

TOWNSHIP COMMITTEE MEETING – APRIL 13, 2015

Mayor Jahn 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, and Mayor Mary Beth Jahn. (Dr. Michael Brantley and Kevin B. McMillan arrived during the open workshop session)

Also present at the dais were Richard J. Cuttrel, Municipal Clerk; Vito D. Gadaleta, Township Administrator; Edward J. Hudson, Assistant Chief Financial Officer; and Gene Anthony, Township Attorney.

Mayor Jahn announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press and The Coaster on January 8, 2015, 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:

Bob Chilton, Gabel Associates, provided a presentation on energy aggregation to the Committee. Mr. Chilton explained that municipalities go to bid for all residents for electric to try and obtain a cheaper price. If the results of the bid do not achieve a significant level of savings, the municipality does not have to award the bid. Dr. Brantley arrived. Gabel Associates receives a fee from the energy supplier only if a bid is accepted, there is no cost if a bid is not accepted. Under the laws of aggregation, all residents participate, but can opt out at any time. JCP&L would still be responsible for the delivery of electric. JCP&L makes their profit on the delivery of electricity, not on the actual energy being supplied. Mr. Anthony stated that in Eatontown, the process was started and some residents were concerned that they had to opt out rather than opt in. Mr. Chilton stated that usually when aggregation is explained to residents, they stay in the program. Mr. McMillan arrived. Mr. Chilton stated that right now his company is not doing natural gas aggregation because prices are more volatile and there have been large natural gas credits in the recent past. Mr. McMillan asked if JCP&L will raise their delivery charge if the Township went with a different supplier. Mr. Chilton responded that the delivery charge is set by the Board of Public Utilities and can only be changed through a rate hearing.

Mr. Bishop discussed a proposal to change assessor lines in two locations adjacent to Neptune City. There is a developer of a large parcel in Neptune City that also contains a sliver in Neptune Township on 5<sup>th</sup> Avenue. The proposal is to redraw the assessor line to give Neptune City total control on this parcel and in exchange, the assessor line would be redrawn to give Neptune Township the entire parcel of property that contains the Oliver Building on Route 33 which is currently split in half between the two municipalities. These two changes would result in a nearly no change in property taxes but would give a benefit to the two property owners of proceeding under one town and one land use board if improvements are proposed.

Mr. Anthony stated that in the abandoned property statute, there is language that says foreclosing creditors must notify the Municipal Clerk of the in-state representative for responsibility of code enforcement on the property. Mr. Anthony will prepare an amendment to the Township's existing abandoned property ordinance to include penalty provisions because the Township would then receive a portion of the penalty. The notification is required of anyone that forecloses on property and is separate from the abandoned property list.

Mr. Houghtaling discussed information received on a tax transparency bill. He suggested a resolution to support the bill with the addition that the state should also be held accountable for information and transparency regarding property taxes.

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:

Personnel – CDBG Citizens Participation Group

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; Brantley, aye; Houghtaling, aye; McMillan, aye; and Jahn, aye.

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

Mr. Gadaleta stated that applications for Community Development Block grant funding will be due shortly and the Committee needs to appoint a Citizens Participation Group. The Committee indicated that they would submit names at the next regular meeting.

Mr. Gadaleta reported that the graffiti issue at the former Coca-Cola site has been resolved.

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

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

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

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 Jahn announced that the notice requirements of R.S. 10:4-18 for an "Annual Notice" have been satisfied by the publication of the required advertisement in the Asbury Park Press and The Coaster on January 8, 2015, 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).

#### RECOGNITION OF RETIRING TOWNSHIP EMPLOYEE

The Mayor and Committee recognized Larry Davis who retired from the Public Works Department on March 31, 2015 after 40 years of service.

#### PRESENTATION

Police Chief James Hunt and Sgt. Gregory Washington joined representatives from Prevention Coalition of Monmouth County to present certificates to owners of Township liquor establishments who have agreed to implement a 100% proofing policy.

#### REPORT OF THE CLERK

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

Rosemary Gray sent letters of thanks to the following for recent donations and contributions to the Senior Center: Joan and Anthony Cruz; Ruth and Michael Harrigan; Vivian and Robert Herbert; BettyLu and Ockle Johnson; Don Bartlett; Joan and Art Bauter; Louise Bellucci; Mary and Ron Carr; Marilyn Cole; Joan and Anthony Cruz; John and Sally Edmonds; Ingrid Farrell; Ginny Gisoldi; Forever Young Group; Ed Halpin; Vivian Herbert; Joan Hunziker; Richard Kuchen; Sally Neal and Neala Mandel; Joan and Harry Matthews; Stuart Monk; Mary Moore; Barbara Roe; ShopRite; Wegmans; Marie Williams; Therman Baker; and Douglas Rowell, Fire Official.

