

TOWNSHIP COMMITTEE MEETING – OCTOBER 9, 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, Kevin B. McMillan and Mayor Michael Brantley. Absent: Mary Beth Jah

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.

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:

Mr. Bascom reviewed the Best Practices Survey with the Township Committee. He stated that a score of 80% or higher is required to receive the full amount of state aid. The Township has scored 90%. He highlighted a number of questions on the survey including the roundtable meeting with Township authorities and Board of Education for which a point was scored prospectively. The Township did not receive point for submittal of the annual audit by June 30<sup>th</sup>. Mr. Bascom attributed this to Sandy financial impacts which are delaying completion of the annual audit in many municipalities. Mr. Bascom added a municipality receives a point for a pay-to-play ordinance that is more restrictive than the state statute. The Township utilizes the state statute so did not receive a point in this category. The Mayor stated that the Mayor's roundtable with other governing bodies in the Township will be held in November. Mr. Bascom stated that a point is scored if the governing body reviews the effectiveness of the authorities and the districts they created.

Mr. Anthony will re-transmit his chart and statutory references on the abandoned property ordinance for further discussion at the next workshop meeting.

Mr. Bascom stated that a complete amendment of the municipal towing ordinance is on the regular meeting for introduction. The current ordinance allows a person to be on the approved towing list even if they do not own a tow truck. The proposed new ordinance requires ownership of a tow truck and defines a lot of parameters such as rates and procedures as well as setting reduced rates for towing and storage during snow emergencies and increased hours for the public to retrieve vehicles.

Leanne Hoffmann, Township Engineer, was present to discuss the second round of Post Sandy Planning Assistance Grants. She stated that the Department of Community Affairs made funding available for long term planning measures to handle future disasters. Phase I providing funding to develop a Strategic Plan which was completed by the Township. This plan contained a number of recommendations for which Phase II will provide funding to implement. The recommendations call for revised design standards, update to communications and utilities facilities and development of a capital improvement plan. Additional funding will be available for future phases as money is available. Ms. Hoffmann added that the entire Township will be looked at in planning. The Post Sandy grants are non-competitive meaning that a municipality completes a phase then submits for grant funding, moves to the next phase and submits another application. Funding will be awarded until the funds are exhausted.

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

Mr. Bishop 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:

Potential Litigation – License Agreements for Right-of-Way encroachments  
Personnel – Recommendation for hiring of police officer  
Contract negotiations – Agreement with OGCMA for additional boardwalk repairs  
Litigation – CBS Outdoor v. Neptune Board of Adjustment  
Contract negotiations – West Lake Avenue Redevelopment

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; McMillan, aye; and Brantley, aye.

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

The Committee reviewed a letter regarding Right-of-Way encroachments by Southport Condominium Association on South Concourse and indicated that they do wish to entertain a Licensing Agreement to permit the encroachments to continue.

The Committee met Casey Crawford who was recommended by the Police Director and Chief of Police for hire as a police officer at the next Township meeting.

Mr. Bascom stated that there is an ordinance on the meeting for introduction to increase the authorized funding for replacement of the Ocean Grove boardwalk by \$800,000. This does not authorize new borrowing because the Camp Meeting Association has paid the Township over \$800,000 against the original borrowing. Mr. Anthony will revise the Agreement with the Association to incorporate the new additional appropriation.

Mr. Bishop stated that the Board of Adjustment is in litigation with CBS Outdoor regarding illuminated billboards. He stated that the ordinance will be recommended for amendment which will make these signs allowable with parameters on motion and brightness. Therefore, he recommended that the Township drop the case to avoid further legal costs. The Committee indicated concurrence.

Mr. Bascom stated that the Police Department will be seeing a uniform change and a change in shifts and to 8am to 4pm, 4pm to Midnight, and Midnight to 8am, as well as the addition of overlapping power shifts to maximize the number of officers on the road.

Mr. Bascom recommended Michael Schnurr for the vacancy in the Tax Office. Mr. Schnurr is currently a Municipal Intern and was the only internal applicant.

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, Kevin B. McMillan, and Mayor Michael Brantley. Absent: Mary Beth Jahn

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).

