

## TOWNSHIP COMMITTEE MEETING – JANUARY 13, 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; Edward J. Hudson, Assistant 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:

Dawn Thompson, Alliance Coordinator, was present to discuss the Municipal Alliance Grant. She stated that the new grant cycle is five years. She distributed the draft grant application and stated that many of the current programs have been made stronger. The Township matches 25% of the grant, part of which will be achieved through fund raising. Mr. McMillan indicated the need to emphasize that marijuana remains an illegal drug even though medical marijuana is now permitted in some states. Ms. Thompson agreed. She stated that the grant no longer has a \$40,000 maximum; therefore, the application will seek \$80,000. Mr. Bishop asked if there are programs regarding heroin in the application. Ms. Thompson responded yes. Mr. Houghtaling stated that he would like input in the selection of speakers for the Cops vs. Kids events. Ms. Jahn commended Ms. Thompson for her work on the grant application. Ms. Thompson added that the Recreation Department is looking to expand Neptune Day and make it more of a community day. Planning will begin shortly.

The Committee reviewed a request from Neptune Fire District #1 for an increase in the compensation for elected commissioners from \$3,500 to \$5,000 annually. Mr. Gadaleta stated that the District supplied comparables from other Districts. Toms River commissioners receive \$6,000 with a large paid staff. Wall Township District #3 receives \$9,600. Mr. Gadaleta stated that this subject needs serious discussions among the Committee members and the compensation increase needs to stay within the budget practices and caps. Mr. Bishop suggested that the Commissioner compensation be put on a schedule for small annual increases to avoid salary spikes. Mr. Bishop will confer with Mr. Gadaleta and provide a recommendation.

The Committee reviewed a draft Responsible Contractor ordinance. Mr. Anthony prepared the draft in the context of providing language that will pass a challenge. The Committee reviewed points raised by Leanne Hoffmann, Township Engineer. Ms. Hoffmann indicated that some of the language in the ordinance is subjective. Mr. Anthony stated that in conjunction with the remainder of the ordinance such language serves its purpose. Mr. Houghtaling stated that he wants to ensure that prevailing rates are paid. Mr. Anthony supposed that the ordinance can have a reporting requirement; however, monitoring is cumbersome. Mr. Gadaleta stated that in federal grant projects, there is a monitoring process where employees are interviewed. Mr. Bishop stated that the Committee needs to discuss penalties and who will monitor and enforce. Mr. Houghtaling reiterated that the purpose of the ordinance is to ensure that prevailing wage is paid and the ordinance language is a deterrent to a bad contractor. Mr. Gadaleta stated that the requirement for OSHA training for contracts over \$2,000 could disqualify local independent contractors. The Mayor asked Mr. Bishop and Mr. Houghtaling to meet with Mr. Gadaleta and Mr. Hudson for further discussion.

The Committee reviewed a draft ordinance setting procedure for Developer's Agreements for projects approved by the Planning or Zoning Board. Mr. Bishop stated that a Developer's Agreement helps the Township recoup costs in the event of the failure of a Developer to complete site improvements. He recommended introduction. Mr. Anthony stated that the Agreement cannot require a Developer to maintain decorative light poles in residential developments after the project has been completed. The Developer can be required to maintain such lighting in commercial projects or a planned development. The Boards should be approving a site plan with a standard light pole so that the Township can build an inventory of replacement fixtures. Mr. Bishop stated that standards are in place; therefore, the Boards need to give a few options to the developer. Mr. Anthony stated the decorative lighting issue can be addressed with the Engineer and Planner and further research may yield language to be considered in a separate ordinance.

Mr. Anthony presented a framework for Subcommittees for various departments. Mr. Bishop stated that the Subcommittees should look at the processes in the departments, particularly the hiring process. The Mayor agreed that the respective Subcommittee should review the process and

the recommendations of the Department Head. The Committee asked that the Subcommittees be aligned with the Departmental assignments made on January 1<sup>st</sup>, that the Mayor or Deputy Mayor be an optional member of each Subcommittee and the that Business Administrator be a member on each Subcommittee.

