

TOWNSHIP COMMITTEE MEETING – JULY 27, 2015

Mayor Jahn called the meeting to order at 6:00 p.m. and requested the Deputy 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 Pamela D. Howard, Deputy Municipal Clerk; Vito D. Gadaleta, Business Administrator; Michael J. Bascom, 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:

Mr. Gadaleta updated the Committee on the outstanding projects list. Mr. Bascom reviewed the 2015 Capital improvement and bond ordinances will be prepared for the next meeting.

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:

Contract negotiations – Cityworks UDAG loan  
Personnel – Employee grievance  
Personnel – Succession planning in municipal table of organization

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.

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

Mayor Jahn called the meeting to order and requested the Deputy 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 Pamela D. Howard, Deputy Municipal Clerk; Vito D. Gadaleta, Business 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 Deputy Clerk to indicate the fire exits.

The Deputy 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).

#### APPROVAL OF MINUTES

Mr. Bishop offered a motion, seconded by Mr. Houghtaling, to approve the minutes of the meeting held on July 13th. All were in favor except Mayor Jahn who abstained due to her absence at that meeting.

#### COMMENTS FROM THE DAIS

Dr. Michael Brantley stated on the July 21<sup>st</sup> they identified their fundraiser goals for Wesley Lake and they looked at other options for pond weed which he will present at the next meeting.

Eric Houghtaling stated he attended the Deal Lake Commission meeting and they were having the same problem as the Wesley Lake because there was a lot of vegetation. He also stated there was a problem with Sunset Lake in Asbury Park as well. He went on to state that he attended the grand opening of Yvonne's, the Ocean Grove Homeowner's meeting and the Seaview Island barbeque at Sunsets.

Randy Bishop expressed his condolences to the family of Virginia Santaniello. He stated the Township meetings really meant a lot to her. He also stated he was honored to represent the Township at the memorial for Charles Moore, a Board of Education member. He went on to state that World Changers was here and they did approximately fifteen projects and they had a great time. He also attended Touch a Truck and enjoyed himself. He commended Dawn Thompson and her staff. He went to Seaview Islands meeting and it was very positive. He attended the Sheriff's Youth Week Graduation. He publicly thanked Mr. Gadaleta, Leanne Hoffman and the Public Works staff for finally painting the Do Not Enter stripe where Central Avenue becomes one way.

Kevin McMillan expressed his condolences to the family of Virginia Santaniello. He also stated he attended the funeral of Randal Hill who was a Sgt. in Asbury Park and a resident of Neptune. He stated he also did weddings.

Mayor Mary Beth Jahn stated she kept getting telephone calls from Ms. Santaniello but she did not recognize the number she was calling from. She stated she was calling about a zoning issue with her home. She felt Ms. Santaniello was a proponent of this Township and the Bradley Park area. Mayor Jahn stated they have seen so many losses this year and she was sorry to hear that Charles Moore passed away as well.

#### PUBLIC COMMENTS ON RESOLUTIONS

Dianna Harris, 17 Willow Drive questioned what would the money be used for as mentioned in Resolution #-15-316.

Mr. Gadaleta stated that was money from last year's process of collecting recyclables. There is a formula the State uses that communities receive funding and that money is used for various related programs related to clean communities, recycling and liter abatement as well. Our Cleans Communities Coordinator Tracey James is going to be meeting with us to put some community programs together. So we will be in touch with the various neighborhood groups as well.

Ms. Harris questioned whether it included a contribution of \$500 to volunteer groups to clean up.

Mr. Gadaleta stated he understood that was something that was done in the past and it is something they will discuss moving forward.

Mr. Bishop questioned whether they've seen that amount grow as they've gone into single stream recycling where we've actually been able to increase our recycling because part of it is based on how much we recycle.

Mr. Bascom stated there were two formulas and two funding sources. He stated the recycling tonnage grant was related directly to the amount they recycle and the clean communities program is primarily about litter abatement and cleaning up litter throughout the town. With the clean communities program we hire people to pick up litter along the roadways, to purchase containers and things of that nature.

Ms. Harris questioned whether people were hired this summer to pick up litter.

Mr. Gadaleta stated he did not believe they hired any specific individuals this year under the clean communities program for the summer.

Ms. Harris commented on Resolution #15-314 and questioned whether the cost for 405 ½ Atkins Avenue was for one cutting.

Mr. Gadaleta stated it was for one cutting.

