

TOWNSHIP COMMITTEE MEETING – MAY 24, 2012

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

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

Wayne Rode, Public Works Director, was present to discuss a possible amendment to the solid waste ordinance. Mr. Rode stated that the Department at times will limit the amount of bulk collected roadside and suggest the rental of a dumpster or instruct a resident or business that they must transport the items to Mazza. There is a frequent problem with tenant evictions when the landlord places all of the contents of a home at the curb. Mr. Rode is concerned because the solid waste ordinance does not always support current policy. Mr. Rode provided examples of other ordinances which either limit the number of bulk items or impose a charge for collection. The Mayor asked Mr. Rode to further review the situation and return with a recommendation on the maximum number of items that will be collected.

The Mayor stated that he has been on a Task Force to restore the energy tax receipts to municipalities. On May 14th, the State Assembly and Senate introduced bills which were referred to Sub-Committees. The bills provide a method to phase back full restoration of energy tax receipts, but there will be recouping of lost dollars from prior years. Unfortunately, state revenue projections are down versus expected levels which could hurt the chances for bill passage. Mr. Bascom stated that the total amount of lost revenues due to the state's reduction of these funds over the last ten years is about \$7 million. If the Township received these funds, there would have been about four years of no municipal property tax increases.

The Committee discussed policy for Committee members attending seminars and recognition luncheons and dinners. Mr. McMillan stated that several Committee members received the designation of Certified Municipal Elected Official. Legislative meetings and classes come up from time to time and they are a way to become educated and better serve our residents. He added that the Mayor receives an additional \$1,000 in annual salary for special luncheons and dinners. The Committee needs to use good judgment because these classes are important and applicable to the job. Mr. Bascom stated that educational courses are part of the Best Practices Checklist. Mr. Huhn added that certification is not required for elected officials, only ethics courses are required. Dr. Brantley suggested putting together a list of classes that can be taken and decide which classes are appropriate. Mr. Huhn stated that it is not appropriate for him to decide which classes can be taken or not. Ms. Jahn stated that the cost to become a Certified Elected Municipal Official is \$983 per person and if all five Committee persons attained the certification, the Township would not receive any additional points on the Best Practices Checklist. The Mayor stated that a policy is needed for luncheons and dinners. He has always paid for these types of events out of his own pocket and has not sought reimbursement from the Township. The Committee agreed that all invitations need to be gathered and the Committee can discuss attending at each workshop meeting.

Mr. Houghtaling stated that the court date for 1016 Eton Way is June 14th.

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

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

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

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune,

County of Monmouth, as follows:

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

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

Contract negotiations – Insurance Broker

Potential Litigation – Executive Session procedures and regulations

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

4. This Resolution shall take effect immediately.

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

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

The Committee discussed the appointment of Health Insurance Broker and took action during the regular session.

Mr. Anthony stated that he will reach out to the Principals of the North End Redevelopment Project to begin negotiations on the Redevelopment Agreement.

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

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

Also present at the dais were Richard J. Cuttrel, 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 for public viewing before each Township Committee meeting.

APPROVAL OF MINUTES

Mr. Houghtaling offered a motion, seconded by Dr. Brantley, to approve the minutes of the meetings held on March 12th and March 26th. All were in favor.

REPORT OF THE CLERK

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

Senior Beacon for May and Senior Center monthly statistics for April.

Notice from the NJDEP that the Township's 5 year Community Forestry Management Plan has been approved.

Notice of public hearing on an amendment to the Land Development Ordinance of the Borough of Tinton Falls.

A letter from Michael & Sandra Fornino commending Wayne Rode for his quick and efficient response to a variety of Public Works issues.

A letter from Brian Hegarty thanking Wayne Rode for the quick response of the Public Works Department.

The Senior Center staff received thank you notes and cards over the past two months from Rita Munn, Carol Wilson, Phyllis & Thomas Donahue, Michelle D'Amato, Anna McHale, Sue Wilson & Carol King, JSUMC, Ocean Medical Center, Edilberto & MariaRosa Achate, Angela & George Germann and Ocean-Monmouth Legal Services.

COMMENTS FROM THE DAIS

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

Dr. Brantley stated he attended the MURC Beautification Day and a great job was done. He also stated he missed the veteran's fundraiser due to a prior commitment but he was in support of it. He stated by the next meeting he should have a report on Wesley Lake and the commission now has a phone number that should be on line.

Mary Beth Jahn stated she attended the MURC Beautification Day and it was wonderful over at Liberty Park and she brought over several basketballs. She stated her parents were living with her due to her father having renal cancer. She was hoping to attend the Veteran's Fundraiser but her father took a fall that morning and they were unable to attend. She went on to state that on May 30th the Cops vs Kids baseball game would be held at the Bert Willis Field at 3:00pm, admission is \$1 and refreshments would be sold. She stated it was being run by the Neptune Municipal Drug Alliance to Prevent Alcoholism and Drug Abuse.

Kevin McMillan stated he attended the MURC Beautification Day and then went on to his referee day where he refereed five games. He attended the Veteran's Park Fundraiser at the Headliner and the Recreation meeting where they went over the summer programs for the youths.

Eric Houghtaling stated he attended the Shark River Hill's Homeowner's meeting and the Chief and several of the men from his department as well as employees from the Department of Public Works and Tim O'Connor were in attendance. He stated everyone gave a brief presentation and one of the things that came up was what was going on at South Riverside Drive with the bulk heading. He attended several MURC fundraiser meetings and they have a bus trip to Atlantic City next Saturday. He also attended the Ocean Grove Homeowner's meeting where Rosemary Grey and Ellen Sanderson discussed the Senior Center. He felt they did a great job. He stated at that meeting there was discussing regarding the drainage project on Broadway. He commended Herb Herbst in restoring the old high school. He went on to state that Monmouth County came to our recycling center for paper shredding and people took it seriously and brought a lot of paper and they hoped to do it again. He attended the MURC Beautification Day and it was great to see. He attended the dinner for the Neptune Senior High Council and various other events.