The Mayor asked that the Committee review and submit comments on proposed changes to the Personnel Ordinance by February 9<sup>th</sup>.

#### 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:  
Litigation – Update on pending litigation
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.

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. Cuttrel, 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](http://www.neptunetownship.org).

#### REPORT OF THE CLERK

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

Tax Collector's monthly statements for October, November and December.

Notice from the County of Monmouth that the Township has been awarded a Monmouth County Municipal Open Space Grant in the amount of \$250,000 for the creation of a Skate Park.

A letter from Pearl Anderson thanking the Police Department for their efforts.

A note from Sharon Killgallon commending the Public Works Department on their efforts to clear the streets after the recent snowstorm as well as the Township's enforcement of the snow emergency parking restrictions.

The Senior Center staff received letters of appreciation from Gwendolyn Newman, Carol Bolger, American Legion Post #346, Nancy Colson, Howard Ely and family and Patricia Coffey.

#### COMMENTS FROM THE DAIS

Eric Houghtaling discussed the recent snow storm in which 300 tons of salt was used. He also stated he met with American Legion Post 346 regarding Memorial Park and he hoped to get together with the other posts as well so that they could form a group effort with regards to the park. He also discussed a letter he received from the NJ Transportation Planning Authority. He stated they would be setting up a meeting to discuss the widening of Route 66.

Mary Beth Jahn stated she attended the first Economic Development meeting of the year and they discussed the widening of Route 66.

Mayor Brantley stated he attended the local emergency planning meeting in which he felt a great job was done with the snow. He also stated that since he's been on the Committee they've been communicating with the State regarding a survey for Route 66 and now they want to meet with the Township and he felt that was a good idea. He announced that June 13<sup>th</sup> would be the date for the Mayor's Ball.

#### PUBLIC COMMENTS ON RESOLUTIONS

The Mayor requested public comments regarding resolutions presented on this agenda and they were as follows:

Michael Fornino spoke in reference to Resolution #14-76. He questioned what was being loaned out and to whom.

Mr. Gadaleta stated this was a renewal of an on going agreement where the Township is loaning out an individual to them.

Dianna Harris questioned Resolution #14-71 which appoints a clean communities program coordinator. She requested more information and questioned whether it was a summer program.

Mr. Gadaleta stated usually an individual who works in the Public Works Department is assigned to handle the grant money and accounting for that program. He stated it was an ongoing annual grant that the Township has received and this person would oversee it at Public Works. He reiterated it was not a summer program.

Ms. Harris requested more information on Resolution #14-77 which pertained to the RCA Program.

Mr. Gadaleta stated it was no longer an active program and this resolution was just canceling mortgages that were satisfied.

Ms. Harris questioned whether she could get a copy of the plans that were mentioned in Resolution #14-84.

Mr. Gadaleta gave Ms. Harris a copy of his plans.

Ms. Harris questioned what kind of equipment were they referring to and if cameras were mentioned in Resolution #14-85.

Mr. Gadaleta stated that cameras were not included in this purchase but he did have a preliminary meeting with a security company that he met at midtown commons parking.

Dorothy Argyros commented on Resolution #14-76 and questioned how much the Township would be getting reimbursed and where would the money be going.

Mr. Gadaleta stated this was an agreement whereby an employee is paid by the Township and the

County is reimbursing us for all of the cost associated with that employee.

Mrs. Argyros questioned where could she obtain a copy of the complaint pertaining to the officer mentioned in Resolution #14-78.

Mr. Gadaleta asked her to submit an OPRA request to Mr. Cuttrell.

Mrs. Argyros also stated she was interested in what the police were buying as far as military weapons.

Mr. Gadaleta stated they were buying items such as radios & lights but no military weapons.

Jack Pensabene commented on Resolution #14-85 and stated that Ordinance #13-30 states that it was to buy police vehicles and not equipment.

Mr. Gadaleta stated this goes hand and hand for police vehicles.

Mr. Bishop stated this outfits the vehicle.

Mr. Pensabene stated he was excited to have a new Clean Communities Coordinator. He questioned their responsibilities.

Mr. Gadaleta stated they basically dealt with record keeping and grants management.

