

TOWNSHIP COMMITTEE MEETING – JULY 14, 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. Cuttrel, Municipal Clerk; 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:

The Committee discussed the hours of operation for retail establishments near municipal recreation areas. Ms. Jahn stated that the store at 9<sup>th</sup> and Ridge Avenues and the store at Monroe Avenue and George Street both create a lot of trash in the area and individuals frequently enter the stores without purchasing items. Both locations have become a nuisance to the neighbors. Ms. Jahn stated that an earlier closing time would help the situation. Mr. Bishop stated that statistics are needed on how an earlier closing time will lower crime. Mr. Anthony stated there are numerous court decisions on retail near residential areas. A governing body can regulate hours if there is a factual basis that it will promote safety. The Committee would need the police to testify that based on studies, if you regulate hours of stores near parks, there will be a reduction in crime and less calls for disturbances. He suggested that the police contact other towns with such an ordinance and determine if a reduction in hours reduces crime, what types of stores should be regulated and what locations would be impacted. Mr. Bascom recommended that the Police Subcommittee look at the map and determine what types of stores would apply and what the hour of closing would be.

The Committee discussed a proposed Resident Handicapped Parking Ordinance. Mr. Anthony stated that this ordinance would restrict certain designated handicapped parking zones to anyone with a Neptune Township resident handicapped sticker. The Committee expressed a desire to move forward with this ordinance. Mr. Anthony will put the ordinance in final form and distribute.

Ms. Jahn stated that the 2015 Mayor's Ball will be held on April 17<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  
Personnel – Recommendations for two vacant Driver and three vacant Police Officer positions
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 reviewed recommendations for the hiring of two Drivers in the Department of Public Works and took action during the regular portion of the meeting.

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

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

Also present at the dais were Richard J. 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 meetings held on May 12<sup>th</sup> and June 9<sup>th</sup>. All were in favor.

#### REPORT OF THE CLERK

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

Monmouth County Board of Health Activity Report for May.

Senior Center monthly statistics for June.

#### COMMENTS FROM THE DAIS

Mr. Houghtaling stated that he attended the school board meeting at which the Board did not rehire Ken O'Donnell as basketball coach. He thanked Mr. O'Donnell for all he has done in the Neptune school system. Mr. Houghtaling attended the graduation ceremony in the Auditorium. He attended the community garden workshop at Liberty Park and expressed his thanks to MURC, the Shade Tree Commission and Public Works. He attended the Ocean Grove Homeowners Association meeting where Ocean Grove's new fire truck was on display. Mr. Houghtaling stated that he is very happy that the boardwalk project is complete. The 4<sup>th</sup> of July parade was held on July 5<sup>th</sup>, it was a beautiful day and a great event in Ocean Grove. He attended the Stop the Gun Violence meeting at Mt. Carmel annex where ideas were offered to stop the gun violence. The Township is very concerned about this issue and welcomes any and all suggestions. Finally, he attended viewings for Billy Edwards, Larry White and his best friend from childhood, Chris Sibole who passed away at the tender age of 60.

Mr. Bishop expressed condolences to the Edwards, White and Sibole families. He commented that the Mayor did an excellent job at the boardwalk ribbon cutting. Mr. Bishop attended the 4<sup>th</sup> of July parade which was a lot of fun, the Senior Center Craft Sale and June & July birthday celebrations, and the SRH first aid extravaganza. The previous week was consumed by World Changers which this year saw 245 kids work on 28 projects including roof repairs, patios, painting and yard work. This was an incredible amount of work done by an incredible group of young people. He spoke to homeowners who could not thank the Township enough for bringing this program back. Mr. Bishop expressed special thanks to Roberta Grace, Monique Burger and Michael Schnurr. John Fritz was a big help along the way, as were the Township's partners; Ocean Grove Camp Meeting Association, New Jersey Natural Gas, Monmouth Ocean Foodbank, Lunch Break, Home Depot, and the Township Code and Construction Department. Mr. Bishop concluded that it was a pleasure to be a part of this event again.

Mr. McMillan expressed condolences to the three families who lost love ones. The high school graduation was hot but a great event, the 4<sup>th</sup> of July parade was fantastic and great fun. He

congratulated to the Mayor for a great job at the boardwalk ribbon cutting. Mr. McMillan stated that he walked the new boardwalk to observe the new lights and sat and listened to the Ocean Grove Summer Band.