Dorothy Argyros commented on Resolution #15-313 and questioned what did bid and quotation threshold mean.

Mr. Bascom explained that a quotation threshold was any purchase they make in excess of that quotation threshold would require them to get multiple quotes for a product and services and the bid threshold would be anything they would go to acquire above that bid number. One is a quote and one is a formal bid.

Mrs. Argyros commented on Resolution #15-320 and stated again the marina was costing us another bundle when it was supposed to make us rich. She questioned what was being done.

Mr. Gadaleta stated when construction began they excavated the existing concrete slab and underneath there were old pilings that required us to excavate some of the soil to expose so they could do an analysis of what was there. So these are some of the costs associated with that unforeseen work.

Mrs. Argyros also commented on Resolution #15-329 by stating the Township was still coddling Cityworks. She questioned why they were doing this.

Mr. Bascom stated it was basically a settlement with them.

Hank Coakley commented on Resolution #15-328 and questioned what action was taken with that complaint or grievance.

Mr. Gadaleta stated this was a matter involving a police officer that is going through the contracted grievance procedure.

Mr. Coakley stated he felt the marina was an asset to the Township.

Michael D. Fornino commented on Resolution #15-323 and questioned whether the biggest mailing that was done was the tax bill.

Mr. Gadaleta stated the largest mailings were the tax bills and the sewer bills coming out of the Collectors office but we do a considerable amount of mail throughout the course of the year.

Mr. Fornino stated he hoped that we took advantage of all of the discounts that the post office offers..

Mr. Gadaleta stated we do.

#### ORDINANCE NO. 15-30 - ADOPTED

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

ORDINANCE NO. 15-30

AN ORDINANCE TO ADD VOLUME I, CHAPTER VII, SECTION 7-13A OF THE CODE OF THE TOWNSHIP OF NEPTUNE TO ALLOW FOR RIGHT TURNS ONLY FROM MONROE AVENUE ON TO STATE HIGHWAY 35

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

Dianna Harris stated she remembered this ordinance and she thought that it was dropped because it could not be enforced. She questioned how the Township would be enforcing this.

Mr. Gadaleta stated there was an ordinance that was adopted originally at the request of the DOT and it turns out that the DOT gave the governing body incorrect information so the ordinance they had adopted was an incorrect ordinance so this has the proper language. There will be an enforcement issue for the police department but this is at the request of the DOT because of traffic accidents and so forth and the traffic flow at that intersection.

Mr. Bishop stated it would be a violation if they did not follow the ordinance and it could be cited when an accident occurs.

There being no further 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. 15-31 - ADOPTED

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

ORDINANCE NO. 15-31

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING RESIDENT HANDICAPPED ON-STREET PARKING ZONES ON WEBB AVENUE AND BROADWAY AND REMOVING HANDICAPPED PARKING ZONES ON MILTON AVENUE AND SPRAY 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. 15-32 - ADOPTED

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

ORDINANCE NO. 15-32

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY AMENDING THE LIST OF STREETS ON WHICH COMMERCIAL VEHICLES OVER THE GROSS VEHICLE WEIGHT OF FOUR TONS ARE EXCLUDED

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

Dorothy Argyros stated she felt this was a very good thing but it appeared to her that all of the streets were in West Neptune. She suggested they look at other areas as well because some years ago a gentleman came down from the Department of Transportation to see her neighborhood with regards to the Exxon spill and he noted Lowy's traffic on Tenth Avenue and he questioned her how as to how they were allowed to have those big trucks on those streets

because the streets were not created to carry that type of traffic. She suggested this be applied to Tenth Avenue and anywhere the Lowy's trucks go.

There being no further 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. 15-33 - ADOPTED

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

ORDINANCE NO. 15-33

AN ORDINANCE AUTHORIZING THE LEASING OF CERTAIN CAPITAL EQUIPMENT BY THE TOWNSHIP OF NEPTUNE, NEW JERSEY FROM THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND THE EXECUTION OF A LEASE AND AGREEMENT RELATING THERETO

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

Dorothy Argyros questioned whether this related to any military vehicles.

Mr. Bascom stated no.

Mrs. Argyros questioned whether leasing was cheaper than buying in this instance.

Mr. Bascom stated it was close to the same cost except to the fact that there's a carrying charge so it will cost a little bit more than purchasing outright. However, it allows us to finance over five years.