Mayor Randy Bishop thanked Mr. Houghtaling for standing in for him at the annual Shark River Hills Homeowner's meeting. He met with the rental group presidents and residents from 1512 Monroe who had some concerns. He attended and spoke at three dedications in honor of the late Dr. Stacy Somers. He had a meeting with MURC and United Way to come up with ways to help the residents in that area. He went on to state that both he and Dan attended the Monmouth County Cotillion. He also met with the Commissioner of the DOT in Trenton along with Senator Beck to discuss the dredging of the Shark River. He attended the Fraternal of Police fundraiser and the Veteran's Memorial Park fundraiser which was a great success. He stated they made \$4,065.00 off of \$20 tickets and he was very pleased. He commended everyone that was a part of that Committee. He stated TRF was awarded a \$250,000 grant under the Home Program for Schoolhouse Square which would allow them to keep that as an affordable complex and help people to get into their own homes. He attended the Ocean Grove Homeowner's meeting and the Ocean Grove Chamber of Commerce dinner.

PUBLIC COMMENTS ON RESOLUTIONS

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

Dorothy Argyros, 2100 Rutherford Ave, commented on Resolution#12-202 which pertained to the flood insurance community rating system. She questioned whether this was required or was it something they voted to participate in.

Mr. Bascom stated it was optional.

Mrs. Argyros questioned whether this participation would require anyone to purchase flood insurance.

Mr. Bascom stated no it does not, it only reduces the cost of flood insurance for those who do buy it.

Mrs. Argyros stated she did not understand Resolution #12-214. She questioned whether this would be coming from the State or the taxpayers. She also questioned why wouldn't the Tides Motel be doing their own clean up.

Mr. Cuttrell stated it was coming from the hazardous discharge site remediation fund through the New Jersey Economic Authority. He stated there was no taxpayer dollars and this was the property that the Township now owns. It was the property that the Tides was on but it is now a park.

Michael Fornino, 120 Fulham Place, commented on Resolution #12-215 and stated he did not see how the Township's vehicles related to education.

Mr. Bascom stated since it was a contiguous county they could purchase under any cooperative purchasing program in those counties around us and it just so happens that Middlesex County Education Cooperation has the best pricing on this type of equipment which was tractors, lawn mowing equipment and items of that nature. He went on to state that they also had a cooperative purchasing agreement with the Neptune Township Board of Education as well.

Kennedy Buckley, Broadway, Resolution #12-216 asked if the Township could join in on lawsuits with other municipalities to try and get some of the monies back.

Mr. Bascom stated they were directly involved with the League of Municipalities to restore this.

Mr. Buckley stated he supported the work that was being done on Broadway and Central.

Hank Coakley, Valley Road questioned what the percentage discount for flood insurance that mentioned in Resolution #12-202.

Mr. Bascom stated it depended on the rating that they ended up with. He stated they were just starting to be a participant in this program and there were all different rating levels of where they could come in and five percent was the minimum.

ORDINANCE NO. 12-12 - APPROVED

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

ORDINANCE NO. 12-12

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING HANDICAPPED PARKING ZONES ON MT. CARMEL WAY AND NEW YORK AVENUE AND REMOVING A HANDICAPPED PARKING ZONE ON ABBOTT AVENUE

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

ORDINANCE NO. 12-13 - APPROVED

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

ORDINANCE NO. 12-13

AN ORDINANCE TO AMEND SECTION 1001 OF THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY AMENDING THE AFFORDABLE HOUSING CONTRIBUTION REQUIREMENTS AND PROCEDURES IN ACCORDANCE WITH COUNCIL ON AFFORDABLE HOUSING REGULATIONS

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

ORDINANCE NO. 12-14 - APPROVED

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

ORDINANCE NO. 12-14

BOND ORDINANCE PROVIDING FOR VARIOUS SEWER UTILITY IMPROVEMENTS, BY THE SEWER UTILITY OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$665,000 BONDS OR NOTES OF THE SEWER UTILITY OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 12-15 - APPROVED

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

ORDINANCE NO. 12-15

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 12-16 - APPROVED

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

ORDINANCE NO. 12-16

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT AND VEHICLES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 12-17 - APPROVED

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

ORDINANCE NO. 12-17

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO VARIOUS PARKS AND OTHER TOWNSHIP FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$237,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 12-18 - APPROVED

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

ORDINANCE NO. 12-18

BOND ORDINANCE PROVIDING FOR VARIOUS MARINA UTILITY IMPROVEMENTS, BY THE MARINA UTILITY OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$90,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$85,500 BONDS OR NOTES OF THE MARINA UTILITY OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 12-19 - APPROVED

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

ORDINANCE NO. 12-19

AN ORDINANCE TO AMEND VOLUME I, CHAPTER III, SECTION 3-8 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY PROHIBITING SKATEBOARDING AND ROLLERBLADING ON CERTAIN PUBLIC PROPERTY

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

Mr. Cuttrell stated that the Public Hearings on Ordinances 12-12 through 12-19 will be held on Monday, June 11, 2012.

