor position

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

4. This Resolution shall take effect immediately.

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

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

Mr. Gadaleta stated that he and Wayne Rode, Director of Public Works, recommend George Reid for the position of Public Works Supervisor. The Committee took action by resolution during the business portion of the meeting.

Mr. Anthony stated that the Shark River Beach & Yacht Club went before the Planning Board to reconstruction the Club that was destroyed by Hurricane Sandy. The building has an overhang into the public right-of-way so an easement is needed. The encroachment is in the air and not on the ground. Mr. Bishop added that the Planning Board directed the Club to obtain this easement.

Mr. Gadaleta stated that the Township received a grant through the Workforce Investment Board. Interviews were done by Dianna Harris and the Human Resources Specialist for the position of Career Advisor which is part of the program and grant funding and are recommending Anita Lentz for the position. Mr. Cuttrell will prepare a resolution for the next meeting.

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

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

Also present at the dais were Richard J. Cuttrell, Municipal Clerk; Vito D. Gadaleta, 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 rear of the room and to my right. In case of fire you will be notified by bell and or public address system, then proceed to the nearest smoke-free exit"

Mayor Brantley 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 on January 2, 2014 and The Coaster on January 3, 2014, 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 posted online at www.neptunetownship.org.

APPROVAL OF MINUTES

Mr. Bishop offered a motion, seconded by Mr. Houghtaling, to approve the minutes of the meeting held on October 9th. All were in favor, except Ms. Jahn who abstained because of her absence at that meeting.

PRESENTATION TO K. HOVNIANIAN CHILDREN'S HOSPITAL

Felix Truex of Cabaret for Life will present a donation of \$3,500.00 to William Faverzani, Sara Auerbach and April Slowenski representing the St. Nicholas Comfort Fund at K. Hovnianian Children's Hospital. Cabaret for Life joined Neptune Township employees in a challenge to raise monies for the Fund. Township employees raised \$271.00. The monies were matched by Joan and Andy Leather of the Nicholas Leather Heart2Heart Foundation. The Leather's presented a check for \$5,000.00 resulting in a total donation of \$8,771.00.

PROCLAMATION - CURFEW

The Mayor issued a proclamation extending curfew hours for minors on October 30th and October 31st. All persons under the age of 18 must be off public streets and places between 9:00 p.m. and 4:00 a.m. unless accompanied by an adult.

COMMENTS FROM THE DAIS

Mr. Houghtaling stated when it comes to charities Neptune Township always seem to come through and on November 1st they will have their run walk for Pancreatic Cancer Awareness. He stated they were trying to raise money for a deadly disease. This idea started with Roberta Grace and Freeholder Arnone talking about November being Pancreatic Awareness Month. He stated last year they raised a couple of hundred dollars for it by wearing jeans on Friday. So this year they thought they could do more so they started a run/walk that would be held at the future home of Memorial Park on Old Corlies Avenue. He stated it would start at 10am and registration would start at 8am. He went on to state that he had the opportunity to attend the first public forum of the campaign season and this year they've narrowed it down to two when it use to be five. He also stated homecoming was a great event. The seniors won for the float and every one had a great time.

Mr. Bishop stated both he and Committeeman Houghtaling attended the celebration of the life of Bruce Hoffman. His commitment to the people of this community was truly unmatched. He passed away in Florida and they did a celebration in remembrance of him which was more than well deserved. He stated the place was overflowing so he called the police because they needed help with traffic. There was almost 400 people at the service. He also attended the meet the candidates night. He thanked MURC and Bradley Park for being the primary sponsors. He also stated they held a meeting regarding Veterans Memorial Park and the dedication would be on November 11th at 2pm. He stated the park would not be totally complete but urged everyone to come out. He stated the main node would be complete and they would dedicate and consecrate the park. He stated our students are incredibly talented young people and they really have a lot in them and the homecoming parade was great fun. He stated the Saturday before he had the opportunity to watch a group of our students participate in the filming of a national training video on bullying and discrimination that will be used throughout the country and is sponsored by the Society for the Prevention of teen suicide and these young people were amazing in what they did and he was so very proud of them and the work they were doing. He had the opportunity this morning to attend Mrs. Gualiaro's class it was great and they discussed topics that were of interest to them and they wrote term papers on. They had to interview an official on their topic; there questions were incredible. He went to Mike's open Mic night at the Senior Center. He also received a letter thanking Code/Construction for their professionalism. He urged everyone to come out and vote on November 4th.

Mr. McMillan stated he had the opportunity to walk in a breast cancer walk in Point Pleasant. He walked with families who have been impacted all over the country in both Monmouth and Ocean Counties. He stated he also participated men's day at the Senior Center. He went on to state that even though he only had two forums he still had to do the same amount of preparation. He thanked both Gail Taylor and Ann Horan for hosting. He stated the homecoming parade was fantastic and he urged everyone to come out and vote.