### APPROVAL OF MINUTES

Mr. Bishop offered a motion, seconded by Mr. Houghtaling, to approve the minutes of the meeting held on September 22nd. All were in favor.

### PRESENTATION OF AWARDS – PREPARE-A-THON POSTER CONTEST

The Committee and Administrative staff presented awards to the winners of the Prepare-A-Thon Poster Contest. The contest was conducted in every school within the Neptune Township School District.

### PROCLAMATIONS

The Mayor proclaimed October 10<sup>th</sup> as “Put the Brakes on Fatalities Day” and the month of November as “American Diabetes Month” in the Township of Neptune.

### REPORT OF THE CLERK

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

Monmouth County Health Department report of activities for July and Senior Beacon for October.

Notice of Public Hearing on amendments to the Township of Wall Zoning Ordinance.

Letters of thanks and appreciation from Betty Wolny, William Gustavino and Karen Emslie to the Senior Center staff.

### COMMENTS FROM THE DAIS

Eric Houghtaling stated he attended the Ocean Grove Homeowners Meeting and thanked Ann Horan and Barbara Barnes for the way they handed the meeting. He also attended the Lions Club dinner and liked it so much that he joined. He reported that the PrepareAthon was great and the Township was prepared and he was proud of Mike Bascom and OEM. He stated Neptune and Neptune City were the only two towns to participate in this. He congratulated all of the winners. He also discussed the Pancreatic Walk that’s scheduled for November 1<sup>st</sup> at 10am. He offered his condolences to Ken Buckley on the passing of his wife.

Randy Bishop stated it was an incredible evening at the PrepareAthon with Neptune City, Neptune Township and the County. He stated he hoped the residents saw how well they worked together to help with the response to the need of others when disasters occur. He stated it was a great evening and thanked those who made it happen and the children who participated. He also stated he attended the commissioning of Rick Johnston as the Director of Francis Asbury Manor. He felt it was a nice ceremony and he’s proud of him. He congratulated Mike Dileo for being honored at the Lions dinner. He stated he also stopped by Good News Radio to remind everyone about the importance of voting and the different voting deadlines. He went on to state that he attended the Foodbank’s 30<sup>th</sup> anniversary celebration. He took the opportunity to meet three of the founding members. He stated it was an incredible organization. He attended the Greater Emanuel Founders Day Service and it was touching because they remembered Bishop Webb who was a lighthouse to everyone including him. He expressed his condolences to Ken Buckley on the loss of his wife and also to the family of Julia Straughter who was instrumental with the Monmouth County Cotillion.

Kevin McMillan expressed his condolences to Kennedy Buckley. He also gave his condolences to the family of Julia Straughter. He stated he attended the Jack and Jill of America community service meeting where he was the guest speaker about creating a personal vision. He also stated everyone did a great job at the PrepareAthon.

Mayor Brantley stated he was sorry he missed the PrepareAthon but he did attend the Lions Club dinner. He gave a proclamation to Pastor Johnnie Wright. He informed Mr. Buckley that his thoughts were with him and that the desilting of Wesley Lake was complete.

### PUBLIC COMMENTS ON RESOLUTIONS

Michael D. Fornino commented on Resolution #14-483 which allocates up to \$87,000. He questioned whether it was put out to bid.

Mr. Bascom stated this was funded by the DEP and the engineer that handles our environmental matters has to meet the DEP requirements and must provide a quote for each project.

Mr. Fornino stated he was curious to see if there was anyone interested in looking at any disparity because there's \$87,000 in the pot and they can use up to that amount.

Mr. Bascom stated that \$87,000 was calculated by the DEP and is the amount they feel is appropriate to complete the work.

Mr. Fornino stated again was there any effort to go out to bid.

Mr. Bascom stated every year they go out to bid and obtain quotes for all of our professionals and they identify engineers by their specialty and obtain quotes from those in that specialty range.

Mr. Fornino stated he was confused.

Mr. Bascom continued to explain the process.

Gail Oliver requested an explanation on Resolution #14-483.

Mr. Bascom stated when the Township acquired that property there were some areas of remedial soil that has to be removed.

Mr. Bishop stated the park was fine and that it was just the surrounding properties.