CONSENT AGENDA

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

AUTHORIZE A REDUCTION IN THE PERFORMANCE GUARANTEE FILED BY PLUMBLINE BUILDERS AT WALNUT GROVE, LLC. FOR SITE IMPROVEMENTS AT 110, 114 & 118 WALNUT STREET (BLOCK 3032, LOTS 66, 74 & 75)

WHEREAS, on September 12, 2011, the Township Committee adopted a resolution which accepted an Irrevocable Letter of Credit (900000241) in the amount of \$296,568.00 filed by Plumblin Builders at Walnut Grove, LLC and written by New Jersey Community Bank guaranteeing site improvements at the major subdivision located at 110, 114 & 118 Walnut Street (Block 3032, Lots 66, 74 & 75); and,

WHEREAS, at the request of the Developer, the Township Engineer has inspected the site improvements and has recommended a reduction in the performance guarantee; and,

WHEREAS, the Developer will be notified to post a Change Rider reducing the amount of the Letter of Credit from \$296,568.00 to \$177,067.73,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a reduction in the Performance Guarantee for the major subdivision located at 110, 114 & 118 Walnut Street (Block 3032, Lots 66, 74 & 75) be and is hereby approved to the amount of \$177,067.73 and the Municipal Clerk is instructed to accept a Change Rider from Plumline Builders at Walnut Grove, LLC to reflect said reduction; and,

BE IT FURTHER RESOLVED, that a proportionate reduced amount of cash portion of the performance guarantee in the amount of \$16,133.81 shall be refunded to the Developer; and,

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

AUTHORIZE SALE OF SURPLUS VEHICLE TO THE BOROUGH OF NEPTUNE CITY

WHEREAS, the Emergency Management Coordinator has recommended that a 1995 Chevrolet Suburban be designated as surplus equipment and no longer needed for public use; and,

WHEREAS, the Township's Fleet Maintenance provider has determined a current value of \$2,000.00 for the vehicle; and,

WHEREAS, the Borough of Neptune City desires to purchase said equipment from the Township for the amount of \$2,000.00,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby declares a 1995 Chevrolet Suburban, VIN #1GNGK26K6SJ322191, as surplus equipment and no longer needed for public use; and,

BE IT FURTHER RESOLVED, that the Township Committee authorizes the sale of said vehicle to the Borough of Neptune City for the amount of \$2,000.00; and,

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

AUTHORIZE THE REFUND OF MUNICIPAL MARINA STORAGE AND LAUNCHING FEE

WHEREAS, Frank Barreca has submitted payment in full for storage and launching his boat; and,

WHEREAS, he has advised the Marina Bookkeeper that unforeseen circumstances has caused him to sell his boat he has requested a refund of the fee; and,

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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the refund of a Municipal Marina storage and launching fee to Frank Barreca in the amount of \$592.00; and,

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

AUTHORIZE EXECUTION OF AN AGREEMENT WITH MEADOWLINK TO PROVIDE A SUMMER SHUTTLE BUS SERVICE

WHEREAS, NJ Transit and the Federal Transit Administration has awarded Meadowlink with a federal grant under the Congestion Mitigation and Air Quality Improvement Program, which will cover 75% of the cost of a summer season shuttle service called *Shorelink*, connecting certain NJ Transit train stations with the beaches and Main Street in neighboring communities; and

WHEREAS, Neptune Township is desirous of participating in the proposed shuttle program and improve the circulation system in the Township during the peak summer months, which would benefit its businesses, the residents and the visitors. In particular, the shuttle will serve the Ocean Grove section of Neptune Township; and,

WHEREAS, the Shorelink Shuttle Service will connect the Bradley Beach Train Station, Ocean Grove beach, Ocean Grove Main Avenue business district and the Asbury Park Train Station during summer weekends and holidays from May 25, 2012 to September 3, 2012,; and,

WHEREAS, the Township of Neptune, Borough of Bradley Beach and City of Asbury Park will share in the 25% of the cost not covered by the federal grant, with the Township and Borough paying 25% of the local 25% share and the City paying 50% of the local 25% share; and,

WHEREAS, funds for this purpose will be provided in the 2012 Municipal Budget 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 Mayor and Clerk to execute an Agreement with Meadowlink, a copy of which is on file with the Municipal Clerk, to provide a Summer Shuttle Bus Service during specified days as further described herein; and,

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

AUTHORIZE TEMPORARY NO PARKING IN CONNECTION WITH THE ANNUAL CRAFT SHOW

WHEREAS, the annual Craft Show is planned for the Pathway in Ocean Grove on Saturday, September 1, 2012; and,

WHEREAS, for the safety of the participants and to permit an area to unload goods, a temporary no parking zone is necessary,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the establishment of temporary no parking zones on Saturday, September 1, 2012, between the hours of 5:00 A.M. and 6:00 P.M. at the following locations:

- 1) the north side of eastbound Ocean Pathway and the south side of westbound Ocean Pathway from Central Avenue to Ocean Avenue
- 2) both sides of Beach Avenue between eastbound Ocean Pathway and westbound Ocean Pathway
- 3) the west side of Ocean Avenue between eastbound Ocean Pathway and westbound Ocean Pathway
- 4) the east side of Central Avenue between eastbound Ocean Pathway and westbound Ocean Pathway

BE IT FURTHER RESOLVED, that Beach Avenue between eastbound Ocean Pathway and westbound Ocean Pathway shall be closed to vehicular traffic on Saturday, September 1, 2012, between the hours of 5:00 A.M. and 6:00 P.M.; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Director of Public Works, Ocean Grove Fire Official and Business Administrator.

AUTHORIZE THE CLOSING OF STREETS IN CONNECTION WITH THE OCEAN GROVE CHAMBER OF COMMERCE FLEA MARKETS

WHEREAS, the Ocean Grove Chamber of Commerce has scheduled two annual flea markets for Saturday, June 2, 2012 and Saturday, September 8, 2012, on Ocean Pathway in Ocean Grove; and,

WHEREAS, it is necessary to designate no parking areas and close certain streets prior to and during the events; and,

WHEREAS, the Police Department has reviewed and approved these closures,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates temporary no parking on the following streets:

- 1) Both sides of west bound and east bound Ocean Pathway from 9:00 P.M. on Friday, June 1, 2012 until 6:00 P.M. on Saturday, June 2, 2012 and from 9:00 P.M. on Friday, September 7, 2012 until 6:00 P.M. on Saturday, September 8, 2012.