Ms. Jahn stated Neptune was a caring town and last week with the assistance of Roberta Grace she named the Madonna House as the recipient of the Mayor's Ball Fundraiser. They accept clothing donations and toys for the Holiday. She urged everyone to vote.

PUBLIC COMMENTS ON RESOLUTION TO HIRE POLICE OFFICER

The Mayor requested public comments regarding the resolution to hire a Police Officer. There were no public comments.

Mr. Bascom and Chief Hunt presented Casey Crawford's resume and recommended him for

hire.

EMPLOY POLICE OFFICER ON A PROBATIONARY BASIS

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

WHEREAS, due to the resignation of Angel Marrero, there is a vacancy in the position of Police Officer; and,

WHEREAS, candidates were interviewed by the Police Department command staff; and,

WHEREAS, the Police Director and Chief of Police have made their recommendation; and,

WHEREAS, funds are available in the 2014 municipal budget in the appropriation entitled Police S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Casey Crawford be and is hereby employed as a probationary Police Officer in the Police Department, pending favorable results of physical and psychological examinations, at an annual base salary of \$38,243.00, and to perform such other duties as prescribed by the Chief of Police effective October 28, 2014; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief of Police, Business Administrator, Police Director, Assistant C.F.O, Human Resources, and P.B.A. Local 74.

The resolution was adopted on the following vote: Bishop, aye; Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye. The Committee Members all commented that Mr. Crawford was a good choice for the job.

The Mayor administered the Oath of Office.

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH THE JUMPING BROOK BALL FIELD IMPROVEMENTS - TABLED

Mr. Houghtaling offered a motion, seconded by Mr. Bishop, to table a resolution to "Authorize Change Order #1 in connection with the Jumping Brook Ball Field Improvements". All were in favor.

PUBLIC COMMENTS ON RESOLUTIONS

Michael D. Fornino commented on Resolution #14-508. He stated awhile back he asked if he could have an automatic deduction from his checking account to pay his taxes because that's how he pays his life insurance and he's done it that way for over 50 years. He questioned whether they've thought of doing that with today's technology because he's noticed that they are hiring a bookkeeper tonight. He felt that by doing so it would be more efficient.

Mr. Bascom stated it violates State statute and they do have electronic payments that have to be initiated from us. He stated the legislators have to change it.

Mr. Fornino also commented on Resolution #14-491 and questioned what number would this bring the Police Department to.

Mr. Bascom stated it would be 74.

Dorothy Argyros stated she had sixteen years of higher education and it's not enough to understand some of their actions. She requested an explanation of both Resolutions #14-497 & 507. She stated they did not want to weaken the vitality of the local pension plan but you don't want to shift the burden to our property taxpayers. She stated for every policeman we pay at least \$20,000 a years into their pension. She questioned how could they not weaken the vitality of the pension plan and save money. She went on to state that Resolution #14-497 was four pages of bologna and she did not know what it meant.

Mr. Bascom stated it was a required resolution authorizing them to finance the remaining balance of long term obligations that they have. This saves the Township roughly \$30,000 in payments. He stated three years remain on the loan.

Mrs. Argyros questioned whether this would benefit the taxpayers and if so how.

Mr. Bascom reiterated that this reduces the payment by \$30,000.

Mrs. Argyros questioned whether this would ease the burden off the taxpayers.

Mr. Bascom stated that was the concept.

Mrs. Argyros asked about Resolution #14-507.

Mr. Bascom explained that there were two divisions of the pension, a Local and State section and when they say the pension is in trouble, it's the State pension and not the local. The Town and it's employees pay its share which makes the local pension healthy. The State is not healthy because they failed to pay their share and it's asking the State to recognize it.

Joan Venezia, 107 Mount Hermon Way, commented on Resolution # 14-500. She questioned what was the amendment for and whether it was for the boardwalk section II.

Mr. Bascom confirmed that it was.

Hank Coakley commented on Resolution #14-507 and questioned whether the Committee was worried about the teachers and State Police and whether part-time employees were in PERS.

Mr. Bascom stated the teachers pension and the State Police does not affect us because they are paid by the State.

Mr. Bishop stated the Township only took advantage of the pension holiday once.

Mr. Bascom stated they did it when it was required to remain in the system and they do not defer their pension.

ORDINANCE NO. 14-39 - ADOPTED

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

ORDINANCE NO. 14-39

AN ORDINANCE TO AMEND THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY REZONING CERTAIN PROPERTIES ALONG ROUTE 66 TO C-1 PLANNED COMMERCIAL DEVELOPMENT ZONE AND REPEALING ORDINANCE NO. 14-24

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

Michael D. Fornino questioned whether the people that have been there for years would be grandfathered in or would they have to modify their method of tenancy or would they have to move out.

Mr. Bishop stated the answer was no as long as they were still in there but once they moved out then the new regulations would take affect. They could not put a similar one in because then they would be in violation. There's no impact on existing tenants.