Mrs. Argyros also questioned the percentage that was being charged and Mr. Bascom clarified the amounts being charged. She requested to see it in writing. Mr. Bascom advised her to stop into the office and to OPRA it.

There being no further 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. 15-34 - ADOPTED

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

ORDINANCE NO. 15-34

AN ORDINANCE AUTHORIZING THE LEASING OF CERTAIN CAPITAL EQUIPMENT (POLICE VEHICLES) BY THE TOWNSHIP OF NEPTUNE, NEW JERSEY FROM THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND THE EXECUTION OF A LEASE AND AGREEMENT RELATING THERETO

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. 15-35 - ADOPTED

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

ORDINANCE NO. 15-35

ORDINANCE AUTHORIZING THE GUARANTY BY THE TOWNSHIP OF NEPTUNE, NEW JERSEY FOR PAYMENT OF PRINCIPAL AND INTEREST ON THE CAPITAL EQUIPMENT LEASE REVENUE BONDS, SERIES 2015 (TOWNSHIP OF NEPTUNE PROJECT) OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY

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.

CONSENT AGENDA

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

INCREASE BID AND QUOTATION THRESHOLDS PURSUANT TO STATE REGULATION

WHEREAS, pursuant to N.J.S.A. 40A:11-3(c) and 18A:18A-3(b), the State Treasurer has exercised his authority to adjust the bid thresholds for awarding contracts by various contracting units; and,

WHEREAS, the Township of Neptune has appointed a Qualified Purchasing Agent pursuant to N.J.S.A. 40A:11-9(b) and therefore can increase the maximum bid threshold from \$36,000 to \$40,000 and the maximum quotation threshold to 15% of the bid threshold, or \$6,000,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the maximum bid threshold is hereby established at \$40,000 and the maximum quotation threshold is hereby established at \$6,000 in connection with purchases and contracts by the Township of Neptune in accordance with action taken by the State Treasurer pursuant to N.J.S.A. 40A:11-3(c) and 18A:18A-3(b); and,

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

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>
406/18	405 ½ Atkins Avenue	270.00
5106/21	425 Glenmere Avenue	405.00
1003/12	1922 Greenwood Avenue	405.00
713/17	505 Fisher Place	405.00
305/8	1127 Heck Avenue	405.00

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

AUTHORIZE AN AMENDMENT TO THE 2015 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE DIVISION OF HIGHWAY TRAFFIC SAFETY

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 2015 in the sum of \$7,000.00 which is now available from a NJDL&PS Division of Highway Traffic Safety Grant in the amount of \$7,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$7,000.00 is hereby appropriated under the caption of 2016 Pedestrian Safety Enforcement; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Law & Public Safety – Division of Highway Traffic Safety 2016 Pedestrian Safety Education and Enforcement Fund in the amount of \$7,000.00; 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.

AUTHORIZE AN AMENDMENT TO THE 2015 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION – CLEAN COMMUNITIES 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 2015 in the sum of \$68,403.19 which is now available from the NJDEP Clean Communities Program in the amount of \$68,403.19; and,

BE IT FURTHER RESOLVED that the like sum of \$68,403.19 is hereby appropriated under the caption of NJDEP – Clean Communities Program 2015; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Environmental Protection Clean Communities Program in the amount of \$68,403.19; 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.

ACCEPT THE RESIGNATION OF RONALD KUTSY AS A PART-TIME CUSTODIAN IN THE BUILDING MAINTENANCE DEPARTMENT

WHEREAS, the Township Committee has received a letter from Ronald Kutsy resigning as a part-time Custodian in the Building Maintenance Department effective July 12, 2015,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Ronald Kutsy as a part-time Custodian in the Building Maintenance Department is hereby accepted effective July 12, 2015; and,

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

APPOINT JOSEPH CICCONE AS FIRE SUB-CODE OFFICIAL

WHEREAS, due the retirement of Kenneth Northrup, Joseph Ciccone was appointed Acting Fire Sub-Code Official on July 1, 2014; and,

WHEREAS, the Construction Official has indicated that Joseph Ciccone has performed satisfactorily in this position and recommends that he be appointed as Fire Sub-Code Official in accordance with state statute,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Joseph Ciccone be and is hereby appointed the position of Fire Sub-Code Official of the Township of Neptune for a four year term effective July 1, 2015 and expiring June 30, 2019; and,