2) Both sides of Beach Avenue between east bound and west bound Ocean Pathway from 9:00 P.M. on Friday, June 1, 2012 until 6:00 P.M. on Saturday, June 2, 2012 and from 9:00 P.M. on Friday, September 7, 2012 until 6:00 P.M. on Saturday, September 8, 2012.

3) Both sides of Central Avenue between McClintock Avenue and the west bound side of Ocean Pathway from 9:00 P.M. on Friday, June 1, 2012 until 6:00 P.M. on Saturday, June 2, 2012 and from 9:00 P.M. on Friday, September 7, 2012 until 6:00 P.M. on Saturday, September 8, 2012.

4) South bound side of Ocean Avenue between west bound Ocean Pathway and east bound Ocean Pathway from 9:00 P.M. on Friday, June 1, 2012 until 6:00 P.M. on Saturday, June 2, 2012 and from 9:00 P.M. on Friday, September 7, 2012 until 6:00 P.M. on Saturday, September 8, 2012.

BE IT FURTHER RESOLVED, that Beach Avenue as stated in Section 2 will also be closed to vehicular traffic from 5:00 A.M. to 6:00 P.M. on Saturday, June 2, 2012 and Saturday, September 8, 2012; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Director of Public Works, Ocean Grove Fire Official, Business Administrator, and Ocean Grove Chamber of Commerce.

AUTHORIZE THE CLOSING OF STREETS IN CONNECTION WITH THE OCEAN GROVE CHAMBER OF COMMERCE VINTAGE AUTO DISPLAYS

WHEREAS, the Ocean Grove Chamber of Commerce has scheduled two vintage auto displays for Saturday, June 9, 2012 and Saturday, September 15, 2012, on Main Avenue in Ocean Grove; and,

WHEREAS, it is necessary to designate temporary no parking and close two blocks of Main Avenue and two blocks of Pilgrim Pathway prior to and during the events; and,

WHEREAS, the Police Department has reviewed and approved these closures,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates temporary closure and posting of temporary no parking on Main Avenue between New York Avenue and Central Avenue and Pilgrim Pathway between Heck Avenue and Olin Street from 7:00 A.M. to 6:00 P.M. on Saturday, June 9, 2012 and Saturday, September 15, 2012; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Sgt. Gualario, Director of Public Works, Fire Inspector, Business Administrator, and Ocean Grove Chamber of Commerce.

AUTHORIZE THE EXECUTION OF A RELEASE OF PART OF MORTGAGED PROPERTY WITH TRF DP RIDGE AVENUE. LLC IN CONNECTION WITH THE SCHOOLHOUSE SQUARE PROJECT

WHEREAS, the Township of Neptune holds a mortgage dated April 8, 2009 in the amount of \$400,000 with TRF DP Ridge Avenue, LLC in connection with the Schoolhouse Square project; and,

WHEREAS, Block 197.04, Lot 1, with an address of 15 Ridge Avenue is included in the properties bound by said mortgage; and,

WHEREAS, said property is being sold as a housing unit and TRF DP Ridge Avenue, LLC is requesting that this property be released from the mortgage,

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 a Release of Part of Mortgaged Property to release Block 197.04, Lot 1, with an address of 15 Ridge Avenue, from the properties bound by the existing mortgage dated April 8, 2009 in the amount of \$400,000.00; and,

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

Chief Financial Officer, Administrative Assistant to the C.F.O. and Business Administrator.

APPOINT HEALTH BENEFITS PROGRAM BROKER/CONSULTANT

WHEREAS, the Township of Neptune desires to appoint a Health Benefits Program Broker/Consultant through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Township accepted Requests for Proposals for said position on April 24, 2012 and will make a selection from the proposals received; and,

WHEREAS, funds will be provided in the 2012 municipal budget 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 execution of a contract to engage the services of Brown & Brown Benefit Advisors as Health Benefits Program Broker/Consultant for a three year period from June 1, 2012 through May 31, 2015 at the terms as indicated in said Proposal on file in the Office of the Municipal Clerk; and,

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

AUTHORIZE THE CANCELLATION OF A PORTION OF A GRANT RECEIVABLE IN THE 2012 MUNICIPAL BUDGET

WHEREAS, the Township anticipated a Grant Receivable in the amount of \$52,136.61 in the 2012 municipal budget in connection with the Clean Communities Program; and,

WHEREAS, the Township has been notified that it will receive \$51,111.84 from the Program; and,

WHEREAS, it is necessary to formally cancel the difference,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the following grant receivable be and is hereby authorized to be cancelled:

GRANT NAME	APPROPRIATION CANCELLED	RECEIVABLE CANCELLED	OPERATIONS
Clean Communitis Program	\$ 1,024.77	\$ 1,024.77	\$ 0.00

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

ACCEPT THE RESIGNATION OF ERIC BROPHY AS ALTERNATE MUNICIPAL PROSECUTOR

WHEREAS, the Township Committee has received a letter from Eric Brophy resigning as the Alternate Municipal Prosecutor effective April 26, 2012,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Eric Brophy as the Alternate Municipal Prosecutor is hereby accepted effective April 26, 2012; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Municipal Court Administrator.