Mr. Fornino stated he looked at Parway 100 and questioned how it would affect the land use and what they are trying to accomplish.

Mr. Bishop stated in a positive way they were rezoning for future growth and it doesn't affect anyone whose there now.

Mr. Fornino stated several realtors were worried that it would affect the current tenants.

Mr. Bishop stated this would help them and not hurt them. He assured him that this would not hurt the tenants.

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

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

ORDINANCE NO. 14-40 - ADOPTED

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

ORDINANCE NO. 14-40

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A PARKING TIME LIMITATION ON THE NORTH SIDE OF WASHINGTON AVENUE BETWEEN DAVIS AVENUE AND NEPTUNE BOULEVARD AND THE EAST SIDE OF DAVIS AVENUE BETWEEN WASHINGTON AVENUE AND THE ENTRANCE TO THE MUNICIPAL COMPLEX

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

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

ORDINANCE NO. 14-41 - ADOPTED

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

ORDINANCE NO. 14-41

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XX, SECTION 20-3 OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED, "WATER AND MARINE REGULATIONS"

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

Mrs. Argyros stated she thought this was a good idea but did not like section 23.1c and objected to the inclusion of that.

Mr. Anthony stated it was in there before. It was in the original ordinance and they were not changing it. They were required to change A & B due to regulations.

Mrs. Argyros stated she felt it would be stupid to keep C and she felt it was too broad.

Mr. Coakley stated he was grateful that they would allow throwing fish over board when someone was cleaning them.

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

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

ORDINANCE NO. 14-42 - ADOPTED

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

ORDINANCE NO. 14-42

AN ORDINANCE TO AMEND VOLUME I, CHAPTER IV, SECTION 4-18 OF THE CODE OF THE TOWNSHIP OF NEPTUNE, BY UPDATING THE REQUIREMENTS AND PROCEDURES FOR OBTAINING A LICENSE TO PROVIDE MUNICIPAL TOWING SERVICES

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

Dorothy Argyros questioned whether this was in connection with the ordinance that was already passed by which if a citizen was attending this meeting and could not find a parking spot and parked where they shouldn't would they receive a fine and be towed.

Both Mayor Brantley and Mr. Houghtaling stated this was not related.

Mr. Fornino stated he spoke to Joe Shafto and he stated he was giving up his towing business and it's sad. He stated Mr. Shafto's business has been a part of this town since 1917 and he's being forced to abandon this portion of his business.

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

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

ORDINANCE NO. 14-43 - ADOPTED

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

ORDINANCE NO. 14-43

BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 14-09 (WHICH PROVIDES FOR THE RECONSTRUCTION OF THE OCEAN GROVE BOARDWALK) HERETOFORE FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ON FEBRUARY 10, 2014, TO INCREASE THE APPROPRIATION THEREIN TO \$2,200,000, AND TO PROVIDE FOR THE APPROPRIATION OF A FEDERAL GRANT FOR THE PROJECT IN THE AMOUNT OF \$800,000

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

J.P. Gradone, Executive Director, Ocean Grove Camp Meeting Association, reported that due to reimbursement by FEMA they have paid back a little over \$911,000 to Neptune Township in the repayment of those bonds as funds come from FEMA and from their capital.

Joan Venezia questioned whether \$800,000 was for the North End section of the boardwalk.

Both Mayor Brantley and Mr. Houghtaling said yes.

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

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

ORDINANCE NO. 14-44 - APPROVED

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

ORDINANCE NO. 14-44

AN ORDINANCE TO AUTHORIZE THE INSTALLATION OF FACILITIES BY PEG BANDWIDTH NJ, LLC OVER THE PUBLIC RIGHTS-OF-WAY

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

Mr. Cuttrell stated that the Public Hearing on Ordinance 14-44 will be held on Monday, November 10, 2014.

CONSENT AGENDA

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

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 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>
175/511	1225 Embury Avenue	\$ 500.00
217/487	1710 West Lake Avenue	250.00
175/514	1209 Embury Avenue	250.00
175/512	1223 Embury Avenue	250.00
253/20	1926 Milton Avenue	625.00
189/98	505 Fisher Place	750.00
175/2	18 Ridge Avenue	250.00

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

AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENTS TO LAKEWOOD ROAD AND BRIGHTON AVENUE PROJECT

WHEREAS, the Township of Neptune desires to apply for and obtain a grant from the New Jersey Department of Transportation for approximately \$818,626.35 to carry out the project entitled Improvements to Lakewood Road and Brighton Avenue,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune formally approves the grant application for the above stated project; and,

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2015-Improvements to Lakewood Road and Brighton Avenue-00526 to the New Jersey Department of Transportation on behalf of the Township of Neptune; and,

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Neptune and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

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

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

WHEREAS, the Township desires to preserve said property for open space and is currently developing a Veterans Memorial Park on the site for use and benefit of the citizens of the Township; and,