Ms. Jahn expressed condolences to the families of those we have lost, adding that it seems there has been a heavy toll this year. She congratulated the Mayor for the ribbon cutting. The boardwalk is beautiful and Ocean Grove has finally been made whole again and it is great to support the business community there and provide everyone with the full experience of Ocean Grove in the summer.

The Mayor attended a ribbon cutting for the Monmouth Family Health Center, Dr. Barry Elbaum Dental Clinic. He has known Dr. Elbaum and his family for 30 years, and was honored to present him with a proclamation and share the stage with Senator Menendez and Congressman Pallone. The graduation ceremony was great and the kids were excited to get their diplomas. The Mayor spoke at the Ocean Grove ribbon cutting and was glad that the state and federal government helped to provide the necessary funding. At the event, he greeted the Governor and they walked on the boardwalk with Senator Beck, Congressman Smith and Assemblywoman Casagrande. The Mayor stated that he put a bug in their ears about Neptune and what our needs are. They were all very receptive. He missed the World Changers celebration as it was his wedding anniversary, but congratulations go to Mr. Bishop. Neptune continues to be the beneficiary of his idea and hopefully it will continue to expand. The Mayor then read a report on the status of various Township projects, many of which are complete or nearing completion.

#### PUBLIC COMMENTS ON RESOLUTIONS

Dorothy Argyros, 2100 Rutherford Avenue, asked questions relating to the resolution authorizing an amendment to the 2014 municipal budget. She stated that the Committee never says what the money is for or how it affects the COLA limit. She added that you need to ask yourself do we need this more than tax relief. Mr. Bascom responded that this is a budget amendment to reflect the receipt of a grant and a corresponding appropriate to expend the grant funding. It has no impact on the tax levy and therefore does not affect the COLA limit. Ms. Argyros persisted in asking how much this will cost the taxpayers to which several on the dais reiterated that this is to expend funds received through a grant with no local match required.

Kathy Ault, 106 Abbott Avenue, asked for detail on the lien being placed on 1103 Green Grove Road in the amount of \$4,280. Mr. Cuttrell responded that it was for a clean-up of property exterior and securing the building. He provided a copy of the details of the lien to Ms. Ault for her review.

Hank Coakley, Valley Road, asked where subdivision was located on Glenmere Avenue. Mr. Cuttrell answered at the bottom of Glenmere near Marvin where single family homes were recently built. Mr. Coakley asked for the specific location of the property foreclosure by the Township on North Riverside Drive. Mr. Bascom stated that the property is wet and non-buildable.

Michael Fornino, 120 Fulham Place, asked for the Department in which Tiffany Bailoni will be working. Mr. Bascom stated that she has worked in the Clerk/Administration office for about nine months and this resolution is simply making her a permanent employee. Mr. Fornino asked about the Municipal Intern. Mr. Bascom stated that the Township hires interns to assist in various departments. This particular Intern will be assigned to Public Works. Mr. Fornino asked where the idea of the counties taking over operations of municipal beaches comes from. Ms. Jahn stated that it originated from legislation proposed by an Assemblyman from Warren County.

#### ORDINANCE NO. 14-23 - ADOPTED

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

#### ORDINANCE NO. 14-23

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

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

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

ORDINANCE NO. 14-24 - APPROVED

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

ORDINANCE NO. 14-24

AN ORDINANCE TO AMEND THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY REZONING CERTAIN PROPERTIES ALONG ROUTE 66 TO C-1 PLANNED COMMERCIAL DEVELOPMENT ZONE

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

ORDINANCE NO. 14-25 - APPROVED

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

ORDINANCE NO. 14-25

AN ORDINANCE TO AMEND THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY REZONING BLOCK 9025, LOTS 53, 54, 55, 55.01 FROM C-1 PLANNED COMMERCIAL TO R-2 RESIDENTIAL

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

ORDINANCE NO. 14-26 - APPROVED

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

ORDINANCE NO. 14-26

AN ORDINANCE TO AMEND THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY AMENDING SECTION 404.04 ENTITLED C-1 PLANNED COMMERCIAL DEVELOPMENT

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

ORDINANCE NO. 14-27 - APPROVED

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

ORDINANCE NO. 14-27

AN ORDINANCE TO AMEND THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY AMENDING SECTION 412.18 ENTITLED PARKING IN FRONT SETBACK

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

Mr. Cuttrel stated that the Public Hearings on Ordinances 14-24 through 14-27 will be held on Monday, July 28, 2014.