Ms. Oliver questioned what brought about this additional investigation of the soil.

Mr. Bascom stated the process has been going on to attain final clearance and this was to identify if there was any onsite contamination.

Ms. Oliver questioned whether the business owners on both sides of the property aware of this.

Mr. Bascom stated it was only on the vacant lot on the western side. It's only on one side.

#### ORDINANCE NO. 14-37 - ADOPTED

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

#### ORDINANCE NO. 14-37

AN ORDINANCE AMENDING VOLUME I, CHAPTER VIII, SECTION 8-1 OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED "PARKING METERS, PARKING LOTS" TO PERMIT THE DESIGNATION OF RESERVED PARKING SPACES IN THE MUNICIPAL BUILDING PARKING LOT

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

Dorothy Argyros, 2100 Rutherford Avenue. stated she felt this ordinance was outrageous and it was another case of the government taking the rights and powers away from the people. She stated last year she complained that she had to park near the library lot to pay her taxes and Mr. Gadaleta heard her complaint and set up six additional parking spaces near the building where you could park for up to twenty minutes.

Mr. Bascom stated there were more than six spaces.

Mr. Gadaleta stated there were now thirteen parking spaces.

Mrs. Argyros stated she was here a couple of days ago and noticed that the police had fifty six parking spaces, library had 35, township employees had 33 and the citizens had 6 and now you are going to tow cars and give out fines. She stated it was not fair. She stated she has seen Township vehicles parked in the citizen's parking space. She questioned what would they

do when they park in their spot and half of the time when she comes in the assigned spots for the police and employees were vacant. She went on to question what would happen if you park in a library or employee parking space, would you still get your car towed along with a series of fines. She stated they were making it difficult for the citizens and she would never vote for any of them again because this was outrageous.

Mayor Brantley stated her information was erroneous.

Mr. Gadaleta stated they made changes not because our residents were abusing the parking lot but adjoining businesses and employees who do not work for the Township were utilizing our lot for their daily parking. We designated employee parking based on the number of employees who have received a Township placard. There are 13 citizen parking spots and the numbers she mentioned earlier were not correct. He stated they've approved this to actually make it better for the residents.

Dorothy Argyros questioned whether they were going to tow people if they make a mistake and are they going to fine her if she could not find a parking spot.

Mr. Gadaleta informed her that if she parked in a designated parking spot that's not meant for you then the answer was yes.

Mrs. Argyros stated this was fascism and they all deserved to lose their seats.

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

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

#### ORDINANCE NO. 14-38 - ADOPTED

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

#### ORDINANCE NO. 14-38

REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$500,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS BY THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY (THE "MCIA") FOR THE PURPOSE OF REFUNDING CERTAIN BONDS HERETOFORE ISSUED BY THE TOWNSHIP TO THE MCIA

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

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

#### ORDINANCE NO. 14-40 - APPROVED

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

#### ORDINANCE NO. 14-40

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

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

ORDINANCE NO. 14-41 - APPROVED

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

ORDINANCE NO. 14-41

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

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

ORDINANCE NO. 14-42 - APPROVED

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

ORDINANCE NO. 14-42

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

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

ORDINANCE NO. 14-43 - APPROVED

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

ORDINANCE NO. 14-43

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

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

Mr. Cuttrell stated that the Public Hearings on Ordinances 14-39 through 14-43 will be held on Monday, October 27, 2014.

CONSENT AGENDA

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

AMEND AUTHORIZED TAX APPEAL EXPERT IN DEFENSE OF TAX COURT APPEALS

WHEREAS, at each annual Reorganization Meeting, the Township Committee adopts a resolution authorizing the Tax Assessor to sign stipulations, file cross appeals and Assessor's appeals, for corrections only; and,

WHEREAS, within this same resolution, the Committee appoints a Township expert, when

needed, in defense of Tax Court appeals; and,

WHEREAS, Steven Walters was appointed to serve as the Township expert for 2014; however, he has since announced his retirement; and,

WHEREAS, the Tax Assessor has made his recommendation for replacement,

WHEREAS, funds will be provided in the 2014 municipal budget in the appropriation entitled Legal O.E., and the Chief Financial Officer has so certified in writing,

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Neptune that Arthur J. Lehman is hereby appointed to act as the Township expert in defense of 2014 Tax Court appeals and does further authorize a maximum expenditure of \$4,000.00 for this purpose; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Tax Assessor, and the County Board of Taxation.