Mr. Pensabene commented on Resolution # 14-67 and questioned who Ms. Oppegaard was the Administrative Assistant to.

Mr. Gadaleta she was the Administrative Assistant to the Business Administrator and she's also head over the Human Resources Department.

James Williams congratulated the Mayor on being reelected. He commented on Resolutions #14-78, 79 and 80. He felt it was a waste of money and if supervisors did their job they would not have to address issues such as this. He stated the taxpayers cannot afford this.

Mr. Houghtaling stated as the Police Commissioner they don't always get the grievance and by contract they must defend their officers.

Mr. Williams stated in the military if they had problems there was always someone they could go to because there was always a chain of command and someone would look into matters. He stated the officers should never be harassed like that.

Mayor Brantley stated they were assigning Committee members over departments and they will be more informed about matters such as this before it gets to the end.

Mr. Bishop stated under Federal law if a person feels they've been harassed they do not have to notify them they can go straight to a lawyer and file a lawsuit.

Ms. Jahn stated in reference to the other resolutions, the officers can choose who they wanted to represent them and also the Deputy Chief of Police brought in an independent investigator.

Mr. Williams stated he felt there was something wrong somewhere.

Mayor Brantley stated they were addressing issues to get a better understanding.

ORDINANCE NO. 14-01 - APPROVED

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

ORDINANCE NO. 14-01

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-11 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ESTABLISHING STOP INTERSECTIONS AT CARDINAL ROAD AND HOOVER ROAD AND ROBIN ROAD AND HOOVER ROAD

The ordinance was approved on the following vote: Bishop, aye; Houghtaling, aye; Jahn,

aye; McMillan, aye; and Brantley, aye.

ORDINANCE NO. 14-02 - APPROVED

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

ORDINANCE NO. 14-02

AN ORDINANCE AMENDING AND SUPPLEMENTING THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE, BY AMENDING SECTION 1006 ENTITLED INSPECTIONS

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 Hearings on Ordinances 14-01 and 14-02 will be held on Monday, January 27, 2014.

CONSENT AGENDA

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

AUTHORIZE THE SALE OF VETERANS POPPIES

BE IT RESOLVED, that the Neptune Township American Legion Auxiliary Unit No. 346 and the O'Brien Major Post No. 2639 be and is hereby authorized to sell Veterans Poppies in the Township of Neptune for the month of May at various locations throughout the Township; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Neptune Township American Legion Auxiliary Unit No. 346, O'Brien Major Post No. 2639 and the Neptune Township Police Department.

PLACE LIEN ON 412 MYRTLE AVENUE

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

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

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

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

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
180/3	412 Myrtle Avenue	\$ 165.00

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 EXECUTION OF AN AGREEMENT WITH INTERFAITH NEIGHBORS, INC. TO PROVIDE CONGREGATE MEALS AT THE NEPTUNE SENIOR CENTER

WHEREAS, Interfaith Neighbors, Inc., provides noon-time meal services to senior citizens at the Neptune Senior Center; and,

WHEREAS, Interfaith Neighbors, Inc., wishes to continue the engagement of services of Neptune Township and Neptune Township wishes to continue to provide services to Interfaith Neighbors and to the senior citizens who participate in this program at the Neptune Senior Center; and,

WHEREAS, Interfaith Neighbors, Inc. will provide payment to the Township of Neptune in the amount of \$2,065.00 per month for kitchen staff,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk are hereby authorized to execute an agreement with Interfaith Services, Inc. to provide payment in the amount of \$2,065.00 per month to the Township of Neptune for noon-time meals to senior citizens at the Neptune Senior Center for the year 2014; and,

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

#### TERMINATE EMPLOYEE

BE IT RESOLVED, by the Township Committee of the Township of Neptune that Doreen Sturgeon, probationary part-time Kitchen Aide at the Senior Center be and is hereby terminated from employment with the Township not in good standing; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Senior Center Director, Chief Financial Officer, Business Administrator, Sandra Petersen and Stephanie Oppegaard.