## COMMENTS FROM THE DAIS

Mr. Houghtaling stated that he attended viewings for Kevin Kenny and Caroline Duerr and expressed his sympathy to the families of both. He added that the parents of Caroline expressed how thankful they are to live in Neptune because of the outpouring of support. He also attended Opening Day of the Neptune Little League and added that the new field is almost ready.

Mr. Bishop asked everyone to keep Roberta Grace in their thoughts and prayers. He expressed condolences to Mr. Anthony on the passing of Judy Anthony's mother and to Jeff Wood-Yesline, who was in attendance at the meeting, on the passing of his mother. He reminded everyone to vote at the Board of Education election on April 21<sup>st</sup>.

Mr. McMillan expressed condolences to Mr. Anthony and Jeff Wood-Yesline. He added that he recently attended an auto show and ran into three Neptune Township residents.

The Mayor expressed condolences to Mr. Anthony and Jeff Wood-Yesline. She asked for thoughts and prayers for Roberta Grace who is ill. The Mayor added that Ms. Grace is a great resource to our residents and she hopes for strength and healing to allow Ms. Grace to regain her health. The Mayor concluded with the hope that all enjoyed a Happy Easter.

## APPOINT CITIZENS PARTICIPATION GROUP FOR THE FY2016 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM - TABLED

Mr. Bishop offered a motion, seconded by Dr. Brantley, to table a resolution to "Appoint Citizens Participation Group for the FY2016 Community Development Block Grant Program". All were in favor

## PUBLIC COMMENTS ON RESOLUTIONS

Michael D. Fornino, 120 Fulham Place, commented on Resolution #15-175 and questioned why did the Township need permission from the DEP to develop public land.

Mr. Gadaleta stated they were requesting approval by resolution to submit a grant application to be able to construct this trail.

Mr. Fornino stated that was why he was asking why the Township needed to ask for their approval.

Mr. Gadaleta stated it was a grant application and they needed their money.

Mr. Fornino questioned the reasoning behind Resolution #15-176 and asked were they asking for money for this as well.

Mr. Gadaleta stated annually they submit an application for a recycling tonnage grant. He went on to state that It's money that is paid into this program and as a result of our actions and performing recycling within the community we are eligible for funding. So we make application annually.

Mr. Fornino questioned what streets were they referring to as mentioned in Resolution #15-177.

Mr. Cuttrell stated they were all in Ocean Grove and informed him of the route that would be taken.

Dorothy Argyros, 2100 Rutherford Avenue, commented on Resolution #15-173 and stated this resolution scared her. She felt that this would promote domestic incidents such as beating up on protesters and shooting unharmed teenagers in the back. She questioned whether they were trying to make Monmouth County into Ferguson. She stated they were suppose to be protecting organizations such as Neighbors United and not ganging up against them. She felt the language was too broad.

Mayor Jahn stated they were not ganging up against anything.

Mr. Gadaleta stated if she were to read in the Resolution she would see that it talks about the President of the United States discussing a National Incident Management System. This is a national program that can provide for services where every form of government entity can provide for services to other entities through mutual aid systems. This is for fire and man made disasters.

Mrs. Argyros urged them to narrow this down and not have domestic incidents listed.

Mr. Gadaleta stated she was reading beyond what this resolution was meant for. This is for fire and man made disasters.

Hank Coakley, Valley Road, commented on Resolution #15-173. He stated he thought this had already been done and questioned why they were bring this up at this time.

Mr. Gadaleta stated this memorializes what they have been doing. It provides insurance coverage for individuals and our equipment is covered. It sets up a mechanism for us to be covered because we have this mutual aide agreement.

Mr. Coakley thanked them for this resolution and stated he felt that this was a step in the right direction.

Michael Golub, 305 Cliffwood Drive, asked how many bidders there were on the marina building project. Mr. Gadaleta responded four.