PLACE LIEN ON 514 COUSE ROAD

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

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

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

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

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
440/40	514 Couse Road	\$ 402.50

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

PLACE LIEN ON 25 SOUTH RIVERSIDE DRIVE DUE TO COSTS ASSOCIATED WITH DEMOLITION OF A STRUCTURE

WHEREAS, the Construction Official has determined that the fire damaged structure at 25 South Riverside Drive 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 demolished; and,

WHEREAS, the Construction Official has ordered the owners of said property to demolish the structure and they have failed to do so; and,

WHEREAS, the Construction has obtained a quote for demolition and the structure has been demolished 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 a lien of \$14,700.00 against 25 South Riverside Drive (Block 481, Lot 34) for costs associated with the demolition of the fire damaged structure; and,

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

AMEND THE SALARY OF MATTHEW PARKER 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, Matthew Parker, Public Works Driver assigned to the Sewer Utility, has earned the C-1 Wastewater License; and,

WHEREAS, funds for this purpose will be provided in the 2014 sewer utility budget under the appropriation entitled Sewer Utility S&W, 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 Matthew Parker shall receive an additional \$1,000.00 in annual salary effective October 1, 2014 for receiving the C-1 Wastewater License; and,

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

AMEND THE SALARY OF KEVIN PEARSE 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, Kevin Pearse, Public Works Driver assigned to the Sewer Utility, has earned the C-1 Wastewater License; and,

WHEREAS, funds for this purpose will be provided in the 2014 sewer utility budget under the appropriation entitled Sewer Utility S&W, 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 Kevin Pearse shall receive an additional \$1,000.00 in annual salary effective October 1, 2014 for receiving the C-1 Wastewater License; and,

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

ACCEPT THE RESIGNATION OF PATTY MARTUSCELLI AS A BOOKKEEPER IN THE TAX COLLECTION DEPARTMENT

WHEREAS, the Township Committee has received a letter from Patty Martuscelli resigning as a Bookkeeper in the Tax Collection Department effective close of business October 10, 2014,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Patty Martuscelli as a Bookkeeper in the Tax Collection Department is hereby accepted effective October 10, 2014; and,

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

AMEND LEAVE OF ABSENCE GRANTED TO JOYCE WILDER UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, Joyce Wilder, Customer Service Representative in the Office of Vital Statistics, has requested a leave of absence under the provisions of the Family Medical Leave Act during which time she will utilize the balance of her accumulated sick time; and,

WHEREAS, the Township Committee adopted Resolution #14-440 on September 8, 2014 granting said request; and,

WHEREAS, Joyce Wilder has requested a change to the start and end dates of her leave; and,

WHEREAS, the Business Administrator has approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the leave of absence granted to Joyce Wilder, Customer Service Representative in the Office of Vital Statistics, is hereby amended to a period of six weeks, with the use of accumulated sick time followed by unpaid leave at the point that accumulated sick time is exhausted, under the provisions of the Family Medical Leave Act from October 1, 2014 through November 12, 2014; and,

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

AUTHORIZE THE EXECUTION OF A LETTER OF INTENT FOR A 2015 TITLE IIIB FUNDING GRANT FROM THE MONMOUTH COUNTY OFFICE ON AGING

WHEREAS, the Township of Neptune has been awarded Title IIIB and State COLA funding for the year 2015, in the amount of \$25,000, from the Monmouth County Office on Aging to provide services to Neptune Seniors through the Neptune Senior Center; and,

WHEREAS, the Senior Center Director has completed the necessary documentation in support of the grant award,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Mayor to execute a Letter of Intent to receive a 2015 Title IIIB funding grant from the Monmouth County Office on Aging; and,

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

AUTHORIZE THE SUBMISSION OF GRANT APPLICATIONS AND EXECUTION OF GRANT AGREEMENTS FOR FURTHER PLANNING ACTIVITIES RECOMMENDED BY THE STRATEGIC RECOVERY PLANNING REPORT