#### ACCEPT THE RESIGNATION OF ROBERT MARITZ AS A SPECIAL LAW ENFORCEMENT OFFICER – CLASS II

WHEREAS, the Township Committee has received a letter from Robert Maritz resigning as a Special Law Enforcement Officer – Class II effective December 23, 2013,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Robert Maritz as a Special Law Enforcement Officer – Class II is hereby accepted effective December 23, 2013; and,

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

#### AMEND THE SALARY OF STEPHANIE OPPEGAARD 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 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, Stephanie Oppegaard, Administrative Assistant, has earned the Human Resources Management certification; and,

WHEREAS, funds for this purpose will be provided for the first three months of 2014 in the 2014 Temporary Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Stephanie Oppegaard shall receive an additional \$1,000.00 in annual salary effective January 1, 2014 for receiving the Human Resources Management certification; 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 Sandra Petersen.

#### EMPLOY PUBLIC SAFETY OFFICER ON A PART-TIME BASIS

WHEREAS, there is a need for an additional part-time hourly Public Safety Officer; and,

WHEREAS, applicants have been interviewed and the Acting Police Director has made his recommendation; and,

WHEREAS, funds will be provided for the first three months of 2014 in the 2014 Temporary Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Joseph Ryan be and is hereby employed as a Public Safety Officer on a part-time basis, pending favorable results of the required physical, effective January 14, 2014, at an hourly rate of \$15.15 per hour; and,

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

#### CORRECT HOURLY RATE FOR PART-TIME PLUMBING SUB-CODE OFFICIAL

WHEREAS, on January 1, 2014, the Township Committee adopted Resolution #14-55 which established hourly rates for part-time positions in the Township of Neptune that are not covered by a collective bargaining contract; and,

WHEREAS, the rate for part-time Plumbing Sub-Code Official was stated incorrectly,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby amends Resolution #14-55 to correctly state the hourly rate for part-time Plumbing Sub-Code as \$47.23 for the year 2014; 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 Sandra Petersen.

#### AUTHORIZE EXECUTION OF CONTRACTS WITH VARIOUS ORGANIZATIONS TO PROVIDE RECREATION PROGRAMS AND SERVICES

WHEREAS, the Neptune Township Recreation Department has relationships with various organizations to organize and provide various recreational activities and programs in the Township of Neptune; and,

WHEREAS, in some instances, the Township of Neptune provides either sponsorship or funding to said organizations to provide these programs; and,

WHEREAS, it is the desire of the Township to renew the annual contracts with these organizations,

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 contracts with various organizations and groups that are supported by the Township's Recreation Department and that provide recreational services and programs to Township residents for the year 2014; and,

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

#### APPOINT CLEAN COMMUNITIES COORDINATOR

WHEREAS, due to the retirement of Marjorie Morrissey, the position of Municipal Clean Communities Coordinator is vacant; and,

WHEREAS, the Business Administrator recommends that Tracey James, Administrative Assistant to the Director of Public Works, be appointed to this position,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby appoints Tracey James as Clean Communities Coordinator effective immediately at the rate of three compensatory hours per month for a total of thirty-six (36) compensatory hours annually; and,

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

APPOINT RECYCLING COORDINATOR

WHEREAS, due to the retirement of Marjorie Morrissey, the position of Municipal Recycling Coordinator is vacant; and,

WHEREAS, the Business Administrator recommends that Mark Balzarano, Assistant Public Works Director, be appointed to this position,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby appoints Mark Balzarano as Recycling Coordinator effective immediately at a rate as established by Resolution #14-56 for this position; and,

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

EMPLOY PART-TIME KITCHEN AIDE IN THE SENIOR CENTER

WHEREAS, due to the termination of Doreen Sturgeon, there is a vacancy in the position of part-time Kitchen Aide in the Senior Center; and,

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

WHEREAS, the Senior Center Director has made her recommendation to hire an individual who previously served in this position on a part-time basis; and,

WHEREAS, funds will be provided for the first three months of 2014 in the 2014 Temporary Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Deborah Carbone be and is hereby employed as a part-time Kitchen Aide in the Senior Center, on a probationary basis for a period of not less than 90 days and not exceeding one year, pending favorable results of the required physical, effective January 20, 2014, at an hourly wage as established by Resolution #14-55; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Senior Center Director, Business Administrator, Chief Financial Officer, and Human Resources.