CONSENT AGENDA

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

PLACE LIEN ON VARIOUS PROPERTIES

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

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

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

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

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
440/40	514 Couse Road	\$ 115.00
6000/32	2 Marcy Drive	115.00
175/511	1225 Embury Avenue	115.00
175/518	21 Atkins Avenue	115.00
215/107	155 Fisher Avenue	230.00
10017/18	1103 Green Grove Road	4,280.00
10021/9	17 Toomin Drive	55.00
174.01/7	12 Pharo Street	230.00
175/516	1205 Embury Avenue	92.50
158/8	10 Vanderbilt Place	312.50
193/214	412 Fisher Avenue	115.00
253/25	1918 Milton Avenue	312.50
189/98	505 Fisher Avenue	427.50
189/97.01	503 Fisher Avenue	592.00
247/29	1706 Olden Avenue	285.00
7001/3	14 Brook Drive	82.50
194/4	313 Myrtle Avenue	230.00
217/487	1710 West Lake Avenue	345.00
8008/1	109 Iris Drive	230.00
304.23/6	309 Hollywood Avenue	230.00
3004/1	300 Wakefield Road	230.00
9011/12	723 Doris Terrace	428.60
230/45	124 Anelve Avenue	699.00
167/327	604 Ridge Avenue	250.00
3029/18	801 Halton Court	250.00
208/9	1413 6 <sup>th</sup> Avenue	250.00
3007/2	10 Brixton Place	500.00
8000/31	304 Michelle Court	500.00

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

RECLASSIFY TIFFANY BAILONI AS A PERMANENT FULL-TIME CUSTOMER SERVICE REPRESENTATIVE IN THE ADMINISTRATION OFFICE

WHEREAS, Tiffany Bailoni was hired as a Customer Service Representative in the Administration Office on September 23, 2013; and,

WHEREAS, she has performed her duties in a satisfactory manner and the Business Administrator has recommended that she be reclassified on a permanent full-time basis,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Tiffany Bailoni be and he is hereby reclassified as a permanent full-time Customer Service Representative effective immediately; and,

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

CONFIRM EMPLOYMENT OF ON-CALL TEMPORARY ELECTRICAL INSPECTOR

WHEREAS, due to vacations taken by full-time employees and spikes in workload, it is necessary to authorize an on-call temporary employee to serve as a Electrical Inspector; and,

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

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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby confirms the employment of Joseph Carrali as an on-call part-time temporary Electrical Inspector as needed, not to exceed thirty hours per week, at an hourly rate of \$30.00; and,

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

AUTHORIZE AN AMENDMENT TO THE 2014 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE NJDOT YOUTH CORPS – URBAN GATEWAY ENHANCEMENT PROGRAM

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2014 in the sum of \$32,000.00 which is now available from the New Jersey Department of Transportation in the amount of \$32,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$32,000.00 is hereby appropriated under the caption of Youth Corps – Urban Gateway Enhancement Program; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Transportation Youth Corps – Urban Gateway Enhancement Program in the amount of \$32,000.00; and,

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

EMPLOY TEMPORARY SEASONAL PERSONNEL FOR THE NEPTUNE SUMMER RECREATION PROGRAM

WHEREAS, the Township of Neptune Recreation Department is sponsoring a Summer Recreation Program; and,

WHEREAS, temporary staffing was authorized by Resolution #14-334 on June 23, 2014; and,

WHEREAS, the Recreation Director has recommended that an additional Substitute Role Model be hired; and,

WHEREAS, funds will be provided in the 2014 Municipal Budget in the appropriation entitled Recreation 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 the Kai Inman be and is hereby employed in the Neptune Summer Recreation Program as a Substitute Role Model at \$10.00 per hour for 6.5 hours per day for 30 days; and,

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

EMPLOY TEMPORARY SEASONAL PERSONNEL FOR THE MUNICIPAL ALLIANCE SUMMER PROGRAM

WHEREAS, the Municipal Alliance Against Alcoholism and Drug Abuse is sponsoring a Summer Program; and,

WHEREAS, WHEREAS, temporary staffing was authorized by Resolution #14-335 on June 23, 2014; and,

WHEREAS, the Recreation Director has recommended that an additional Substitute Role Model be hired; 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 Kai Inman be and is hereby employed in the Municipal Alliance Summer Program from June 30 to July 29 for 3 hours per day at \$14.00 per hour; and,