#### ORDINANCE NO. 15-13 - ADOPTED

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

#### ORDINANCE NO. 15-13

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-7 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A NO PARKING ZONE ON WELLS AVENUE

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

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

#### ORDINANCE NO. 15-14 - ADOPTED

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

#### ORDINANCE NO. 15-14

REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,310,000 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 comments on the above ordinance and they were as follows:

Dorothy Argyros, 2100 Rutherford Avenue, stated that at the last meeting Mr. Bascom stated that this ordinance did not authorize new debt, but the way she reads it the Township is going from \$2,941,000 to \$3,310.00. Mr. Gadaleta replied that this ordinance does not authorize new debt. It is similar to refinancing a home mortgage. The Township is getting a lower interest rate on existing debt without lengthening the term of the debt at a savings to the Township of \$134,000.

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

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

#### ORDINANCE NO. 15-15 - APPROVED

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

approved:

ORDINANCE NO. 15-15

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A RESIDENT HANDICAPPED ON-STREET PARKING ZONES ON ABBOTT AVENUE AND REMOVING HANDICAPPED PARKING STALLS ON DAVIS AVENUE

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

ORDINANCE NO. 15-16 - APPROVED

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

ORDINANCE NO. 15-16

AUTHORIZE CONFIRMATORY DEED BETWEEN NEPTUNE TOWNSHIP AND NEPTUNE TOWNSHIP, ALLOWING FOR THE AMENDMENT AND MODIFICATION OF THE ORIGINAL DEED OF TRANSFER BETWEEN BARTON S. MITCHELL AND NEPTUNE TOWNSHIP WITH REGARD TO THE MARINA

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

ORDINANCE NO. 15-17 - APPROVED

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

ORDINANCE NO. 15-17

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VI OF THE CODE OF THE TOWNSHIP OF NEPTUNE CONCERNING REGULATIONS OF ALCOHOLIC BEVERAGE LICENSES

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

Mr. Cuttrell stated that the Public Hearings on Ordinances 15-15, 15-16 and 15-17 will be held on Monday, April 27, 2015.

CONSENT AGENDA

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

APPROVE HAMILTON FIRST AID SQUAD TO SOLICIT DONATIONS ON A PUBLIC ROADWAY

WHEREAS, Ordinance No. 11-22 establishes procedures for qualified charitable organizations to solicit donations on public roadways; and,

WHEREAS, Hamilton First Aid Squad understands that the required application must be filed with the NJDOT to receive approval to solicit donations on a state highway; and,

WHEREAS, the Chief of Police has approved said request,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Hamilton First Aid Squad be and is hereby authorized to solicit donations on State Highway 33 in front of the Hamilton First Aid building at 3600 Route 33 on the following dates and times:

May 22, May 23, July 3, July 4, September 4, and September 5 – 9:00 a.m. to 5:00 p.m.

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

Business Administrator, Chief of Police, Police Director and Hamilton First Aid Squad.

AMEND THE SALARY OF EMPLOYEES WHO OBTAINED THE TECHNICAL ASSISTANT TO THE CONSTRUCTION OFFICIAL 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, Heather Kepler, Elizabeth Connors and Natasha Johnson, employees in the Construction Department, have each earned the designation of Technical Assistant to the Construction Official; and,

WHEREAS, funds will be provided for the first four months of 2015 in the 2015 Temporary Budget and funds for the balance of 2015 will be provided in the Budget for the year 2015, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Heather Kepler, Elizabeth Connors and Natasha Johnson shall receive an additional \$1,000.00 in annual salary effective March 1, 2015 for receiving the Technical Assistant to the Construction Official certification; and,

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

AUTHORIZE ASSIGNMENT OF A SPECIAL LAW ENFORCEMENT OFFICER TO OCEAN GROVE CAMP MEETING ASSOCIATION PROPERTY

WHEREAS, the Ocean Grove Camp Meeting Association has requested the use of a Special Law Enforcement Officer for eight hours a day from May 15, 2015 to October 15, 2015 to patrol the boardwalk, beach, auditorium/tent colony and surrounding area presently owned by the Camp Meeting Association for the purpose of enforcing NJ state statutes and municipal ordinances; and,

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

WHEREAS, the Ocean Grove Camp Meeting Association will reimburse the Township at a rate of \$20.00 per hour for this officer,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the assignment of a Township of Neptune Special Law Enforcement Officer for eight hours a day from May 15, 2015 to October 15, 2015 at a rate of \$20.00 per hour (total cost of \$24,230) paid for by the Ocean Grove Camp Meeting Association for the purpose of patrolling Camp Meeting Association property to enforce applicable NJ state statutes and municipal ordinances; and,