DESIGNATE JANUARY AS SCHOOL BOARD RECOGNITION MONTH

WHEREAS, New Jersey's public schools serve approximately 1.4 million children from pre-kindergarten through 12<sup>th</sup> grade; and,

WHEREAS, the direction of public education in New Jersey is charted locally by individual school boards, whose 4,800 members serve as advocates for public education as they work with administrators, teachers, parents and local residents; and,

WHEREAS, Boards of education provide accountability to the public, they communicate the needs of the school district to the community, and they convey to school administrators the public's expectations for the school district; and,

WHEREAS, school board members receive no remuneration for their services; and,

WHEREAS, Neptune Township is justly proud of the academic, athletic and social achievements of the students in our community; and,

WHEREAS, the New Jersey School Boards Association has declared January 2014 to be School Board Recognition Month, a time that all residents might acknowledge the contributions made by our local school board members,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune does hereby commend the service of the Neptune Township Board of Education and its members President Jason A. Jones, Vice President Chanta L. Jackson, Chairman Dwayne Breeden, Chairwoman Donna Puryear, Members Laura Granelli, Michelle Moss, Kerry Gizzi, Fred Capolongo, and Scott Fields to our community and its children; and,

BE IT FURTHER RESOLVED, that the Neptune Township Committee proclaims January 2014 as SCHOOL BOARD RECOGNITION MONTH in Township of Neptune, and urges all citizens to join in recognizing the dedication of local school board members, past and present, as we work together to improve educational opportunities for our children.

REAPPOINT HUGH HINDS AS REGISTRAR OF VITAL STATISTICS

WHEREAS, the State Registrar requires the appointment of a Registrar of Vital Statistics for a three year term in accordance with N.J.S.A. 26:8-11; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Hugh P. Hinds be and is hereby reappointed as the Registrar of Vital Statistics for a three year term expiring December 31, 2016; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Human Resources and Hugh Hinds.

AUTHORIZE EXECUTION OF A LOANER AGREEMENT WITH THE COUNTY OF MONMOUTH AND THE MONMOUTH COUNTY SHERIFF'S OFFICE

WHEREAS, the County and Township previously entered into a shared service agreement for the County to provide emergency response communication services to the Municipality; and,

WHEREAS, to assist with the transition of the provision of said services from the Township to the County so as to address unique issues, the Township requested that the County utilize the services of a Township trained Public Safety Telecommunicator ("PST"); and,

WHEREAS, the Monmouth County Sheriff's Office, Communications Division has determined that there is a present need for a PST to assist with call-taking and emergency dispatch services; and,

WHEREAS, the Township of Neptune will provide the County with a Township trained PST to assist with the unique transitional issues as requested by the Township; and

WHEREAS, the Township trained PST will gain invaluable experience working with a larger organizational unit and dispatch center while simultaneously increasing the manpower of the County dispatch center,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Loaner Agreement with the County of Monmouth and the Monmouth County Sheriff's Officer to allow for the assignment of a Township trained PST to the Monmouth County Sheriff's Office through December 31, 2015; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Acting Police Director and Regina Jackson.

AUTHORIZE THE CANCELLATION OF A MORTGAGE IN CONNECTION WITH RCA PROJECT AT 604 SAYRE STREET

WHEREAS, the Township of Neptune holds a mortgage dated March 30, 2007 in connection with a Regional Contribution Agreement Project performed at 604 Sayre Street; and,

WHEREAS, six full years has passed since the date of the mortgage and the property remains in the ownership of the borrowers; and;

WHEREAS, the Township desires to cancel said mortgage in accordance with the terms of the mortgage note,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and they are hereby authorized to execute a cancellation of mortgage in connection with Regional Contribution Agreement Project at 604 Sayre Street; and,

BE IT FURTHER RESOLVED, that a copy of this resolution, along with the mortgage executed for cancellation, be forwarded to the RCA Attorney.