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

EMPLOY TEMPORARY MUNICIPAL INTERN

WHEREAS, the Township of Neptune authorized the employment of Temporary Municipal Interns by adoption of Resolution #14-309 on June 9, 2014; and,

WHEREAS, the Human Resources Specialist has recommended the employment of an additional Intern to assist in the Department of Public Works; 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 Keynin Morgan be and is hereby employed as a temporary Municipal Intern assigned to the Department of Public Works to perform duties as assigned by the Public Works Director effective immediately at an hourly wage of \$10.00; and,

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

EMPLOY TEMPORARY SEASONAL PERSONNEL THROUGH THE URBAN GATEWAY ENHANCEMENT PROGRAM

WHEREAS, the Township of Neptune received grant funding in the amount of \$32,000.00 through the Urban Gateway Enhancement Program to employ youth on a temporary basis during the summer season; and,

WHEREAS, applications were received and the following applicants were recommended for hire by the Community Programs Coordinator; and,

WHEREAS, funds will be provided in the 2014 Municipal Budget through an Urban Gateway Enhancement Program grant 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 persons be employed in the Urban Gateway Enhancement Program as specified herein:

Supervisor                      \$15.00/hour    30 hours per week for 8 weeks

Charles Williams

Youth Participants    \$8.25/hour    25 hours per week for 8 weeks

JahDasia Garrett  
Kyle Langley  
Isaiah Watkins

Joel Ruiz  
Tyler Mathis  
Elijah Mance

Mikel Barone

Ahmad Coleman

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

RELEASE ALL SURETY BONDS AND DEVELOPERS ESCROW FOR SITE IMPROVEMENTS AT 1501 CORLIES AVENUE

WHEREAS, Mamie Baldwin submitted a cash performance guarantee in the amount of \$60,000.00, guaranteeing site improvements at 1501 Corlies Avenue (Block 270, Lot 16); and,

WHEREAS, the Township Committee adopted Resolution #12-458 on December 20, 2012 which reduced the performance guarantee to the amount of \$18,000.00

WHEREAS, on July 3, 2014, the Township Engineer certified that all site work has been completed and said performance bond may be released; and,

WHEREAS, the Township Engineer has recommended the waiver of the two year maintenance bond requirement due to the length of time that has passed since the project's completion,

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

BE IT FURTHER RESOLVED, that any remaining balance in the inspection escrow account be and is hereby authorized to be refunded; and,

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

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; and,

WHEREAS, this Resolution supercedes and amends the allocation and match amounts authorized by Resolution #14-84 adopted January 13, 2014,

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>60,390.00</u>
Cash Match	\$	<u>15,097.50</u>
In-Kind	\$	<u>45,292.50</u>

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

RELEASE SOIL STABILIZATION BOND POSTED BY DYKEMAN ASSOCIATES, INC. FOR 2716 WEST BANGS AVENUE

WHEREAS, Dykeman Associates, Inc. posted a Soil Stabilization Bond in the form of cash in the amount of \$2,500.00 guaranteeing site stabilization at 2716 West Bangs Avenue (Block 3050, Lot 11); and,

WHEREAS, on July 9, 2014, the Township Engineer certified that grass seed has grown and all site stabilization has been completed,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the release of the Soil Stabilization Bond for 2716 West Bangs Avenue as stated herein; and,

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

RELEASE ALL SURETY BONDS AND DEVELOPERS ESCROW FOR SITE IMPROVEMENTS AT HERITAGE HILLS AT SHARK RIVER (GLENMERE AVENUE)

WHEREAS, on March 8, 2004, Heritage Hills at Shark River, LLC filed Performance Bond #5007760, written by Bond Safeguard Insurance Company in the amount of \$67,921.20, guaranteeing site improvements at the four lot subdivision on Glenmere Avenue (Block 408, Lots 15-27); and,

WHEREAS, on July 9, 2014, the Township Engineer certified that all site work has been completed and said performance bond may be released; and,

WHEREAS, the Township Engineer has recommended the waiver of the two year maintenance bond requirement due to the length of time that has passed since the project's completion,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the release of Performance Bond #5007769 posted by Heritage Hills at Shark River, LLC as stated herein; and,

BE IT FURTHER RESOLVED, that any remaining balance in the inspection escrow account be and is hereby authorized to be refunded; and,