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

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

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

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

GRANT LEAVE OF ABSENCE TO LARRY DAVIS UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, Larry Davis, Driver in the Department of Public Works, has requested a leave of absence under the provisions of the Family Medical Leave Act during which time he will utilize accumulated sick time; and,

WHEREAS, the Business Administrator has approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that Larry Davis, Driver in the Department of Public Works, is hereby granted a three month leave of absence, with the use of accumulated sick time, under the provisions of the Family Medical Leave Act from October 3, 2014 through December 31, 2014; and,

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

ESTABLISH HOURLY RATE FOR SUPERVISING SPECIAL LAW ENFORCEMENT OFFICER – CLASS II

WHEREAS, in February 2013, the position of Supervising Special Law Enforcement Officer – Class II was created and two officers were appointed to the position; and,

WHEREAS, the hourly rate for said position was not changed for 2014; and,

WHEREAS, funds will be provided in the 2014 municipal budget in the appropriation entitled Police S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune that the hourly rate for Supervising Special Law Enforcement Officer – Class II is hereby established as \$22.00 per hour effective October 1, 2014; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Police Director, Chief of Police, Assistant C.F.O. and Human Resources.

DELEGATE AUTHORITY TO DETERMINE THE FORM AND OTHER DETAILS OF NOT TO EXCEED \$500,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014 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 2014 GOVERNMENTAL LOAN REFUNDING BOND PROGRAM

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 2006 (the “2006 Bonds”) to the Monmouth County Improvement Authority (the “MCIA”) in connection with

the Township's participation in the 2006 Pooled Governmental Loan Program (the "2006 MCIA Loan Program"), which 2006 Bonds were issued to (i) memorialize the Township's applicable loan through the 2006 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 2006 Bonds are eligible for refunding through the MCIA and that such a refunding will achieve net debt service savings for the Township; and

WHEREAS, \$481,000 aggregate principal amount of such 2006 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 net 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 \$500,000 to the MCIA (the "Refunding"), as provided in the refunding bond ordinance of the Township entitled, "REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$500,000 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", such refunding bond ordinance being finally adopted by the Township Committee on October 9, 2014 (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 \$500,000 General Obligation Refunding Bonds, Series 2014 (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 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 \$500,000 General Obligation Refunding Bonds, Series 2014 (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 \$500,000;
- (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 2014 Governmental Loan Refunding Bond 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) Anthony J. Pannella, Esq., of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Township, at facsimile number 732-726-6528; 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) Anthony J. Pannella, 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.

EXHIBIT A

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

GENERAL OBLIGATION REFUNDING BOND, SERIES 2014

NUMBER GOR-1

DATE OF ORIGINAL ISSUE: December __, 2014

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 _____, 2014, 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 preceding 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 _____, 2014 (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 or of 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 ordinance duly adopted by the Township Committee on October 9, 2014, respectively, such ordinance duly approved and published as required by law, entitled, "REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$500,000 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 a resolution duly adopted by the Township Committee on October 27, 2014 entitled, "RESOLUTION DELEGATING AUTHORITY TO DETERMINE THE FORM AND OTHER DETAILS OF NOT TO EXCEED \$500,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014 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 2014 GOVERNMENTAL LOAN REFUNDING BOND 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)

DR. MICHAEL BRANTLEY,
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:

SCHEDULE A

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

GENERAL OBLIGATION REFUNDING BOND, SERIES 2014

Schedule of Principal and Interest Payments

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Coupon</u>	<u>Interest</u>
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EXHIBIT B

BOND PURCHASE AGREEMENT

AUTHORIZE AN AMENDMENT TO THE 2014 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE STATE BODY ARMOR REPLACEMENT FUND

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2014 in the sum of \$6,742.00 which is now available from a NJ Department of Law and Public Safety Grant in the amount of \$6,742.00; and,

BE IT FURTHER RESOLVED that the like sum of \$6,742.00 is hereby appropriated under the caption of Body Armor Replacement Fund – FY 2014; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a New Jersey Department of Law and Public Safety Body Armor Replacement Fund Grant – FY14 in the amount of \$6,742.00; and,

BE IT FURTHER RESOLVED, that the Clerk forward three certified copies of this resolution to the Chief Financial Officer and one copy to the Assistant C.F.O., and Auditor.