WHEREAS, on August 27, 2014, the Neptune Township Planning Board adopted a Strategic Recovery Planning Report which was funded through the Post Sandy Program Assistance Grant (PSPAG); and,

WHEREAS, with the adoption of the Strategic Recovery Planning Report, the Township is now eligible to receive funding for planning activities identified in said Report to improve recovery and resiliency efforts as identified in the event of future natural disasters; and,

WHEREAS, the Township of Neptune desires to apply for and obtain grants from the New Jersey Department of Community Affairs for approximately \$30,000.00 to develop a Capital Improvement Plan; \$50,000 to update the Community Facilities Master Plan; and \$50,000 to develop Design Standards,

THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune does hereby authorize the application for such grants; and,

BE IT FURTHER RESOLVED, that the Township Committee recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreements from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreements; and also, upon receipt of the fully executed agreements from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreements between the Township and the New Jersey Department of Community Affairs; and,

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear

below are authorized to sign the applications, and that they or their successors in said titles are authorized to sign the agreements and any other documents necessary in connection therewith:

Approved: October 9, 2014

\_\_\_\_\_  
Dr. Michael Brantley,  
Mayor

\_\_\_\_\_  
Michael J. Bascom,  
Chief Financial Officer

REAPPOINT SPECIAL LAW ENFORCEMENT OFFICER IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

WHEREAS, in accordance with state regulations, it is required that existing Special Law Enforcement officers be reappointed on an annual basis; and,

WHEREAS, the Chief of Police has made his recommendations on the reappointment of existing Special Law Enforcement Officers; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Joseph Grabas be and is hereby reappointed as a part-time Special Law Enforcement Officer – Class I and to perform such other duties as prescribed by the Chief of Police, at an hourly rate as established by prior resolution of the Township Committee; and,

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

ACCEPT PERFORMANCE GUARANTEE AND DEVELOPER'S ESCROW AND AUTHORIZE EXECUTION OF A DEVELOPER'S AGREEMENT WITH GREATER NEW JERSEY ANNUAL CONFERENCE OF THE UNITED METHODIST CHURCH (205 JUMPING BROOK ROAD)

WHEREAS, Greater New Jersey Annual Conference of the United Methodist Church applied for and was granted relief for the construction of a Religious and Charitable Service Center, parking area and driveway before the Planning Board of Neptune Township; and

WHEREAS, Greater New Jersey Annual Conference of the United Methodist Church has agreed to enter into a Developer's Agreement with the Township of Neptune to guarantee the faithful performance of the obligations and representations associated with the application before the Planning Board of Neptune Township; and

WHEREAS, it is in the best interest of the citizens of the Township of Neptune to enter this Developer's Agreement with Greater New Jersey Annual Conference of the United Methodist Church to ensure the proper development of the aforesaid parcel and guaranteed performance of items and improvements made on said parcel.

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the Mayor and Clerk are hereby authorized to execute the aforesaid Developer' Agreement with Greater New Jersey Annual Conference of the United Methodist Church, a true copy of which is attached hereto as Exhibit "A" for compliance with the Planning Board of Neptune Township's Resolution No. 14-11, and representations upon submission and approval of all conditions arising from the aforesaid Resolution, and return the same to the Township Attorney for recording in the Clerk's office of Monmouth County; and,

BE IT FURTHER RESOLVED, that Performance Bond No. 1149987 in the amount of \$791,640.00, written by Selective Insurance Company of America, guaranteeing the satisfactory completion of site plan improvements 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.