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

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

WHEREAS, due to vacation time taken by the appointed Plumbing Sub-Code Official, it is necessary to authorize an on-call temporary employee to serve as Sub-Code Official in his absence to ensure uninterrupted processing of construction permits; and,

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

WHEREAS, funds will be provided for the first four months of 2015 in the 2015 Temporary Budget and funds for the balance of 2015 will be provided in the Budget for the year 2015, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the employment of Patrick Dugan to serve on-call part-time temporary

Plumbing Sub-Code Officer, in the absence of the appointed Township Plumbing Sub-Code Official, 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 Construction Official, Business Administrator, Chief Financial Officer, Assistant C.F.O., and Human Resources.

AUTHORIZE THE CLOSING OF STREETS AND TEMPORARY NO PARKING IN CONNECTION WITH THE OCEAN GROVE CHAMBER OF COMMERCE ARTS & CRAFTS FESTIVALS

WHEREAS, the Ocean Grove Chamber of Commerce has scheduled a Spring Fling Arts & Crafts Festival on May 2, 2015 and a Fall Harvest Festival and Craft Show on October 10, 2015; and,

WHEREAS, it is necessary to close portions of Main Avenue and Pilgrim Pathway and designate no parking during the event; and,

WHEREAS, the Police Department has reviewed and approved this closure,

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

Saturday, May 2, 2015 & Saturday October 10, 2015 - 7:00 A.M. to 6:00 P.M.

- 1) Main Avenue from New York Avenue to Central Avenue
- 2) Pilgrim Pathway from Heck Avenue to Pitman Avenue

BE IT FURTHER RESOLVED, that the Department of Public Works shall provide barricades at the intersections of Main and New York; Main and Central and Pitman Avenue and Pilgrim Pathway; and,

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

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

WHEREAS, the Ocean Grove Chamber of Commerce has scheduled two annual flea markets for Saturday, May 30, 2015 and Saturday, September 12, 2015, on Ocean Pathway in Ocean Grove; and,

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

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

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

- 1) Both sides of west bound and east bound Ocean Pathway from 9:00 P.M. on Friday, May 29, 2015 until 6:00 P.M. on Saturday, May 30, 2015 and from 9:00 P.M. on Friday, September 11, 2015 until 6:00 P.M. on Saturday, September 12, 2015.
- 2) Both sides of Beach Avenue between east bound and west bound Ocean Pathway from 9:00 P.M. on Friday, May 29, 2015 until 6:00 P.M. on Saturday, May 30, 2015 and from 9:00 P.M. on Friday, September 11, 2015 until 6:00 P.M. on Saturday, September 12, 2015.
- 3) Both sides of Central Avenue between McClintock Avenue and the west bound side of Ocean Pathway from 9:00 P.M. on Friday, May 29, 2015 until 6:00 P.M. on Saturday, May 30, 2015 and from 9:00 P.M. on Friday, September 11, 2015 until 6:00 P.M. on Saturday, September 12, 2015.
- 4) South bound side of Ocean Avenue between west bound Ocean Pathway and east bound Ocean Pathway from 9:00 P.M. on Friday, May 29, 2015 until 6:00 P.M. on Saturday, May 30, 2015 and from 9:00 P.M. on Friday, September 11, 2015 until

6:00 P.M. on Saturday, September 12, 2015.

BE IT FURTHER RESOLVED, that both sides of Ocean Pathway as stated in Section 1 and Beach Avenue as stated in Section 2 will also be closed to vehicular traffic from 5:00 A.M. to 6:00 P.M. on Saturday, May 30, 2015 and Saturday, September 12, 2015; and,

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

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

WHEREAS, the Ocean Grove Chamber of Commerce has scheduled two vintage auto displays for Saturday, May 16, 2015 and Saturday, September 19, 2015, on Main Avenue in Ocean Grove; and,

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

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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates temporary closure and posting of temporary no parking on Main Avenue between New York Avenue and Central Avenue and Pilgrim Pathway between Heck Avenue and Olin Street from 7:00 A.M. to 6:00 P.M. on Saturday, May 16, 2015 and Saturday, September 19, 2015; and,

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

EMPLOY SUPERVISORY SPECIAL LAW ENFORCEMENT OFFICER- CLASS II IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

WHEREAS, there is a need for an additional Supervisory Special Law Enforcement Officer – Class II in the Police Department on a part-time hourly basis; and,

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

WHEREAS, the Police Director has made his recommendation; and,

WHEREAS, funds will be provided for the first four months of 2015 in the 2015 Temporary Budget and funds for the balance of 2015 will be provided in the Budget for the year 2015, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that George Corbin be and are hereby employed as a part-time Supervisory Special Law Enforcement Officer - Class II, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, 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, Police Director, Assistant C.F.O., and Human Resources.