AUTHORIZE EXECUTION OF AN AMENDMENT TO THE AGREEMENT WITH THE OCEAN GROVE CAMP MEETING ASSOCIATION REGARDING FINANCIAL RESPONSIBILITY FOR THE RECONSTRUCTION OF THE OCEAN GROVE BOARDWALK

WHEREAS, on October 29, 2012, storm surge caused by Hurricane Sandy resulted in severe damage to the Ocean Grove boardwalk; and,

WHEREAS, on January 27, 2014, the Township Committee adopted Resolution #14-107, which authorized an Agreement with the Ocean Grove Camp Meeting Association (Association) regarding the financial responsibility for the reconstruction of the boardwalk in Ocean Grove located in the Township of Neptune; and,

WHEREAS, as conditioned by said Agreement, the Township Committee adopted Bond Ordinance No. 14-09 appropriating \$1,400,000.00 for the project on February 10, 2014; and,

WHEREAS, the Association has agreed to pay back the Township for the initial financing and reconstruction of the project as detailed and set forth in said Agreement; and,

WHEREAS, it is incumbent upon the Township Committee to amend and supplement Bond Ordinance No. 14-09, by adoption of Bond Ordinance No. 14-43, which increases the appropriation from \$1,400,000.00 to \$2,200,000.00 and provides for the appropriation of a Federal Grant in the amount of \$800,000.00, to allow the Association to proceed with the next phase of boardwalk reconstruction; and,

WHEREAS, the Township and Association recognize that the project, which represents a reconstruction of the boardwalk for public use by the citizens of Ocean Grove, Neptune Township, State of New Jersey and beyond, is of mutual benefit to all parties,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute an Amendment to the January 27, 2014 Agreement with the Ocean Grove Camp Meeting Association, a copy of which is on file in the Office of the Municipal Clerk, which sets forth the terms and conditions of financial responsibility of the Association for additional reconstruction of the Ocean Grove Boardwalk; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, and Ocean Grove Camp Meeting Association.

CONFIRM EMPLOYMENT OF ON-CALL TEMPORARY PLUMBING SUB-CODE OFFICIAL

WHEREAS, due to vacations taken by full-time employees and spikes in workload, it is necessary to authorize an on-call temporary employee to serve as a Plumbing Sub-Code Official when needed; and,

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

WHEREAS, funds will be provided in the 2014 Municipal Budget in the appropriation entitled Construction S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby confirms the employment of Sal Farruggia as an on-call part-time temporary Plumbing Sub-Code Official as needed, not to exceed thirty hours per week, at an hourly rate of \$35.00; and,

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

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

WHEREAS, there is a vacancy in the position of on-call part-time Custodian in the Building Maintenance Department; and,

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

WHEREAS, the Human Resources Department has made its recommendation; and,

WHEREAS, funds will be provided in the 2014 municipal budget in the appropriation entitled Buildings & Grounds S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Johnnie Bouie, Jr. be and is hereby employed as an on-call part-time Custodian, with Black Seal License, pending favorable results of the required physical, effective October 28, 2014, at an hourly salary of \$19.29 per hour; and,

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

AUTHORIZE PURCHASE OF RESCUE EQUIPMENT

WHEREAS, the Purchasing Agent solicited quotes for the purchase of rescue equipment for the two new ambulances authorized for purchase by prior resolution; and,

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

WHEREAS, said quotes were reviewed by the Emergency Management Coordinator and the Purchasing Agent who have recommended that the low quote be accepted in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 11-33 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 rescue equipment for two new ambulances be and is hereby authorized through Howell Rescue Systems pursuant to their quote of \$20,798.70; 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 Public Works Director.

APPROVE DRAFT MONMOUTH COUNTY MULTI-JURISDICTIONAL NATURAL HAZARD MITIGATION PLAN

WHEREAS, the County of Monmouth has prepared a draft Multi-Jurisdictional Natural Hazard Mitigation Plan; and,

WHEREAS, said draft Plan is under a public review and comment period which extends through November 18, 2014; and,

WHEREAS, as a Community Rating System municipality, Neptune Township desires to indicate its approval of said draft Plan with the understanding that adoption of the final version of the Plan will be required after approval by the appropriate State and Federal agencies,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby approves the draft Monmouth County Multi-Jurisdictional Natural Hazard Mitigation Plan as promulgated by the Monmouth County Office of Emergency Management; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, and Emergency Management Coordinator.

AMEND THE SALARY OF KRISTIE ARMOUR DUE TO AWARD OF PROFESSIONAL CERTIFICATION

WHEREAS, the Township Committee continues to encourage its employees to attend classes and seminars and obtain certifications in their respective field of study; and,

WHEREAS, the Township Committee awards an additional \$1,000.00 in annual compensation to any employee obtaining a certification in an area related to their specific job classification up to a maximum of two certifications; and,

WHEREAS, Kristie Armour, Construction Official, has earned the designation of Certified Planning Board/Zoning Board Secretary; and,

WHEREAS, funds for this purpose will be provided in the municipal budget under the

appropriations entitled Planning Board S&W and Zoning Board S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Kristie Armour shall receive an additional \$1,000.00 in annual salary effective November 1, 2013 for receiving the Certified Planning Board/Zoning Board Secretary designation; and,

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

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

SUPPORT THE POUND THE PAVEMENT FOR PURPLE RUN/WALK ON NOVEMBER 1ST TO COMBAT PANCREATIC CANCER

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

WHEREAS, pancreatic cancer is currently the deadliest cancer in our nation, responsible for more than 35,000 deaths each year, and is currently rated as the fourth leading cause of death in the United States; and,