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

AMEND LEAVE OF ABSENCE GRANTED TO CHARLES BORGES UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, on June 9, 2014, the Township Committee adopted Resolution #14-310 which granted a leave of absence to Charles Borges, Driver in the Department of Public Works, under the provisions of the Family Medical Leave Act; and,

WHEREAS, the start and end dates of the leave stated in said Resolution require amendment,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the unpaid leave of absence granted to Charles Borges, Driver in the Department of Public Works, under the provisions of the Family Medical Leave Act is hereby amended to reflect a start date of June 9, 2014 and a return to work date of July 14, 2014; and,

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

AUTHORIZE THE CANCELLATION OF TAXES ON MULTIPLE PROPERTIES AS A RESULT OF THE GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION

WHEREAS, the properties listed below are eligible for a Totally Disabled Veteran Exemption; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel 2014 taxes assessed against the below properties owner of record in accordance with N.J.S.A. 54:4-3.32;

and,

WHEREAS, the amounts to be canceled and refunded are as follow;

<b>Block</b>	<b>Lot</b>	<b>Address</b>	<b>Cancel</b>	<b>Refund</b>
7007	1	4 Squirrel Rd	3,873.50	1,120.84
3002	3	508 Stamford Dr	4,801.39	1,552.97
498	871	202 Carton Ave	6,519.48	0.00
144	254c01	146 Main Ave, Unit 1	1,624.79	0.00

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

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

**AUTHORIZE THE CANCELLATION OF SEWER RENT (129 DIVISION STREET)**

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

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

<b>BLOCK/LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
173/31.01	Township of Neptune	129 Division St.	2014	450.00

**REASON:** Township owned property

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

**AUTHORIZE THE CANCELLATION OF TAXES AND SEWER ON PROPERTIES FORECLOSED BY THE TOWNSHIP**

WHEREAS, the title to the properties listed below have been foreclosed by the Township of Neptune; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel 2014 Taxes & Sewer Rent against the below listed properties in accordance with N.J.S.A. 54:4-3.3; and,

WHEREAS, the amounts to be canceled are as follows:

<b>BLOCK</b>	<b>LOT</b>	<b>ADDRESS</b>	<b>TAX AMOUNT</b>
108	2071	Delaware Ave	1,169.94
133	2086	Benson Ave	29.32
192	68.01	Summerfield Ave	633.91
217	84	227 Fisher Ave	1,183.83
335	38	3002 Highway 33	243.81
363	2519	Jersey Ave	130.03
374	3913	Girard Ave	81.27
467	11	224 Melrose Ave	151.70
495	764	N Riverside Dr	170.67

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Tax Collector be and hereby is authorized to cancel 2014 Taxes & Sewer Rent as stated herein; and,

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

**AUTHORIZE THE CANCELLATION OF TAXES ON PROPERTY PURCHASED BY THE TOWNSHIP (129 DIVISION STREET)**

WHEREAS, the property known as Block 173, Lot 31.01, with an address of 129 Division St, was purchased by the Township of Neptune in January, 2014 and should be tax exempt; and,

WHEREAS, the property's status was unable to be changed in the 2014 Tax Duplicate to exempt causing the property to be billed 2014 Taxes; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against the above property for 2014; and,

WHEREAS, the amounts to be canceled are as follow;

<b>Tax Year</b>	<b>Amount to Cancel</b>	<b>Refund</b>
2014	\$3,911.80	\$0.00

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

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

**AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT**

WHEREAS, the properties listed below reflect overpayments; and,

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

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

<b>BLOCK</b>	<b>LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
144	254C01	Dousis	146 Main Ave, Unit 1	2014	1,624.79
417	61	Brema	121 The Plaza	2014	546.31

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

**AUTHORIZE THE REFUND OF A MOBILE VENDOR FEE**

WHEREAS, John Luhrs applied and paid the \$200.00 Mobile Vendor fee in April 2014, and,

WHEREAS, Mr. Luhrs has since received his Veterans Identification Card from the Monmouth County Clerk and has furnished our office with a copy and is requesting a refund of the \$200.00 fee paid,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mercantile Officer be and hereby is authorized to refund the Mobile Vendor fee as stated herein,

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

**AUTHORIZE THE REFUND OF A LIQUOR LICENSE TRANSFER FEE**

WHEREAS, Mom's Kitchen, Inc. submitted an application and fee in the amount of \$240.00 for a person-to-person transfer of the plenary consumption liquor license issued to Mom's Kitchen, 1129 5<sup>th</sup> Avenue; and,