AUTHORIZE EXECUTION OF A GRANT AGREEMENT WITH NJDEP FOR FUNDING TO PREPARE A MUNICIPAL PUBLIC ACCESS PLAN

WHEREAS, the governing body of the Township of Neptune desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$15,000.00 to fund the following project: Municipal Public Access Plan; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Mary Beth Jahn or the successor to the office of Mayor is authorized (a) to make application for such a grant; (b) if awarded, to execute a grant agreement with the State for a grant in the amount of not less than \$15,000.00 and not more than \$15,000.00; and (c) to execute any amendments thereto; and,

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Neptune hereby agrees to match \$0 of the Total Project Amount, in compliance with the match requirements of the agreement; and,

BE IT FURTHER RESOLVED, that the Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to this agreement; and,

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

AUTHORIZE THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT WITH WALL TOWNSHIP FIRE DISTRICT #3 IN CONNECTION WITH MUTUAL AID AND ASSISTANCE OF SPECIAL OPERATIONS AND HAZARDOUS MATERIAL RESPONSE TEAMS

WHEREAS, the Township of Neptune and Wall Township Fire District #3 recognize that entering into an agreement for mutual aid and assistance with each other in emergency situations that include, but not be limited, to structural collapse, confined space operations, hazardous materials response and other technical rescue; and,

WHEREAS, the Township of Neptune and Wall Township Fire District #3 desire to enter into an Interlocal Service Agreement pursuant to N.J.S.A. 40:8A-1 et seq. to allow the Township and the Fire District to mutually assist, train, and respond to emergencies involving special operations, technical rescue operations and hazardous materials response; and,

WHEREAS, this Interlocal Service Agreement shall be for a term of five (5) years,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Interlocal Services Agreement with Wall Township Fire District #3, a copy of which is on file in the Office of the Municipal Clerk, which authorizes the Township to participate with the District in emergency situations involving structural collapse, confined space operations, hazardous materials response and other technical rescue mutual aid training and assistance; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Office of Emergency Management, Business Administrator, and Wall Township Fire District #3.

AUTHORIZE INTRA-COUNTY MUTUAL AID AND ASSISTANCE AGREEMENTS WITH PARTICIPATING UNITS IN THE COUNTY OF MONMOUTH

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. Seq., (“Act”) provides that any local governmental unit may enter into a contract with any other local governmental unit to provide or receive any service that each local unit is empowered to provide or receive within its own jurisdiction; and

WHEREAS, mutual aid and assistance agreements between municipalities, counties, law enforcement agencies, police, emergency medical service, fire departments, fire companies, or EMS organizations and fire departments situated in fire districts operated by a Board of Fire Commissioners, are permitted pursuant to N.J.S.A. 40A: 14-26 and 40A: 14-156.1; and

WHEREAS, the President in Homeland Security Directive (HSPD-5), directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (“NIMS”), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, “The New Jersey Civilian Defense and Disaster Control Act” App.A9-33 et. seq., provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency; and

WHEREAS, The Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the “Fire Service Resource Emergency Deployment Act,” N.J.A.C. 52:14E-11 et. seq., commonly referred to as the “Fire Service Resource Emergency Deployment Regulations” N.J.A.C. 5:75A et. seq.; and

WHEREAS, the Township Committee of the Township of Neptune deem it to be in the best interests of the Township to enter into Mutual Aid and Assistance Agreements with governmental entities throughout Monmouth County and all of their departments, authorities, boards, commissions and other functions under the auspices of each participating governmental entity including but not limited to, law enforcement, public works, emergency medical services, emergency management, human services, hazardous materials response units technical or special operations teams, Community Emergency Response Team ("CERT") members, Medical Reserve Corps ("MRC") members or other volunteers and other jurisdictions defined "local governments" in the Homeland Security Act of 2002; and

WHEREAS, N.J.S.A. 40A:14-26 et seq. has authorized inter-jurisdictional mutual aid; and