APPROVE SELECTION OF LEGAL COUNSEL TO REPRESENT POLICE OFFICER (EMMONS) IN LAWSUIT FOR PUNITIVE DAMAGES

WHEREAS, in the matter of Gonzalez and Savage v. Township of Neptune, et. Al., Captain Michael Emmons has requested that Darren DelSardo, Esq. serve as his legal counsel as to the claim for punitive damages; and,

WHEREAS, in accordance with the current collective bargaining agreements, the Township Committee must approve the selection of counsel; and,

WHEREAS, the Township will reimburse said police officer for legal fees incurred for personal counsel for lawsuits for punitive damages against officers pursuant to N.J.S.A. 40A:14-155; and,

WHEREAS, the Township's reimbursement will be limited to a rate per hour not to exceed the current hourly rate of the Township Attorney, the Township reserves the right to limit the total expenditure to a reasonable cost and the Township reserves the right to not reimburse for legal fees and costs should an officer be held liable for punitive damages,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted to Capt. Michael Emmons to retain Darren DelSardo, Esq. as legal counsel for the claim of punitive damages in the above referenced matter at an amount not to exceed \$2,500.00; and,

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

APPROVE SELECTION OF LEGAL COUNSEL TO REPRESENT POLICE OFFICER (ADAMS) IN LAWSUIT FOR PUNITIVE DAMAGES

WHEREAS, in the matter of Gonzalez and Savage v. Township of Neptune, et. Al., former Police Chief Robert Adams has requested that Stacey D. Adams, Esq. serve as his legal counsel as to the claim for punitive damages; and,

WHEREAS, in accordance with the current collective bargaining agreements, the Township Committee must approve the selection of counsel; and,

WHEREAS, the Township will reimburse said police officer for legal fees incurred for personal counsel for lawsuits for punitive damages against officers pursuant to N.J.S.A. 40A:14-155; and,

WHEREAS, the Township's reimbursement will be limited to a rate per hour not to exceed the current hourly rate of the Township Attorney, the Township reserves the right to limit the total expenditure to a reasonable cost and the Township reserves the right to not reimburse for legal fees and costs should an officer be held liable for punitive damages,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted to former Police Chief Robert Adams to retain Stacey D. Adams, Esq. as legal counsel for the claim of punitive damages in the above referenced matter at an amount not to exceed \$5,000.00; and,

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

AUTHORIZE INVESTIGATORY SERVICES FOR INDEPENDENT REVIEW AND INVESTIGATION OF INTERNAL COMPLAINTS FILED IN THE POLICE DEPARTMENT

WHEREAS, the Township issued a Purchase Order to Greg Turner to provide investigatory services for independent review and investigation of internal complaints filed in the Police Department; and,

WHEREAS, the original estimate of said services was under \$17,500.00 and therefore did not require a Resolution of the governing body; and,

WHEREAS, subsequently the review became more extensive and the final cost of the services will be below the bid threshold but greater than \$17,500.00; and,

WHEREAS, funds will be provided for the first three months of 2014 in the 2014 Temporary Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby confirms the authorization to Greg Turner to provide investigatory services for independent review and investigation of internal complaints filed in the Police Department at an amount not to exceed \$27,000.00; 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 Deputy Chief of Police.

AUTHORIZE STAND-BY DUTY PAYMENT TO OFFICE OF EMERGENCY MANAGEMENT PERSONNEL

WHEREAS, volunteer personnel in the Office of Emergency Management were placed on stand-by duty as a result of the snow emergency declared on January 2<sup>nd</sup> and 3<sup>rd</sup>; and,

WHEREAS, overtime payment at the rate of \$14.00 per hour is authorized by resolution of the Township Committee to be paid to said personnel in the event of a long duration situation such as storm or disaster which requires readiness and staffing; and,

WHEREAS, funds will be provided for the first three months of 2014 in the 2014 Temporary Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that stand-by duty payment at the rate of \$14.00 per hour be and is hereby authorized to the following Office of Emergency Management staff for the hours indicated as a result of the snow emergency on January 2<sup>nd</sup> and 3<sup>rd</sup>, 2014:

Anthony Devlin – 12 hours  
Jeffrey Devlin – 6 hours  
Ken Sprague – 12 hours  
Michael Scannapieco – 18 hours  
William Van Meter – 18 hours  
Anthony Cerneglia – 6 hours

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

AUTHORIZE TEMPORARY CLOSURE OF ROADWAY IN CONNECTION WITH THE RUNAPALOOZA RELAY

WHEREAS, the Jersey Shore Running Club has scheduled its annual RunAPalooza on Saturday, April 26, 2014; and,

WHEREAS, it is necessary to temporarily close a portion of Ocean Avenue and designate no parking in the same area; 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 the temporary closure of, and posting of temporary no parking on, the entire length of northbound Ocean Avenue on April 26, 2014 from 8:00 A.M. to 12:00 P.M. for RunAPalooza; and,

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

RETROACTIVELY APPOINT MICHELLE BIVENS TO THE POSITION OF ADMINISTRATIVE ASSISTANT TO THE SENIOR SERVICES DIRECTOR

WHEREAS the Michelle Bivens had previously been employed by the Township of Neptune as Assistant Purchasing Agent in the Finance Department; and

WHEREAS, a dispute arose over which arbitration occurred; and

WHEREAS, as a result of the arbitration, on May 25, 2010, Michelle Bivens was reassigned

to a new position; and,

WHEREAS, at that time, no official Resolution was adopted recognizing Ms. Bivens' reappointment,

THEREFORE BE IT RESOLVED that the Township Committee of the Township of Neptune hereby recognizes that Michelle Bivens was appointed to the position of Administrative Assistant to the Senior Services Center on May 25, 2010; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator and Labor Attorney,

AUTHORIZE SUBMISSION OF A STRATEGIC PLAN FOR THE NEPTUNE TOWNSHIP MUNICIPAL ALLIANCE GRANT

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and,

WHEREAS, the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Neptune Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Neptune Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Neptune Township Committee does hereby authorize submission of a strategic plan for the Neptune Township Municipal Alliance grant for fiscal year July 1, 2014- June 30, 2015 in the amount of:

DEDR	\$	<u>80,000</u>
Cash Match	\$	<u>20,000</u>
In-Kind	\$	<u>60,000</u>

2. The Neptune Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

The resolutions of the Consent Agenda were approved on the following vote: Bishop, aye, adding that he commends Hugh Hinds for the work that he does as Township Registrar; Houghtaling, aye; Jahn, aye; McMillan, aye, except abstain on the Resolution authorizing execution of recreation contracts; and Brantley, aye, adding that he agrees with Mr. Bishop's thoughts on Hugh Hinds and is happy to support the Drug Alliance grant.

AUTHORIZE THE PURCHASE OF POLICE AND HOMELAND SECURITY EQUIPMENT THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

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

WHEREAS, the Neptune Township Police Department wishes to purchase various police and homeland security equipment through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

WHEREAS, Major Police Supply has been awarded New Jersey State Contract No. A81330

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 \$39,664.48; and,

WHEREAS, funds for this purpose are available from Ordinance No. 13-30 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 police of homeland security equipment through the New Jersey Cooperative Purchasing Program for the Neptune Township Police Department be and is hereby authorized at an amount not to exceed \$39,664.48; and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

Mr. McMillan offered the following resolution, moved and seconded by Mr. Bishop, 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	229,377.64
FEDERAL & STATE GRANT FUND	34,223.49
TRUST OTHER	14,169.03
GENERAL CAPITAL FUND	3,409,450.65
SEWER OPERATING FUND	15,885.02
MARINA OPERATING FUND	4,406.25
MARINA CAPITAL FUND	4,800.00
DOG TRUST	27.60
LIBRARY TRUST	596.23
BILL LIST TOTAL	\$3,712,935.91

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; McMillan, aye; and Brantley, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Jack Breden, congratulated the Committee on their selection of Mayor and Deputy Mayor. He gave his opinion on developer agreements. He stated he felt the Township as well as the developer of the North End was in default.

Mr. Bishop stated after every Planning Board meeting the developer's agreement is crafted from the resolution.

Mr. Anthony stated he thought Mr. Breden was actually referring to a redevelopers

agreement.