WHEREAS, after review of the application, the Clerk determined that the content of the application requested a change in corporate structure of the license holders rather than a license transfer; and,

WHEREAS, there is no statutory fee for a change in corporate structure application so the Clerk recommends a refund of the transfer application fee,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Municipal Clerk be and hereby is authorized to refund the Liquor License Transfer fee as stated herein,

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

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

OPPOSE LEGISLATION THAT WOULD PERMIT COUNTIES TO ASSUME COMPLETE RESPONSIBILITY FOR THE CONTROL AND OPERATIONS OF BEACHES THAT BORDER THE ATLANTIC OCEAN

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

WHEREAS, Senate Bill No. 2171/Assembly Bill No. 1596 would authorize any county of the fifth or sixth class (Atlantic, Cape May, Monmouth and Ocean Counties) to assume complete responsibility for the operation and control of the beaches that border the Atlantic Ocean within the county by ordinance or resolution; and

WHEREAS, shore communities have a long standing tradition of providing for the public health, safety and welfare of beach goers in their communities; and

WHEREAS, shore communities have the ability to provide a seashore experience in keeping with the lifestyle and character of its own design and to sell beach badges since the 1970s; and

WHEREAS, revenues from beach badges sales have been dedicated to the cleaning and maintaining of beaches and public restrooms along with the provision of seasonal lifeguards and law enforcement; and

WHEREAS, seasonal beach operations provide jobs for high school and college students and senior citizens in the community; and

WHEREAS, beach badge fees are user fees created to offset the cost directly to the taxpayers and are enforced during seasonal beach-going hours only, all other times beaches are 100% free; and

WHEREAS, many municipalities welcomed and accepted legislation to allow for free or reduced beach badges for active members of the Armed Forces and Senior Citizens; and

WHEREAS, Federal beach re-nourishment is primarily a means of protection through dune stabilization to local homes and businesses from storm surges; and

WHEREAS, the proposed legislation does not consider the tax impact to shore communities if beach badge revenues are lost; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune opposes any legislation that would regionalize the provision of beach management and operations while putting the burden of beach public health, safety and welfare onto the taxpayers of all the municipalities; and,

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to Governor Chris Christie, the President of the New Jersey State Senate, the Speaker of the New Jersey General Assembly, the members of the Monmouth County Legislative Delegation, the sponsors of the aforesaid bill, and the Monmouth County Board of Chosen Freeholders.

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

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH REPLACEMENT OF A PORTION OF THE WESLEY LAKE RETAINING WALL

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

WHEREAS, a contract was awarded to Precise Construction, Inc. in the amount of \$1,093,000.00 in connection with the replacement of a portion of the Wesley Lake retaining wall; and,

WHEREAS, changes to the contract have been experienced as a result of adding the installation of 365 linear feet of curbing and repairs to the base of a monument in and around Monument Park at the west end of Broadway and adding the extension of the reinforced concrete sidewalk from the north end of the project to the Pilgrim Pathway footbridge; and,

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

WHEREAS, funds for this purpose are available in Ordinance No. 12-17 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #1 in the contract with Precise Construction, Inc. in connection with the replacement of a portion of the Wesley Lake retaining wall resulting in a net increase of \$15,505.00 revising the total contract amount to \$1,108,505.00; and,

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

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

EMPLOY TWO DRIVERS IN THE DEPARTMENT OF PUBLIC WORKS ON A PROBATIONARY BASIS

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

WHEREAS, due to retirements, there are two vacancies 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 Resource Specialist and Public Works Director have made their recommendation; 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; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Jahiad Postell and Brandon Moreski be and are 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 July 21, 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; Jahn, aye; McMillan, aye; and Brantley, aye.

AUTHORIZE THE PAYMENT OF BILLS

Mr. Bishop offered the following resolution, moved and seconded by Ms. Jahn, 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	610,051.41
FEDERAL & STATE GRANT FUND	13,722.50
TRUST OTHER	54,310.84
GENERAL CAPITAL FUND	318,155.89
SEWER OPERATING FUND	139,615.20
MARINA OPERATING FUND	2,199.28

DOG TRUST	560.40
UDAG RECIPROCAL TRUST	13,228.75
LIBRARY TRUST	1,968.40
 BILL LIST TOTAL	 \$1,153,812.67

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, 94 Heck Avenue, reviewed the North End Redevelopment designation process. He stated that a Redevelopment Agreement is not in place and the Redeveloper has not submitted any plans so there cannot be an amendment of a plan that does not exist. He asked if the underground parking garage has DEP approval. Mr. Anthony stated that the matter has been litigated and the Redevelopment Plan has been deemed valid by the courts.