WHEREAS, the Township Committee of the Township of Neptune and the Participating Units recognize the benefit of entering into an Agreement for mutual aid and assistance with each other to protect against loss, damage or destruction by fire, civil unrest, hazardous material, major criminal or emergency events, natural and man-made disaster or catastrophe and to address those situations when additional aid and assistance is needed to protect the best interests of the persons and property of each individual jurisdiction,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Intra-County Mutual Aid and Assistance Agreements between the Township of Neptune, County of Monmouth and Participating Units be and are hereby accepted; and,

BE IT FURTHER RESOLVED that the Mayor and Clerk of the Township of Neptune are authorized to execute the Intra-County Mutual Aid and Assistance Agreements; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution to the Monmouth County Sheriff; Neptune Township Office of Emergency Management Coordinator; and Township Attorney.

AUTHORIZE PARTICIPATION IN THE NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING PROGRAM

WHEREAS, N.J.S.A. 52:34-6.2(b)(3) authorizes any contracting unit to purchase goods, or to contract for services through the use of a nationally recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state; and

WHEREAS, the National Joint Powers Alliance has offered voluntary participation in a National Government Cooperative Pricing System for the provision of goods and services; and

WHEREAS, the Qualified Purchasing Agent and the Township Administrator have recommended to the Township Committee that the Township participate in this Cooperative Pricing System for the provision of goods and services; and

WHEREAS, based on such recommendations the Township Committee has determined that said participation offers lower prices and is in the best interests of the citizens of the Township;

THEREFORE BE IT RESOLVED that the Township Committee of the Township of Neptune hereby authorizes participation in the National Joint Powers Alliance Cooperative Purchasing Program in accordance with the provisions of the New Jersey Local Public Contracts Law; and,

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

AUTHORIZE SUBMISSION OF A 2015 RECREATIONAL TRAILS PROGRAM GRANT APPLICATION TO THE NJDEP FOR PHASE I OF THE VETERANS PARK WALKING TRAIL

WHEREAS, the Township desires to submit an application to the New Jersey Department of Environmental Protection Division of Parks and Forestry Office of Natural Lands Management for a Recreational Trails Program Grant in the amount of \$24,000 for Phase I of the Veterans Park Walking Trail at Veterans Park on Old Corlies Avenue; and;

WHEREAS, the funding will be used for necessary planning studies, environmental assessments and associated permit costs for the proposed walking trail; and,

WHEREAS, construction and implementation of said trail furthers multiple goals and

objectives of the Township of Neptune Master Plan and the Parks and Recreation Plan; and,

WHEREAS, the Township will meet the required 20% match through in-kind materials and services,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the submission of a 2015 Recreation Trails Program Grant Application to the New Jersey Department of Environmental Protection Division of Parks and Forestry Office of Natural Lands Management in the amount of \$24,000 for planning studies, environmental assessments and permit costs associated with Phase I of the Veterans Park Walking Trail at Veterans Park on Old Corlies Avenue; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Engineer, Business Administrator, Recreation Director, Chief Financial Officer, Grants Coordinator and Community Programs Coordinator.

#### AUTHORIZE THE FILING OF A RECYCLING TONNAGE GRANT APPLICATION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and,

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and,

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and,

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and,

WHEREAS, a resolution authorizing this municipality to apply for the 2014 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and indicate the assent of the Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and,

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby endorses the submission of a recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Mark Balzarano, Recycling Coordinator, to ensure that the said Application is properly filed; and,

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling; and,

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

#### AUTHORIZE TEMPORARY CLOSING AND TEMPORARY NO PARKING ON VARIOUS STREETS IN CONNECTION WITH THE NEW JERSEY MARATHON

WHEREAS, the New Jersey Marathon is scheduled for Sunday, April 26, 2015 and,

WHEREAS, it is necessary to temporarily close a portion of Ocean Avenue and designate no parking in the same area; and,

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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates the following temporary street closures and temporary no parking on April 26, 2015 from 6:00 A.M. to 1:00 P.M. for the New Jersey Marathon:

- 1) Lawrence Avenue between Asbury Park border and Mt. Hermon Way

- 2) Mt. Hermon Way between Lawrence Avenue and Benson Avenue
- 3) Asbury Avenue – entire length
- 4) Pilgrim Pathway between Asbury Avenue and Great Auditorium
- 5) northbound side of Ocean Avenue between Ocean Pathway and Main Avenue
- 6) northbound side of Central Avenue from Ocean Pathway to Surf Avenue