EMPLOY SEASONAL/ON-CALL DRIVERS IN THE DEPARTMENT OF PUBLIC WORKS FOR SNOW PLOWING

WHEREAS, the Township desires to create a pool of individuals with commercial drivers license who would be called upon during major snowfalls to operate snow plows as a supplement to the full-time Public Works staff; and,

WHEREAS, the Director of Public Works has forwarded his recommendations to employ workers for this purpose; and,

WHEREAS, funds will be provided in the 2014 municipal budget in the appropriation entitled \_\_\_\_\_, 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 following individuals be and are hereby employed in the Department of Public Works as Casual Employees on an on-call basis only for snow plowing during major snow/ice events during the 2014-2015 winter season at an hourly rate of \$25.00; and,

Greg LaFrance	John Blecki	Harry Conover III
Donald Diebert	Raymond Koepfel	William Burge
Michael Finer	Deniz Jemaly	William Forshaw
Richard Hulsart	Robert Fahnholz	Edward Curry
Daniel Morales	Ronald Taylor	Samar Reid
Michael Secord	Kevin Boden	Sidney Chasey

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

REQUEST THE DIVISION OF LOCAL GOVERNMENT SERVICES TO GRANT APPROVAL OF A DEDICATION BY RIDER OF REVENUES RECEIVED FROM FEES COLLECTED FOR TAX MAP REVISIONS

WHEREAS, the Township Committee desires to establish a trust fund for fees collected for revisions to the Township tax map in accordance with N.J.S.A. 40:55D-42; and,

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance: and,

WHEREAS, N.J.S.A. 40A4:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of said monies by dedication by rider;

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

1) The Township Committee does hereby request permission of the Director of the Division of Local Government Services to utilize fees received for revisions to the Township tax map.

2) The Township Clerk is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

3) The Township Clerk shall forward certified copies of this resolution to the Business Administrator, Chief Financial Officer and Assistant C.F.O.

AUTHORIZE REMEDIAL INVESTIGATION OF SOIL AT THE FORMER CHIDNESE PROPERTY AT 1825 WEST LAKE AVENUE

WHEREAS, the Township desires to engage the services of Dynamic Earth, the appointed Consultant for Hazardous Discharge Site Remediation Fund Investigation, to perform remedial investigation activities at the former Chidnese property at 1825 West Lake Avenue and further described as Block 225.01, Lots 597-601; and,

WHEREAS, this work is consistent with the Licensed Site Remediation Professional Program established by the Site Remediation Reform Act; and,

WHEREAS, funds for this purpose will be provided in the 2014 municipal budget via a grant from the Hazardous Discharge Site Remediation Fund in the amount of \$87,333.00, 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 Dynamic Earth to perform remedial investigation of soil at the former Chidnese property at 1825 West Lake Avenue and further described as Block 225.01, Lots 597-601 at an amount not to exceed \$87,333.00; and,

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

GRANT SOCIAL AFFAIR PERMIT TO RICHARD S. BASCOM SCHOLARSHIP FUND

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 the Richard S. Bascom Scholarship Fund for a social affair permit at The Headliner, Route 35, on November 6, 2014 from 6:30 P.M. to 11:00 P.M.

CANCEL UNEXPENDED AND DEDICATED SEWER UTILITY CAPITAL APPROPRIATIONS BALANCES

WHEREAS, certain Sewer Utility Capital Improvement appropriation balances remain dedicated to projects now completed; and,

WHEREAS, it is necessary to formally cancel said balances so that the unexpended Sewer Utility Capital Ordinance balances may be returned to Sewer Capital Fund Balance,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the following unexpended and dedicated Sewer Utility Capital Ordinance balances be canceled to Sewer Capital Fund Balance:

Ordinance	Description	Balance
#98-35	Phase II Rehabilitation/Infiltration and Inflow Program, Improvements to Hillside and Beverly Pump Stations	\$18.01
#99-51/ #00-17	Construction and Reconstruction of various sewer lines, stations, facilities and related assets	\$21.41
#01-25	Reconstruction of Gables Area Sanitary Sewer System – Phase I	\$1,205.55

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

AUTHORIZE THE PURCHASE OF A DODGE DURANGO

WHEREAS, the Neptune Township Police Department wishes to purchase a 2014 Dodge Durango SS AWD through an authorized vendor under the Cranford Township Cooperative, #47-CPCPS State of New Jersey approved 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, Beyer Chrysler Dodge Jeep has been awarded Cranford Township Cooperative #47-CPCPS, Item #5 for this vehicle; 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 this vehicle shall not exceed \$29,790.00; and,

WHEREAS, funds for this purpose are available through the 2014 Municipal Budget in the appropriation entitled Police O.E., 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 a 2014 Dodge Durango SS AWD through the Cranford Cooperative, #47-CPCPS, Item #5, State of New Jersey approved cooperative, be and is hereby authorized at an amount not to exceed \$29,790.00; and,

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

Police, Chief Financial Officer, Business Administrator, Assistant C.F.O. and Auditor.