AUTHORIZE THE SUBMISSION OF AN APPLICATION TO PARTICIPATE IN THE NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY RATING SYSTEM

WHEREAS, the Township Engineer has prepared an application for participation in the National Flood Insurance Program Community Rating System; and,

WHEREAS, participation in this program and receiving a Community Rating System classification may result in lower flood insurance premiums for Township residents who are required to obtain flood insurance,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Township Engineer to submit an application for participation in the National Flood Insurance Program Community Rating System; and,

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

TERMINATE EMPLOYEE

BE IT RESOLVED, by the Township Committee of the Township of Neptune that Michael Murphy be and is hereby terminated from employment with the Township as a part-time Custodian not in good standing; and,

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

ACCEPT PERFORMANCE GUARANTEE FILED BY PAUL SANSONE, SR. FOR SITE IMPROVEMENTS AT SANSONE RT. 66 AUTO MALL

WHEREAS, Paul Sansone, Sr. has submitted a cash performance guarantee in the amount of \$6,912.00, guaranteeing site improvements at Sansone Route 66 Auto Mall (Block 9000, Lot 34); and,

WHEREAS, the required 10% cash surety and inspection fee escrow have been posted; and,

WHEREAS, the acceptance of this Performance Guarantee does not authorize the issuance of any licenses or permits by the Construction Department but serves as certification to the Planning Board/Board of Adjustment that compliance with the Land Development Ordinance of the Township of Neptune has been met,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Performance Guarantee as stated above be and is hereby accepted; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Township Engineer, Planning Board, Construction Department, Chief Financial Officer and the Developer.

GRANT TEMPORARY EXTENSION OF LIQUOR LICENSE PREMISES TO SHORE LANES

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 application of Shore Lanes for a temporary extension of premises at Shore Lanes, 701 Highway 35, on June 9, 2012 from 10:00 A.M. to 8:00 P.M.

AUTHORIZE THE SUBMISSION OF A 2012 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE LOCAL PROGRAM GRANT APPLICATION

WHEREAS, the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance has posted the availability of grant funds for the Edward Byrne Memorial Justice Assistance Local Grant Program FY 2012, which provides a no match funding source to local units of government for law enforcement and justice initiative purposes. The aggregate of the available funds for the eligible Monmouth County Communities is \$64,811.00 and Neptune Township along with Asbury Park and Long Branch are eligible to share in this funding; and,

WHEREAS, the Police Departments from each of the communities desires to apply for this program for the purpose of purchasing Communication Equipment, Information Technology, Surveillance and Security technology along with the eligible related training and supplies to advance the public safety and the efficiency of the Police Departments,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that, the Mayor or his designee, the Chief Financial Officer and the Chief of Police, be and are hereby authorized to submit a 2012 Edward Byrne Memorial Justice Assistance Local Assistance Grant Program application to participate in the sharing of the aggregate of the Monmouth County funding and the Chief Of Police be and is hereby authorized to enter into an agreement in the form of a Memorandum of Understanding with Monmouth County, Asbury Park and Long Branch to administer this grant; and,

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

RECLASSIFY TRACEY JAMES TO PERMANENT STATUS AS ADMINISTRATIVE ASSISTANT TO THE PUBLIC WORKS DIRECTOR

WHEREAS, Tracey James was hired as the Administrative Assistant to the Public Works Director on July 26, 2011; and,

WHEREAS, she has performed her duties in a satisfactory manner and the Director of Public Works has recommended that she be reclassified on a permanent full-time basis,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Tracey James be and he is hereby reclassified as a permanent full-time Administrative Assistant in the Public Works Director effective immediately; and,

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

AUTHORIZE THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT WITH BOROUGH OF BRADLEY BEACH FOR VEHICLE MAINTENANCE AND REPAIRS

WHEREAS, the Township of Neptune has a contract with a Fleet Management Company to provide vehicle maintenance to Township vehicles; and,

WHEREAS, the Township of Neptune and the Borough of Bradley Beach desire to enter into an interlocal service agreement pursuant to N.J.S.A. 40:8A-1 et seq. to allow the Borough to receive vehicle maintenance and repair services through the Township's Fleet Management Company at the Township's Public Works Yard; and,

WHEREAS, the Borough will agree to pay the Township at the contracted hourly rate (currently \$55.00 per hour) plus \$10.00 per hour. Costs for parts and materials will be billed at the raid paid by the Fleet Management Company plus 10%,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Interlocal Services Agreement with the Borough of Bradley Beach for a period of five years commencing March 1, 2012, a copy of which is on file in the Office of the Municipal Clerk, which provides that the Borough will receive vehicle maintenance and repairs services through the Township's Fleet Management Company; and,

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

AUTHORIZE EXECUTION OF AN AGREEMENT WITH THE OCEAN GROVE CAMP MEETING ASSOCIATION FOR THE ASSIGNMENT OF A SPECIAL LAW ENFORCEMENT OFFICER

WHEREAS, the Ocean Grove Camp Meeting Association has requested the use of a Special Law Enforcement Officer for eight hours a day from May 15, 2012 to October 15, 2012 to patrol the boardwalk, beach, auditorium/tent colony and surrounding area presently owned by the Camp Meeting Association for the purpose of enforcing NJ state statutes and municipal ordinances; and,

WHEREAS, the Township has agreed to assign an officer for this purpose; and,

WHEREAS, the Ocean Grove Camp Meeting Association will reimburse the Township at a rate of \$19.00 per hour for this officer,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Agreement with the Ocean Grove Camp Meeting Association whereby the Township of Neptune will provide a Special Law Enforcement Officer for eight hours a day from May 15, 2012 to October 15, 2012 at a rate of \$19.00 per hour (total cost of \$23,104) for the purpose of patrolling Ocean Grove Camp Meeting property to enforce applicable state statutes and municipal ordinances; and,

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

AWARD BID FOR CERAMICS INSTRUCTOR AT THE SENIOR CENTER

WHEREAS, on April 17, 2012, the Purchasing Agent received bids for the award of a contract for Ceramics Instructor at the Senior Center; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that the bid be awarded to the lowest bid submitted by Serendipity Studios; 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 for this purpose will be provided in the 2012 Municipal Budget in the appropriation entitled Senior Center O.E., 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 a contract be awarded to Alison Bowie d/b/a Serendipity Studios on their lowest responsible bid of \$33 per hour as Ceramics Instructor at the Senior Center for 2012 and 2013; and,