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

**AUTHORIZE THE CANCELLATION AND REFUND OF TAXES AS A RESULT OF A TOTALLY DISABLED VETERANS EXEMPTION (4 MILTON PLACE)**

WHEREAS, in 2011, John H. Harris was granted a Total Disabled Veteran Tax Exemption on Block 3804, Lot 10 (f/n/a Block 9040, Lot 11), 4 Milton Place, dated March 17, 2010; and,

WHEREAS, the exemption was inadvertently removed by the Assessors office for the Tax years 2013 and 2014; and,

WHEREAS, the error resulted in the property being assessed Taxes for the years 2013 and 2014; and,

WHEREAS, the Assessing Office is filing a correction for the 2015 Tax year and has requested that Tax Collector's Office cancel and refund the 2013 and 2014 Taxes and any interest paid as well as any 2015 payments made; and

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

<u>Tax Year</u>	<u>Amount to be cancelled and refunded</u>
2013	5,892.08
2014	5,581.05
2015	1,371.28
Interest	1,629.11

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 cancel and refund the Taxes and interest as stated herein for Block 3804, Lot 10 (f/n/a Block 9040, Lot 11), 4 Milton Place; and,

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

The resolutions of the Consent Agenda were adopted on the following vote: Bishop, aye, except abstain on the three resolutions pertaining to street closures for Chamber of Commerce events; Brantley, aye; Houghtaling, aye; McMillan, aye; and Jahn, aye.

**AWARD BID FOR GABLES SANITARY SEWER IMPROVEMENTS – PHASE III**

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

WHEREAS, on April 1, 2015, PS&S Engineering, Township Consulting Engineer, received bids for the award of a contract for Gables Sanitary Sewer Improvements – Phase III; and,

WHEREAS, said bids were reviewed by the Township Engineer and Consulting Engineer who have recommended that the base bid and Alternate #1 bid be awarded to the lowest bid submitted by Mazzara Trucking & Excavation; and,

WHEREAS, said bids were advertised, received and awarded in a “fair and open” competitive bidding process in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in Ordinances No. 07-41 and No. 12-14 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a contract be awarded to Mazzara Trucking & Excavation on their lowest responsible base bid of \$518,328.00 and Alternate #1 bid of \$94,000.00, for a total award of \$612,328.00 for Gables Sanitary Sewer Improvements – Phase III; and,

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

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

#### AWARD BID FOR CONSTRUCTION OF A NEW MUNICIPAL MARINA BUILDING

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

WHEREAS, on April 9, 2015, H2M Associates, Inc., Township Consulting Engineer, received bids for the award of a contract for the construction of a new Municipal Marina Building at the Shark River Municipal Marina; and,

WHEREAS, said bids were reviewed by the Township Engineer and Consulting Engineer who have recommended that the base bid and all three alternate bids be awarded to the lowest bid submitted by Santorini Construction; and,

WHEREAS, said bids were advertised, received and awarded in a "fair and open" competitive bidding process in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 13-18, Ordinance No. 15-04, and a HMEP generator 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 a contract be awarded to Santorini Construction on their lowest responsible base bid of \$2,498,001.00, Alternate #1 bid of \$67,000.00, Alternate #2 bid of \$45,000.00 and Alternate #3 bid of \$12,000.00 for a total award of \$2,622,001.00 for the construction of a new Municipal Marina Building at the Shark River Municipal Marina; and,

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

The resolution was adopted on the following vote: Bishop, aye; Brantley, aye; Houghtaling, no; McMillan, aye; and Jahn, no.

#### AUTHORIZE THE PAYMENT OF BILLS

Mr. Bishop 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	\$4,738,067.64
FEDERAL & STATE GRANT FUND	7,245.26
TRUST OTHER	44,017.59
GENERAL CAPITAL FUND	17,439.47
SEWER OPERATING FUND	36,242.81
MARINA OPERATING FUND	9,896.23
MARINA CAPITAL FUND	367.50
DOG TRUST	642.00
LIBRARY TRUST	433.88
BILL LIST TOTAL	\$4,854,352.38

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; Brantley, aye; Houghtaling, aye; McMillan, aye; and Jahn, aye.

#### PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Jack Bredin, 94 ½ Heck Avenue discussed the North End redevelopment and commented on a Resolution that was on a June 9, 2008 Meeting.