Gail Oliver requested an update regarding Midtown Commons.

Mr. Gadaleta stated they did an inspection of the park and would submit a claim to the insurance to see if they would cover it and they are also looking at security and deterrent measures. He went on to state that they were working with the Police Department, Engineering and Public Works.

Ms. Oliver stated there was one "No Skate Boarding" sign in the park and it was taller than her.

Mr. Gadaleta stated that one would be taken down and they would do more adequate signage.

Ms. Oliver stated she called the police one day because of the skateboarding at the park and an officer came out and it appeared as if the person was issued a summons. She questioned how would the ticket read.

Mr. Cuttrell stated it would be cited from a local ordinance and he would have to look into it for her.

Ms. Oliver went on to state that there was a lot of activity on the first block of West Lake Avenue and she noticed M & M Motors did not have specific parking for their customers and they park cars near the intersection of West Lake Avenue and Highway 35 and the traffic cannot go around it. She asked if they could bring that matter to the attention of the owners of M & M Motors.

Mr. Gadaleta stated he would reach out to the Police Department but stated there was a provision in State law that says there is no parking within 25 ft of an intersection. He assured her that he would look into it.

Ms. Oliver also discussed returning speed limits signs in that area. Mr. Gadaleta stated he would look into putting them back

Kennedy Buckley stated to make a right turn at that intersection, 25 feet would not do any good. They would have to come up with something else. He went on to discuss the request for a salary increase for the fire district. He stated he did not feel an increase should be based on what other towns get because they may be getting too much. He hoped there was a good reason to give increases. He stated there was excellent pick up from the Public Works Department after Christmas and New Years Day. He also stated during the snow storm there was only one car on the North side of Broadway and the tow truck was not able to get it, then two tow trucks came and a policeman was there to put a ticket on the vehicle and within an hour or two DPW came and plowed the streets.

Dorothy Argyros stated she did not believe the five minute rule was appropriate unless it was a big audience. She also questioned whether the lawsuit about dredging was still going on and could she get a copy.

Mr. Bishop stated that matter has been long gone.

Mrs. Argyros questioned whether there was an environmental statement for the dredging and dumping in Shark River Park. She also questioned whether the Township knew that she had filed a lawsuit regarding this.

Mr. Houghtaling stated he hasn't heard anything and it's still a ways down the road.

Mr. Fornino discussed speeding in the Gables, especially on Wakefield Road. He stated on Wakefield Road there were three 25 mph signs and it's on the 700 block. He felt that signs were needed before then. He also stated he believed there were only three signs on Oxford Way as well. He went on to state that there were a lot of potholes on Neptune Boulevard near West Bangs Avenue. He felt that if you saw something you should say something. He questioned what were the Police Department doing when they ride around all day. He also stated he put an article in the newspaper about taxation for representation. During the storm he couldn't get his mail because the mailman could not get up the hill because the streets were not plowed. He also discussed people parking on the wrong side of the road in the Gables.

Mr. Gadaleta stated the Public Works crew has been out taking care of the potholes and they are addressing it. He also stated that State law in residential districts were 25 mph regardless as to whether or not a sign is there.

Dianna Harris thanked the Committee for supporting MURC. She gave a special thank you to Mr. Houghtaling for creating a Rent Control Board. She thanked the Township and Monique Burger for the summer program last year and the community garden has really taken off because everyone wants to help. She went on to state that they were doing a Black History Program and she would provide the Committee with a copy of their minutes. She also discussed who would be honored.

Hank Coakley questioned where was the skate park going to be.

Mr. Gadaleta stated a plan was submitted for a parcel on Neptune Boulevard and Stratford Avenue.

Mr. Coakley then questioned the status of the replacement of the valve on S. Riverside Drive.

Mr. Gadaleta stated one has already been installed and three adapters have been received and with proper tide schedule the other three will be installed.

Heinz Weck, Ocean Grove, wished both the Mayor and Deputy Mayor well and commended the administration on a job well done. He questioned whether Mr. Bascom was well and stated the Public Works Department did a wonderful job during the snow.

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

Richard J. Cuttrell,  
Municipal Clerk