WHEREAS, 73 percent of pancreatic cancer patients will die within the first year of their diagnosis, 94 percent of pancreatic cancer patients will die within the first five years, and there have been no significant improvements in early detection, treatment methods, or survival rates in the past 30 years; and,

WHEREAS, currently there is no cure for pancreatic cancer, and when symptoms present themselves, it is usually too late for optimistic prognosis, with the average life expectancy of those diagnosed at three to six months; and,

WHEREAS, the Township of Neptune and the County of Monmouth are have organized the Pound the Pavement for Purple 5km Run/2km Walk to benefit The Lustgarten Foundation; and,

WHEREAS, The Lustgarten Foundation is a non-profit organization whose mission is to improve the survival rate of individuals with pancreatic cancer. The Foundation has provided more than \$90 million in research support and in-depth information to patients and their families; and,

WHEREAS, the Run/Walk will be held at Veterans Memorial Park on November 1st; and,

WHEREAS, the Township Committee wishes to convey its support for this event and encourage Neptune Township and Monmouth County residents to participate in this important fund raising event,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby expresses its full support to the Pound the Pavement for Purple 5km Run/2km Walk event on November 1, 2014 and urges all citizens of the County of Monmouth and the Township of Neptune to participate in this important event which benefits efforts to combat pancreatic cancer.

The resolution was adopted on the following vote: Bishop, aye, adding his appreciation to Mr. Houghtaling for his hard work on this event; Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

EXPRESS THE IMPORTANCE OF RECOGNIZING THE STRENGTH OF LOCAL PENSION FUNDING IN REGARDS TO RECOMMENDATIONS FROM GOVERNOR CHRISTIE'S PENSION & HEALTH BENEFIT STUDY COMMISSION

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

WHEREAS, State actuaries confirm by the latest Valuation Report the pension and benefit reform enacted in 2010 and 2011, coupled with the consistent pension payments made by employees and local governing bodies, have resulted in the anticipated savings; and

WHEREAS, the fiscal health of "Other Than State" public pension systems, report a distinction between local commitments and those which are State government's responsibility; and

WHEREAS, according to the latest Valuation Reports, local government Public Employees Retirement System (local PERS) and Local Police and Fire Retirement System (local PFRS), are more sound, due to the fact that municipalities, including Neptune Township and counties have funded full employer contributions as required for over a decade, with local PERS currently funded (comparing assets to liabilities) at 73.9% and local PFRS is currently funded at 76.9%, according to the experts; and

WHEREAS, the State PERS, on the other hand, is currently funded at 48.1% and State PFRS is, at 50.8% and both will continue to go lower due to lack of payment on the part of the State; and

WHEREAS, the Officers of the League of Municipalities have submitted a statement to Governor Christie's Pension and Health Benefit Study Commission, urging that the Final Report and Recommendations of that Study Commission not weaken the vitality of the local pension plans;

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

1. The Neptune Township Committee urges State policy-makers to recognize that the deficit issues are State Funding problems, and reject any recommendations that would threaten municipal budgets and property taxpayers; to share the cost.

2. We recognize the State's budget problems and are anxious to see results but cannot permit a shifting of the State burdens to our property taxpayers.

3. The Pension and Health Benefits commission must also address State mandated requirements which drive up the cost of funding health benefits insurance by property tax payers.

4. A certified copy of this Resolution is to be forwarded to Governor Chris Christie, State Treasurer Andrew Sidamon-Eristoff, our State Senator Jennifer Beck and Representatives Caroline Casagrande and Mary Pat Angelini in the General Assembly, and to the New Jersey League of Municipalities.

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

RECLASSIFY EMPLOYEE TO THE POSITION OF BOOKKEEPER IN THE TAX COLLECTION DEPARTMENT

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

WHEREAS, due to the resignation of Patricia Martuscelli, there is a vacancy in the position of Bookkeeper in the Tax Collection Department; and,

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

WHEREAS, the Tax Collector has made his recommendation to reclassify a Municipal Intern to this position; and,

WHEREAS, funds will be provided in the 2014 municipal budget in the appropriation entitled Revenue Administration S&W 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 Michael Schnurr be and is hereby reclassified to the position of Bookkeeper in the Tax Collection Department, on a probationary basis for a period of not less than 90 days and not exceeding one year, effective October 28, 2014, at an annual salary of \$28,560.00 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 Human Resources.

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

RECLASSIFY EMPLOYEE TO THE POSITION OF SUPERVISOR IN THE DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, due to the retirement of James Brown, there is a vacancy in the position of Supervisor in the Road Department of Public Works; and,

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

WHEREAS, the Business Administrator has made his recommendation to reclassify a Foreman to this position; and,

WHEREAS, funds will be provided in the 2014 municipal budget in the appropriation entitled Roads S&W 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 George Reid be and is hereby reclassified to the position of Supervisor in the Road Department of Public Works, effective October 28, 2014, at an annual salary of \$79,000.00 and,

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

The resolution was adopted on the following vote: Bishop, aye; Houghtaling, aye; Jahn, aye, adding that Mr. Reid is an asset to the Township; McMillan, aye, adding that Mr. Reid is the right man for the job; and Brantley, aye.