Gail Oliver, Neptune City, stated there were skateboarders in Midtown Commons Park that set up a tripod for filming. She called the police and summonses were issued; however, she asked when the "no skateboarding" sign will be lowered so it is more visible. Mr. Bascom and Mr. Cuttrell indicated that they would follow up with Public Works.

Kathy Ault, 106 Abbott Avenue, reviewed the status of a derelict home located at 101 Asbury Avenue. She stated that the house was on the recent derelict house tour, is vacant, and is owned by Jersey Shore Convalescent Home. During the tour, information was received that the asking price of 80 Main Avenue was lowered to \$399,000. She believes that the lower asking price is the result of publicity generated by the tour. Ms. Ault advised that there is a tree pit in front of 80 Main Avenue that contains dry, long grass. The neighbor is not cutting it anymore so she asked if Code Enforcement would take a look. She asked for a status on the abandoned property ordinance. Mr. Bishop stated that recent legislation needs to be incorporated into the ordinance.

Prior to Mr. Anthony providing an update on the Parkview Inn, Mr. Bishop left the room. Mr. Anthony stated that the bankruptcy court is allowing the mortgage company to continue with the foreclosure and there will be a new owner of the property this week.

Jack Pensabene, 1306 9<sup>th</sup> Avenue, asked for the terms of the bond to purchase cameras. Mr. Bascom stated debt has not been issued in association with this bond ordinance. When debt is issued the term will be five years with rate to be determined. Mr. Pensabene asked for locking lids on the public trash cans at Bradley Park because they are being tipped over and the trash ends up in his driveway. Mr. Cuttrell will follow-up. He asked for Code Enforcement to look at the empty lots on 9<sup>th</sup> and 10<sup>th</sup> Avenues at Memorial Drive and Route 35. The lots contain litter which is cut into small pieces by the company cutting the grass causing the litter to become airborne in the neighborhood. Mr. Cuttrell will notify code enforcement. Mr. Pensabene asked the Township Committee to be more sensitive to the public and start the business portion of the meeting closer to 7:00 p.m.

Dianna Harris, MURC, thanked the Committee for World Changers. Their work encourages the community to continue to volunteer to improve the neighborhood. She thanked Monique Burger, Mr. Gadaleta and Tiffafy Bailoni for coordinating the orientation for the Urban Gateway Program. She thanked Mr. Bascom for getting back to her on her request for increased police presence and thanked Mr. Houghtaling for his support of MURC. The focus of the recent community meeting was to get the community involved in crime prevention. She noted increased criminal activity in the area of the Neptune Garden apartments. Mr. Bascom stated that there are on-going investigations with many agencies involved. Ms. Harris asked for a status of the federal grant with Asbury Park. Mr. Bascom stated that Jersey City will be the only New Jersey municipality that receives funding; however Asbury Park and county agencies continue to work cooperatively to identify criminal activity. Finally, Ms. Harris asked about the dirt pile at Schoolhouse Square. Mr. Bishop answered that it is being removed by the Developer.

Michael Fornino, stated that he called the Township to report a bicycle chained to a light post on Route 66 for two days. The Mayor stated that the ordinance does not give the Township the authority to cut the lock. Ms. Jahn suggested bicycle racks in high traffic areas. Mr. Fornino stated

that he believes the Board of Education violated the Open Public Meetings Act because a vote was taken on the matter of Ken O'Donnell, Boys Basketball coach, before the public was asked for comments. Mr. Fornino stated that he has an idea about a Foundation where people would buy stock in Neptune Township. A similar program is being done in Sayreville. The Foundation money would be used like an endowment. Mr. Bascom will look into the matter.

Hank Coakley, stated that he went to the Municipal Building last week because he was upset that the block and lots are being changed because of the State. He received good service from Dawn Crozier, Deputy Tax Assessor, and then had a nice meeting with Bernard Haney, Tax Assessor. Mr. Coakley stated that the Headliner did a great job at the Shark River Hills First Aid Squad fundraiser. The Squad does a great job all year long and he had a great time at the event.

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

Richard J. Cuttrell,  
Municipal Clerk