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

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT

WHEREAS, the properties listed below reflect overpayments; and,

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

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

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
3029	1	Swinton	808 Oxford Way	2012	2,286.84
6002	4	Gallagher	106 Center St	2012	1,792.70
551	1	Central Jersey	300 W Concourse	2012	4,681.88
8004	14	Pinnix	105 Moss Pl	2012	505.40

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

AUTHORIZE THE CANCELLATION AND REFUND OF TAXES (BLOCK 1405, LOT 13)

WHEREAS, in 2010 GM Coastal Properties, LLC subdivided Block 1405, Lot 13 to Lots 12.02 & 13.02 effective 1/1/11; and,

WHEREAS, the subdivision should have deleted Lot 13 from the Tax rolls effective 1/1/11; and,

WHEREAS, the Assessing Office did not make the necessary changes to the Tax Duplicates for 2011 resulting in the property being over billed; and,

WHEREAS, the Assessing Office has requested that Tax Office cancel and refund the 2011 Taxes on Lot 13; and

WHEREAS, the amounts to cancel and refund are as follows:

<u>Tax Year</u>	<u>Amount to be cancelled and refunded</u>
2011	\$7,261.28

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the Tax Collector be and is hereby authorized to cancel and refund 2011 Taxes as stated herein; and,

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

AUTHORIZE THE CANCELLATION OF SEWER RENT

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

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

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
210/21	R Deal Holdings LLC	1402 9 th Avenue	2012	440.00

REASON: Building demolished in 2011

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
281/29	David & Luz Soloman	214 Willow Drive	2008	390.00

REASON: Sewer disconnected and demo permit applied for

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

AUTHORIZE AN AMENDMENT TO THE 2012 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION 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 2012 in the sum of \$65,515.00 which is now available from the NJDEA Hazardous Discharge Site Remediation Fund in the amount of \$65,515.00; and,

BE IT FURTHER RESOLVED that the like sum of \$65,515.00 is hereby appropriated under the caption of Hazardous Discharge Site Remediation Fund – Former Tides Motel; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from the New Jersey Economic Development Authority Hazardous Discharge Site Remediation Fund for the former Tides Motel in the amount of \$65,515.00; 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.

The resolutions of the Consent Agenda were adopted on the following vote: Brantley, aye, with regrets to the resignation of Eric Brophy; Houghtaling, aye; Jahn, aye; McMillan, aye; and Bishop, aye, except abstain on the two resolutions to temporary close streets in connection with Ocean Grove Chamber of Commerce events.

AUTHORIZE THE PURCHASE OF PUBLIC WORKS EQUIPMENT UNDER THE MIDDLESEX REGIONAL EDUCATION SERVICES COMMISSION COOPERATIVE

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

WHEREAS, the Neptune Township Public Works Department wishes to purchase

equipment through an authorized vendor in the Middlesex Regional Education Services Commission Cooperative; and,

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

WHEREAS, Storr Tractor Company has been awarded a contract through the Cooperative Program for this equipment; and,

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

WHEREAS, the cost of the equipment shall not exceed \$105,291.68, which is described in further detail below; and,

WHEREAS, funds for this purpose are available 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 the following equipment for the Public Works Department through the Middlesex Regional Education Services Commission Cooperative be and is hereby authorized at an amount not to exceed \$105,291.68:

<u>EQUIPMENT</u>	<u>COST</u>
McCormick T-Max 100 Tractor	\$44,033.28
Alamo Machette 2 Flail Mower	\$49,686.00
Alamo Rear-Mounted 88" HD Mower	\$ 7,364.40
Rims, Tires, and Accessories	\$ 4,208.00

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

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

SUPPORT STATE LEGISLATION WHICH AUTHORIZES THE PHASED-IN FUNDING RESTORATION OF ENERGY TAX RECEIPTS TO MUNICIPALITIES FOR PROPERTY TAX RELIEF

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

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities, and when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; and,

WHEREAS, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the State is supposed to collect Energy Taxes for the benefit of municipal governments; and,

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and,

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

WHEREAS, municipalities lost \$385 million in combined Energy Tax and Consolidated Municipal Property Tax Relief Aid (CMPTRA) funding in Fiscal Years 2009, 2010, and 2011, while also being denied scheduled incremental funding; and,

WHEREAS, as a result of these cuts, in a number of municipalities property taxes are higher now, despite the fact that they are spending less, proving that the State's diversion of tax relief funding has overwhelmed local efforts to reduce property taxes; and,

WHEREAS, S-1900, sponsored by Senators Paul Sarlo and Linda Greenstein, and a companion bill, soon to be introduced by Assemblyman Troy Singleton, would phase-in, over five

years, the restoration of \$439 million in municipal property tax relief funding; and,

WHEREAS, the sponsors recognize that the loss of those revenues has led to increased property taxes and has hampered local efforts to meet local needs; and,

WHEREAS, the sponsors agree that the time has come to begin to restore to local budgets the millions that were cut to meet State needs in FY 2009, 2010 and 2011; and,

WHEREAS, the restoration of \$87.8 million this year is a great first step, which should be easily manageable in a budget that is slated to grow to \$32.15 Billion in the coming year; and the restoration of \$439 million, in 20% increments, over five years will make a big difference in municipalities all around New Jersey; and,

WHEREAS, the bill would apply the protection of the 'poison pill' to the SFY 2012 distribution of CMPTRA funding, which will prevent further shifts of CMPTRA funding; and which will help to further restrain the appetites of future State policy makers for these municipal property tax relief resources,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune salutes the sponsors for listening to the Mayors in their districts and all around New Jersey and for advancing this legislation; and,

BE IT FURTHER RESOLVED, that we enthusiastically support S-1900, together with any refinements that may be needed to account for any recent changes in the statutes governing local budgets in order to provide municipalities with appropriate budgetary flexibility; and,

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to Governor Chris Christie, Lieutenant Governor Kim Guadagno, Department of Community Affairs Acting Commissioner Richard Constable, our State Senator Jennifer Beck, our Assemblywomen Mary Pat Angelini and Caroline Casagrande, and to the New Jersey League of Municipalities.