AUTHORIZE THE PAYMENT OF BILLS

Ms. Jahn offered the following resolution, moved and seconded by Mr. McMillan, 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	3,196,173.02
FEDERAL & STATE GRANT FUND	21,023.83
TRUST OTHER	10,303.49
GENERAL CAPITAL FUND	156,834.99
SEWER OPERATING FUND	11,733.85
MARINA OPERATING FUND	872.10
MARINA CAPITAL FUND	4,832.52
LIBRARY TRUST	827.74
BILL LIST TOTAL	\$3,402,601.54

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

The resolution was adopted on the following vote: Bishop, aye; Houghtaling, aye; Jahn, aye, adding that \$2.2 million of this amount is school taxes, \$196,000 in Neptune Fire taxes and \$59,000 is Ocean Grove fire taxes; McMillan, aye; and Brantley, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Selma Bonelli Henson, 201 Moss Place, asked if someone could tell her what was going on with the truck at the intersection of Ash & Iris Drive.

The Committee asked what truck?

Ms. Hensen stated she came in April with the concern that a truck had been sitting there with no tags and all of the tires were deflated. She came back in June and was told it was too early and they could not get it moved that quickly and now it is six months later and it's still sitting there. It's on the road and it's getting cold and will snow soon and it would be hard to plow with a truck sitting there. She stated the Business Administrator was supposed to call her and all she's heard were crickets. She stated she did not have time to call Code Enforcement so she came here with her concerns and nothing was done. She stated as a voter and a taxpayer why should she vote for this Committee.

Mr. Bishop stated this was not a code issue.

Mayor Brantley stated at the next meeting they would have a report available.

Ms. Hensen stated she did not understand why no one could get this truck moved after six months.

Mr. Bishop apologized because she gave him the information and he then gave it to Code Enforcement. He stated if it's on the street it's not a code issue it's a police issue.

Mayor Brantley again stated he would get a report by the next meeting.

Ms. Hensen suggested they leave a message on her answering machine with an update. She also stated there was a mattress and various paraphernalia on the side of 111 Moss Place.

Mayor Brantley apologized and requested she give Mr. Gadaleta the list and he would get back to her by the next meeting.

Mr. Bishop asked Mr. Gadaleta to look into the truck matter.

Kennedy Buckley, Broadway, congratulated George Reid and stated he hoped he was ready for snow removal. He asked the Committee if they were ready for the snow removal. He also stated he thought the Broadway lighting project had started and there was a lamp on Broadway and Pilgrim that has been knocked over. He reported that there's now a town in Georgia that adopted a derelict and blighted property ordinance. He was also persistent in asking that the east side of Ocean Avenue be considered for limited parking and sweeping should take place every six weeks.

Mr. Gadaleta stated the current snow ordinance was still in effect at this time.

Mr. Bishop suggested sweeping be done every week and not every six weeks and as far as the vehicles they could either tow them or ticket them.

Mr. Houghtaling stated the Public Works Director would be at the next meeting to discuss snow preparation.

Mr. Anthony stated they already had ordinances that address properties that do and do not have buildings on them.

Jack Breden, 94 ½ Heck Avenue discussed the subdivision of Ocean Grove and plans dating back to 1878-1879. He stated he agreed with the comments that Kevin Chambers made at a previous meeting. He also stated that if the Township was taken to court regarding the zoning they would lose.

Mr. Anthony stated Mr. Chambers did bring this to court and it was voted on.

Mr. Altere, Ocean Grove, stated he was a pedestrian with a disability and he supports Ken Buckley's comments and would like to have speed bumps in Ocean Grove. He asked the Township to help people with disabilities and have the sidewalks freed of snow in the winter time. Last year he had a problem walking on the sidewalk. He also stated he wanted businesses to clear their snow as well. He suggested letters be sent to businesses regarding this.

Ann Horan, Ocean Grove Homeowners Association President, stated the problem Ocean Grove faces is that their residents are here only in the summer. She will notify them by email that they are responsible for their sidewalks.

Joan Venezia, asked Mr. Gadaleta if he had a date set for the Broadway drainage meetings with the residents.

Mr. Gadaleta stated it would be very soon. He also presented a map at the last meeting as to what the engineering department was doing. He stated he educated himself by going out to see the drainage during a rain storm. He has a good idea where the water was coming from.

Ms. Venezia also stated the lights in Fireman's park was fixed and thanked the Committee for it.

Mr. Gadaleta stated they changed out the lights to LED to see how they would work.

Ms. Venezia questioned whether there has been any consideration for reduction in garbage collection in the winter.