Albert Neal, Corlies Avenue, stated that cars can no longer park on the lot adjacent to Division Street and are now parked on the street. The street is very narrow and cars and trucks cannot get through. Mr. Gadaleta stated that he will check with the Police Department on the initiative to make Division Street a one way only street and also with the Public Works Department on their ability to get trucks through. Mr. Neal stated that he wants African-American women hired in the Police Department. The Mayor responded that she has asked our police officers to send any African-American women who are interested in becoming a police officer to submit an application.

Patrick Dougherty, Cedarcrest Drive, stated that he is talking to a north Jersey company to build high rise apartments near and over the train tracks in Asbury Park.

Dianna Harris, MURC, questioned when did the Township pass the resolution that severed the agreement with Citiworks and is there a date they should get back to you.

Mr. Anthony stated he did not have the file with him but he did send it out by certified mail.

Ms. Harris stated on West Bangs Avenue there were no barriers there. She expressed her safety concerns and asked if anything has been addressed about putting a barrier there.

Mr. Gadaletta he did look into that and it is a county road but he did not have an answer tonight but would follow up.

Ms. Harris stated MURC and the Gables Associates will hold a forum for the Board of Elections at the West Grove Methodist Church. Community Gardens opens on Saturday as well.

Kennedy Buckley, Broadway, stated he had issues with snow removal and unlimited free parking in Ocean Grove, the North End empty lot and 80 Main Avenue. He went on to state that nothing has been done to add fines to the snow removal ordinance. He felt something could be done about the parking in Ocean Grove. He stated on the North End there's been a lot of talking but nothing is happening. He questioned whether it was legal to undeclared it blighted.

Mr. Anthony stated they were going to have a meeting about the North End.

Mr. Buckley stated he would believe it when he saw it and questioned what was the agreement with 80 Main Avenue.

Mr. Anthony stated they had to make all necessary repairs in order to satisfy code with regards to the property maintenance ordinance.

Mr. Buckley asked if anything was happening with the snow ordinance.

Mr. Bishop stated they did amend it to do safe streets area and that's where they left off at. He stated he would have Mr. Cuttrell put it back on the agenda and they would discuss it again.

Michael Fornino, 120 Fulham Place, stated there was a sink hole in front of his neighbors house which was a result of a collapsed sewer line. He questioned when would the sewer project begin.

Mr. Gadaleta stated it would probably begin with twenty to 30 days. He also stated that Public Works was aware of the sink whole and has done an investigation.

Mr. Fornino stated he would like to thank whoever took care of the crime scene painting that was on the Coca Cola building.

Mr. Gadaleta state Coca Cola took care of it.

Kathy Arlt, Abbott Avenue, discussed the vacant property ordinance and stated Freehold Boro and Asbury Park were about to pass an ordinance with registration fees. She stated she also had a list of vacant homes from East Orange where they paid the registration fees. She also discussed 80 Main and said it's no longer for sale. She stated vacant properties should start having signs on them and should be visible from the street. She also felt other properties should be added to the list. She stated any vacant house was a fire hazard. Again she reiterated the Township should charge vacant registration fees.

Ann Horan, 69 Clark Avenue, stated as far as WAVE was concerned a lot of research has been done and nothing was found about them. She requested information on them. She also stated she felt that all voting should be in November and Belmar has doubled fees along the beach but Neptune does nothing so they park in the Grove.

Mr. Bishop stated suggested she go to the school board because this committee did not feel it would be right to dictate another elected body's doing. They can choose to move their election

Michael Golub, 305 Cliffwood Drive, stated the trees near the entrance of the apartments on Route 33 near Oak were rotten and hollowed out. Also the gas station on Route 33 and Old Corlies have used cars their for sale and it is not allowed. He suggested having Code Enforcement go out and check it out. He questioned whether the Division Street plan still be a work in progress or will it be finished.

Mr. Bishop stated it still has to go through two sets of hearings on it.

Mr. Golub also stated as far as parking on the North End there will always be a problem in Ocean Grove.

Dorothy Argyros, 2100 Rutherford Avenue, stated the residents would have to pay tax money for abuse by the police. She stated Maurice Mitchell was arrested because they said he resisted arrest but he said he didn't. he requested to see the dashcam video by making an OPRA request but he could not get it. He went to her friend, John Paff sued Neptune and the Township is going to have to pay some money. She read a brief.

Heinz Weck, Ocean Grove, stated that the police helped him with an emergency two days ago and did a great job. He added that everyone on the dais is a star.

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

Richard J. Cuttrell,  
Municipal Clerk