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

EMPLOY DRIVER IN THE DEPARTMENT OF PUBLIC WORKS ON A PROBATIONARY BASIS

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

WHEREAS, due to a retirement, there is a vacancy in the position of Driver in the Public Works Department; and,

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

WHEREAS, the Human Resources Specialist and Public Works Director have made their recommendation; and,

WHEREAS, funds will be provided in the 2014 Municipal Budget in the appropriation entitled 290-010, and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Matthew Lomerson be and is hereby employed as a Driver in the Department of Public Works, 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 October 14, 2014, at an annual salary of \$28,000.00; and,

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

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

The Mayor announced the following appointment to the Planning Board:

Janel Jones, as the Class IV Member for an unexpired four year term

CONFIRM MAYOR'S APPOINTMENT TO THE PLANNING BOARD

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

WHEREAS, due to the removal of Jason Jones, a vacancy exists on the Planning Board,

THEREFORE, BE IT RESOLVED, that the Township Committee hereby confirms the Mayor's appointment of Janel Jones to the Planning Board as a Class IV member for a four year unexpired term expiring December 31, 2014; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution will be forwarded to the Administrative Officer of the Neptune Township Planning Board.

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

AUTHORIZE THE PAYMENT OF BILLS

Mr. McMillan 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	522,970.45
FEDERAL & STATE GRANT FUND	8,283.80

TRUST OTHER	83,841.47
GENERAL CAPITAL FUND	4,633,606.02
SEWER OPERATING FUND	92,097.68
SEWER CAPITAL FUND	21,338.80
MARINA OPERATING FUND	90,494.52
DOG TRUST	15,030.20
LIBRARY TRUST	2,679.56
BILL LIST TOTAL	\$5,500,342.50

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; McMillan, aye; and Brantley, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Joan Venezia, 107 Mt. Hermon Way stated she sent another resident input to Mr. Gadaleta about the Broadway drainage. She questioned whether he had any idea of when he would be meeting with the residents.

Mr. Gadaleta stated today our engineer presented him with some of the work that's been done. They are taking on adjoining properties along Broadway and Beach and are continuing to work that into Abbott and start to develop a plan and then go into the field and look at the mapping against what's there. They will then go and present their findings to the governing body and once that takes place then they will schedule a meeting with the residents.

Ms. Venezia stated the last she heard regarding the vacant property ordinance was that Gene Anthony was going to summarize the comments from the public. She questioned whether that's been done yet.

Mayor Brantley stated yes but they would take it up at the next meeting.

Ms. Venezia questioned whether the street sweep was done once in the Spring and once in the Fall.

Mr. Gadaleta stated that was correct.

Mrs. Venezia questioned when would the Township let the residents know.

Mr. Gadaleta stated the governing body has directed them to work out the proper notification so that they won't have a similar situation as before.

Ms. Venezia stated the Parks Department did a great job in cleaning Firemen's Park but she noticed the lights were broken and cars have been vandalized in that area and she believes it's due to the darkness. She stated she's called Public Works and has been told the lights were on order and she would like to tell them to keep a few in stock if they were that hard to get. She thanked the Public Works Department for picking up garbage from her disabled neighbors porch. She also questioned the Broadway lighting project.

Mr. Gadaleta stated they were still working out the specifics with Asbury Park in utilizing their electrician. The materials were on site in the Township but they do not have a date as far as of now but they are trying to make it happen as soon as possible.

Ms. stated she was concerned that it may get into the season and it can't be done.

Mr. Gadaleta stated he understood her concerns and would try and work it out as

expeditiously as possible.

Mr. Houghtaling requested that the Broadway lighting matter be placed on the next workshop meeting.