Mayor Brantley stated there has been nothing at this time.

Ms. Venezia stated as far as street sweeping in the Spring some people feel that the best notification would be to have paper signs on trees and poles and have them removed afterwards. She also read a statement from Kathy Arlt to Gene Anthony which referenced the State Abandonment Law and stated it did address utility shut off under Title 55. She stated at the Workshop they were considering two changes – public notices and utility cut off/inspections. She questioned how that would happen.

Mayor Brantley stated they would have to consider the policy on one of them.

Mr. Bishop suggested getting a subcommittee back together to discuss this.

Ms. Venezia stated Ms. Arlt also pushed that both the interior and exterior be inspected. She questioned whether they thought interior inspections could be done with the current law.

Mr. Anthony stated it could be very difficult without the consent of the owner because you almost need an administrative search warrant and you can get that through municipal court and it can be very difficult. You must have some evidence that there's a safety/fire hazard as a regular course of activities. Due process law does not allow them to enter the property without the consent of the homeowner it's a balancing act.

Mr. Bishop asked Mr. Gadaleta to look into the street lights that are out on Main Avenue.

Mr. Gadaleta stated he would have Bruce look into it.

Gail Oliver, Neptune City, stated skateboarders were in the park this afternoon on West Lake Avenue so she called the police and they came with backup. The skateboarders received tickets but prior to that when she called Officer Ladet did not issue a ticket. The officer told her that issuing the ticket was at their discretion. She stated it was apparent to her that its not clear to the officers to issue tickets.

Mr. Anthony stated officers always have the discretion to issue tickets.

Ms. Oliver questioned whether anyone knew how much damage has been done to the park and whether the fines pay for it.

Mr. Bascom stated the money goes toward regular court fees.

Ms. Oliver stated she would continue to call and request that attention be paid to the park. She also stated the lights were still out in Midtown Park. She went on to state that she attended a gang awareness presentation at the High School but it wasn't well attended. She questioned whether the new marquee was for recreational advertising only.

Mayor Brantley stated it was not for recreation only.

Ms. Oliver suggested having the gang awareness presentation put on it.

Mr. Bishop stated it was already advertised on it.

Mr. Bascom stated it went out on the police app, twitter and facebook.

Mr. Houghtaling stated he appreciated Ms. Oliver calling the police on the skateboarders.

Mr. McMillan questioned whether something could be done to deter the skateboarders.

Mr. Gadaleta stated there were attachments and the skateboarders have figured out a way to break them off the concrete.

Mayor Brantley announced that the police were having the truck that was mentioned earlier by Ms. Hensen was being towed away at this moment.

Dorothy Argyros, 2100 Rutherford Avenue, stated she was bothered the towing ordinance #14-37 because she felt they were using their elected powers to privilege their own convenience over the health, welfare and benefit of the citizens. She stated she noticed this evening that they said there were seven more parking spaces.

Mr. Gadaleta stated actually there were 21 spaces for the public.

Mrs. Argyros stated she only saw six.

Mr. Gadaleta stated he would be happy to count them with her.

Mrs. Argyros stated they were not labeled.

Mr. Gadaleta stated they were labeled for public parking (6) are only twenty minutes, the rest were for general public parking and they are all in the front row coming out of the building.

Mrs. Argyros suggested they put signs up.

Mr. Gadaleta stated there were signs that said visitors.

Mrs. Argyros asked what was the law regarding after hour parking. She offered suggestions.

Mr. Gadaleta stated he would look into it.

Mr. Fornino stated Ms. Hensen should be happy to have the truck removed because it took seven years for the Township to get speed bumps. He also discussed the plows and suggest residents be notified in Ocean Grove like you would do for someone seeking a variance.

Mr. Anthony stated there would be no hearings.

Mr. Fornino stated there was a state law regarding parking on the wrong side of the street in the Gables. He stated he could see it and questioned why couldn't the police see it. He stated if he was the Mayor he would quarantine a person immediately if they were suspected of have Ebola and he didn't care if he got sued.

Mr. Anthony stated the State has their own policy.

Mr. Fornino stated he did not care about the State and suggested they stop passing the buck.

Hank Coakley, Valley Road, thanked the Committee for the affair that was held on Route 35 & Sunset. He felt the taxpayers got a bang for their buck.

Blanche Dunbar, 40 Lynn Drive, stated she attended the gang awareness seminar. She felt the children should have something to do after school. She stated there was a need for recreational activities for the kids and perhaps it would solve the gang problems.

Mr. McMillan stated he spoke with Michelle Moss whose on the Board of Education but technically they should be doing their homework after school.

Ms. Dunbar questioned what should they do after they've done their homework. She stressed the importance of having an organized activity.

Heinz Weck, Ocean Grove, stated that he is missing "Dancing with the Stars" on television to be here, but he sees all stars here tonight.

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

Richard J. Cuttrell
Municipal Clerk