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

AWARD BID FOR RELOCATION OF SANITARY SEWER MAIN AT BROADWAY AND CENTRAL AVENUE

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

WHEREAS, on May 7, 2012, the Township Engineer received bids for the award of a contract to relocate a sanitary sewer main under the intersection of Broadway and Central Avenue to facilitate the installation of a new storm water drainage system from Broadway to Fletcher Lake; and,

WHEREAS, said bids were reviewed by the Township Engineer who has recommended that the bid be awarded to the lowest bid submitted by D&D Trenchless Solutions; 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 for this purpose will be provided as follows: 50% of the total cost by the Ocean Grove Sewer Authority, and 50% through Municipal Ordinances Nos. 08-52 & 09-27 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a contract be awarded to D&D Trenchless Solutions on their lowest responsible bid of \$27,250.00 for the relocation of a sanitary sewer main at Broadway and Central Avenue; 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 Township Engineer.

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

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH THE PURCHASE OF PREFABRICATED FLOATING DOCKS

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

WHEREAS, a contract was awarded to Sullivan Floatation Systems in the amount of \$116,872.00 in connection with providing prefabricated floating docks; and,

WHEREAS, changes to the contract have been experienced as a result of ordering one additional six foot by sixteen foot section to complete Dock F; and,

WHEREAS, this change has been approved by the Township Engineer; and,

WHEREAS, funds for this purpose are available in Ordinance No. 11-03 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 Mayor and Clerk be and are hereby authorized to execute Change Order #1 in the contract with Sullivan Floatation Systems in connection with the purchase of prefabricated floating docks resulting in a net increase of \$1,920.00 revising the total contract amount to \$118,792.00; and,

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

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

RECOMMEND ADOPTION OF SPECIAL AREA STANDARDS PER N.J.A.C. 5:21-3.5

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

WHEREAS, the Township of Neptune has adopted a Comprehensive Master Plan, dated January 25, 2012, which makes the following recommendation relative to streets and parking in the designated Ocean Grove Historic District:

The rules concerning streets and parking, as promulgated in the Residential Site Improvement Standards (RSIS) are not appropriate in furthering the ongoing preservation and continued enhancement of the Historic portions of the Township. Pursuant to N.J.A.C. 5:21-3.5, Neptune Township should incorporate "special area standards" for Ocean Grove into the Township's New Land Development Ordinance, to be submitted and approved by the New Jersey Site Improvement Advisory Board. (p. 45)

WHEREAS, the Land Development Ordinance establishes zoning district regulations for on- and off-street motor vehicle parking at Section 412.17, and for driveways at Section 412.06; and

WHEREAS, Table 4.2 in Section 412.17.D of the Land Development Ordinance establishes the required number of parking spaces for specific uses throughout the Township; and,

WHEREAS, Section 412.D of the Land Development Ordinance promotes consistency with the intent and purpose of the Residential Site Improvement Standards, N.J.A.C. 5:21-4.14, regarding minimum number of required parking spaces for residential land uses; and

WHEREAS, Table 4.2 in Section 412.17.D of the Land Development Ordinance prohibits off-street parking for residential land uses in all designated historic districts; and

WHEREAS, in furtherance of the prohibition of off-street parking in designated historic districts contained in Section 412.17.D of the Land Development Ordinance, Section 412.06 prohibits new driveways in all historic zone districts; and

WHEREAS, N.J.A.C. 5:21-3.5(a) recognizes the need for New Jersey municipalities to preserve and enhance community character, and sets forth a procedure whereby a municipal approving authority may develop and recommend to the New Jersey Site Improvement Advisory Board alternative standards from those set forth in N.J.A.C. 5:21 et seq.; and

WHEREAS, N.J.A.C. 5:21-3.5(b)3 permits the designation of a special area within an area of a municipality that exhibits a distinct character worthy of preservation and enhancement; and

WHEREAS, Ocean Grove is a designated historic district pursuant to N.J.S.A. 40:55D-65.1, and is located in the Metropolitan Planning Area (Planning Area 1) identified in the State Development and Redevelopment Plan, thereby qualifying for designation as a special area pursuant to N.J.A.C. 5:21-3.5(b); and

WHEREAS, the Township Committee of Neptune Township makes the following findings of fact relative to off-street parking for residential land uses and driveways in the designated Ocean Grove Historic District:

1. The prohibition against off-street parking for residential land uses and new driveways intends to preserve the unique, historic pattern of land development in the designated Ocean Grove Historic District;
2. The prohibition against off-street parking for residential land uses and new driveways in the designated Ocean Grove Historic District seeks to preserve the shared inventory of public on-street parking spaces by barring new driveway cuts and driveway aprons into established curbs and sidewalks;
3. The prohibition against off-street parking for residential land uses and new driveways in the designated Ocean Grove Historic District seeks to enhance pedestrian safety and character of the District by limiting new vehicular movements across sidewalks; and
4. The prohibition against off-street parking for residential land uses and new driveways intends encourage the maximum permitted building coverage within established building envelopes in the designated Ocean Grove Historic District, while minimizing the amount of lot coverage dedicated solely to asphaltic, concrete, graveled or other impervious surfaces; and

WHEREAS, Township Committee of Neptune Township wishes to designate the entirety of the Ocean Grove Historic District as a special area, incorporating the following regulations as set forth in Table 4.2 in Section 412.17.D and Section 412.06 of the Land Development Ordinance:

1. Table 4.2 in Section 412.17.D:

USE	OFF-STREET PARKING REQUIREMENT
Residential Single-family or multifamily	SEE RSIS STANDARDS except for residential historic districts
Uses in historic zone districts	No off-street parking permitted or required, except for new historic hotels

2. Section 412.06 – New driveways shall be prohibited in all Historic Zone Districts; and,

WHEREAS, the New Jersey Site Improvement Advisory Board requires a municipality seeking approval of special area standards to adopt a resolution explaining the criteria and rationale for the designation of said special area.