Mr. Bishop asked that when they do next years calendar could they say what days they were going to do Ocean Grove and the homeowners could help get it out and put it on the Camp Meeting sign board

Dianna Harris, MURC, stated the lights at Midtown Commons Park has been out since the summers and it's marked as M1 and M8. She stated she's called the Public Works Department regarding it.

Mr. Gadaleta stated he would follow up with it.

Ms. Harris stated with the recent events with Cityworks could MURC be put on a meeting with the Township to discuss the redevelopment.

Mayor Brantley stated they would decided if it would be on the Workshop or executive meeting.

Mr. Bishops stated they would have to figure out things for themselves as well.

Ms. Harris questioned whether it would be within the next 30 days.

Mayor Brantley confirmed that it would.

Kathy Arlt, 106 Abbott Avenue stated she submitted pictures of 80 Main Avenue and discussed the deterioration of the house. She stated if this building had been inspected for demolition of neglect and if there had been a finding of demolition by neglect the Township could have used liens to stabilize the building but the Township doesn't use it because Mr. Doolittle doesn't want to use it. She went on to state that 103 Franklin Avenue has been sited several times. The owners are dead and this house have holes and excess vegetation and they've been sited. She discussed additional issues regarding this house and the fact that it was a hazard to its neighbors because squatters have lived in it. She stated she knew this problem was not just limited to Ocean Grove and that's why a good ordinance was needed to make the lien holders and owners pay.

Mr. Anthony stated on 80 Main Avenue new summons were issued by Code Enforcement recently. A couple of years ago the initial summons results in a plea agreement which allowed the owner to go before the HPC and the appropriate boards to renovate the building but when he didn't do it the Code Enforcement Department filed new summons which is going before the municipal courts. He stated they've already been involved in one lawsuit already in which both he and the Township were being sued for violation of civil rights because of the accusation that we forced a code enforcement officer to bring an action based on a particular ordinance and of course that's not true. The reality is because of the civil rights law it has to be left to the Code Enforcement Officer and to the Construction Official to act at his own discretion and his sole discretion to pick the ordinance and to decide to enforce it. He stated they were there to make sure that it is properly carried through but they could not make him do that and it's been sited through a court case. He stated he was not familiar with 103 Franklin and whether there was anything outstanding with it.

Ms. Arlt stated 80 Main Avenue got HPC approval in Mayor of this eyar.

Mr. Anthony stated he knew and that's the reason why when they followed up on the owner through his contractor and inquiring why they weren't proceeding with the appropriate plans that were approved and he did not comply then Code Enforcement in its sole discretion decided to issue new summons.

Kennedy Buckley, Broadway, thanked everyone for their kind thoughts. He stated Asbury Park has raised almost two million dollars in parking fees and expect to raise two and a half million dollars. He stated he had no idea why the Township would not consider to generate revenue by doing this on the east side of Ocean Grove during beach season. If you are not going to put in the meters then why not limit parking on the ocean side of Ocean Avenue so the free loaders could not stay there all day. He stated they were hurting the residents in Ocean Grove because they could not park.

Mr. Bishop stated when they talked of doing east side parking people pelted the with bottles

in the fourth of July Parade. He stated it wasn't worth it because the residents do not want limited parking on Main Avenue. He stated they looked at and can look at it again but people do not want it. He stated they were working with it and the residents.

Mr. Buckley asked if they were serious in not considering this because you could not make everyone happy. He felt this was pathetic.

Mr. Bishop stated he heard from him and fifty other people about this and he agreed he could not make everyone one happy.

Richard Cuttrell stated when the whole parking meter discussion first came up the thought was lets do the east side of Ocean Grove and the folks that go most upset were the ones on the first block because instead of parking on the eastside of Ocean Avenue they would now park in the front of the homes and the eastside of Ocean Avenue would be the last to be filled.

Mayor Brantley stated they would readdress this.

Heinz Weck, Ocean Grove, the Neptune police were the finest in NJ and in the United States. He stated his smoke alarm went off and he was fearful because he a fire a couple of years ago.. he stated the officer calmed him down and he thanked them. He asked if the Township could give the officers that came out an accommodation.

Mr. Bascom stated one of the officers were Thomas Blewitt.

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

Richard J. Cuttrell,  
Municipal Clerk