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF NEPTUNE TOWNSHIP, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, that it is the recommendation of the Township Committee that the entirety of the Ocean Grove Historic District be deemed a special area by the New Jersey Site Improvement Advisory Board.

BE IT FURTHER RESOLVED that that it is the recommendation of the Township Committee that the herein cited Land Development Ordinance regulations relative to off-street parking and driveways be determined special area standards by the New Jersey Site Improvement Advisory Board.

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

AUTHORIZE CHANGE ORDER #2 IN CONNECTION WITH IMPROVEMENTS TO THE PENNSYLVANIA AVENUE PUMPING STATION

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

WHEREAS, on December 13, 2010, the Township Committee adopted Resolution #10-481 which awarded a contract to Tomar Construction Services, Inc. in the amount of \$965,600.00 in connection with improvements to the Pennsylvania Avenue Pumping Station; and,

WHEREAS, on November 28, 2011, the Township Committee approved Change Order #1 which resulted in a net increase of \$5,544.52 which revised the total contract amount to \$971,144.52; and,

WHEREAS, changes to the contract have been experienced as a result of replacement of steel support with concrete support, removal and disposal of additional wet well debris, additional concrete repair and mill coating, additional 6" pumps, and a reduction in the quantity of fencing; and,

WHEREAS, these changes have been approved by the Engineering Consultant for the project; and,

WHEREAS, funds for this purpose are available in Ordinance No. 08-51, as amended by Ordinance No. 09-21, 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 Mayor and Clerk be and are hereby authorized to execute Change Order #2 in the contract with Tomar Construction Services, Inc. in connection with improvements to the Pennsylvania Avenue Pumping Station resulting in a net increase of \$186,512.50 revising the total contract amount to \$1,157,657.02; and,

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

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

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH IMPROVEMENTS TO BROADWAY

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

WHEREAS, on June 13, 2011, a contract was awarded to James R. Ientile in the amount of \$937,525.00 in connection with the Improvements to Broadway; and,

WHEREAS, changes to the contract have been experienced as a result of inlet revisions, changing the pipe to a higher pressure plastic pipe, the need for 18" by 10" and 20" by 10" pipe reducers to avoid conflicts, and eliminating the line item for sanitary sewer lateral relocations; and,

WHEREAS, this change has been approved by the Township Engineer; and,

WHEREAS, funds for this purpose are available in Ordinances No. 07-40, 08-52 and 09-27 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 Mayor and Clerk be and are hereby authorized to execute Change Order #1 in the contract with James R. Ientile in connection with Improvements to Broadway resulting in a net increase of \$68,238.02 revising the total contract amount to \$1,005,763.02; and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

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

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

CURRENT FUND	6,908,065.79
FEDERAL & STATE GRANT FUND	189,856.78
TRUST OTHER	70,157.69
GENERAL CAPITAL FUND	238,873.62
SEWER OPERATING FUND	50,528.77
MARINA OPERATING FUND	4,142.68
MARINA CAPITAL FUND	144,463.00
DOG TRUST	8,291.20
LIBRARY TRUST	2,047.70
BILL LIST TOTAL	\$7,616,427.23

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

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Dr. Brantley left the meeting to attend a previous engagement.

Mayor Bishop thanked the Neptune Police Department and EMS for the incredible work they did with Bamboozle and it was a fine event.

Dorothy Argyros, 2100 Rutherford Avenue, stated the beautification of midtown was commendable and the garden is going to be beautiful but at the same time that was happening the Board of Adjustment was poisoning midtown, especially Tenth Avenue where WaWa is going to be building a convenience store with five or six gas pumps at the old Barbei gas station which was badly contaminated and people got sick and there were lawsuits. She stated that property was still on the DEP list of known contaminated sites and it was never really cleaned up. She went before the Board of Adjustment on May 16th and she put them on notice and she was now putting this Committee on notice and if WaWa digs into that toxic site it probably will cause the toxins to migrate off site onto a neighborhood that has had a cancer cluster and four deaths. She stated she felt they were now threatened again. She asked the Committee what could be done and if nothing was done they would sue everyone including the Township.

Michael Fornino stated he attended the fundraiser for Mary's Place and he hoped the Township could do something to help out even if they used grant money. He stated his wife ran into Mrs. Toohey at the Senior Center and he found out that she had 126 grandchildren. He felt it would be worthwhile if someone could look that information up.

Kennedy Buckley, 55 Broadway, commended the Police Department. He commented on Ordinance #12-19 and stated if they were not providing a place the kids would skateboard. He went on to discuss the enforcement of township ordinances and stated if they did not they would have a bigger problem.

Hank Coakley stated he hoped the Township would appeal the decision not to dredge Shark River. He denounced the article that was in the Asbury Park Press about the conditions at the marina. He

also stated the marina secretary, Jenn England was a very good secretary and the Township should give her a pat on the back.

Heinz Weck stated the silly season has began and five people were running for a seat on the Township Committee. He urged them to keep doing what they were doing and everything would be fine

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

Richard J. Cuttrell,
Municipal Clerk