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

AUTHORIZE THE SUBMISSION OF A TITLE IIIB FUNDING GRANT TO THE MONMOUTH COUNTY OFFICE ON AGING

WHEREAS, the Township of Neptune is desirous to obtain Title IIIB funding under the Older Americans Act for the three year cycle 2016-2018, in the amount of \$25,000 each year, from the Monmouth County Office on Aging to provide services to Neptune Seniors through the Neptune Senior Center; and,

WHEREAS, the Senior Center Director has completed the necessary documentation for submission,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the submission of a grant request to the Monmouth County Office on Aging for FY2010 Title IIIB funding for the three year cycle 2016-2018; and,

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

AUTHORIZE CHANGE ORDER #2 IN CONNECTION WITH THE SHARK RIVER MUNICIPAL MARINA BUILDING

WHEREAS, a contract was awarded to Santorini Construction in the amount of \$2,622,001.00 in connection with the Shark River Municipal Marina Building; and,

WHEREAS, on June 22, 2015, the Township Committee adopted Resolution #15-280 which authorized Change Order #1 resulting in a net increase of \$36,800.00

WHEREAS, changes to the contract have been experienced as a result of additional structural design and oversight for pile conflicts and the piles for elevated generator; and,

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

WHEREAS, funds for this purpose are available in Ordinance No. 15-04 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #2 in the contract with Santorini Construction in connection with the Shark River Municipal Marina Building resulting in a net increase of \$9,000.00 revising the total contract amount to \$2,667,801.00; and,

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

AUTHORIZE THE RENEWAL OF LIQUOR LICENSE ISSUED TO SRBYC, INC. FOR THE 2015-2016 LICENSING YEAR

WHEREAS, Liquor license 1334-31-029-002, issued to SRBYC, Inc. has completed the renewal application and a New Jersey State Sales Tax Clearance Certificate has been received by the Clerk's Office,

BE IT RESOLVED, by the Township Committee of the Township of Neptune that Club Liquor License 1334-31-029-002 issued to SRBYC, Inc. and located at 360 South Riverside Drive in the Township of Neptune be and is hereby renewed for the period July 1, 2015 to June 30, 2016; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control, and Municipal Clerk.

ACCEPT THE RESIGNATION OF MILDRED STAFFORD AS A SCHOOL CROSSING GUARD

WHEREAS, the Township Committee has received a letter from Mildred Stafford resigning as a School Crossing Guard effective July 15, 2015,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Mildred Stafford as a School Crossing Guard is hereby accepted effective July 15, 2015; and,

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

AUTHORIZE THE LEASE OF NEOPOST MAIL SYSTEM AND EQUIPMENT THROUGH THE NATIONAL JOINT POWERS ALLIANCE PURCHASING PROGRAM

WHEREAS, the Township Committee wishes to authorize the sixty month lease of a Neopost IN-750 Mail System and Equipment utilizing pricing through the National Joint Powers Alliance Cooperative Purchasing Program; and,

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

WHEREAS, the Township of Neptune is authorized pursuant to N.J.S.A. 52:34-6.2(b)(3) to use procurement methods by entering into a nationally recognized cooperative agreement; and;

WHEREAS, the National Joint Powers Alliance has a nationally recognized cooperative agreement and has awarded Contract No. 043012-NPI to Neopost for a mail system and related equipment; and,

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

WHEREAS, the amount of this lease is \$451.48 per month for a period of sixty (60) months for a total of \$27,088.80; and,

WHEREAS, funds for this purpose are available in the 2015 municipal budget and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township of Neptune Committee of the Township of Neptune that the lease of a Neopost IN-750 Mail System and Equipment be and is hereby authorized through the National Joint Powers Alliance Purchasing Program at an amount not to exceed \$451.48 per month for a period of sixty (60) months; and,

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

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY EDMAR DEVELOPERS, LLC FOR SITE IMPROVEMENTS AT 3442 WEST BANGS AVENUE

WHEREAS, on February 10, 2014, Edmar Developers, LLC filed a cash performance guarantee in the amount of \$21,144.00, guaranteeing site improvements at 3442 West Bangs Avenue (Block 7018, Lot 6.01); and,

WHEREAS, said performance bond was subsequently reduced and currently is in the amount of \$6,312.00; and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of July 21, 2015 and said performance bond can be released; and,

WHEREAS, the Township will retain the amount of \$3,171.60 from the cash performance guarantee escrow to serve as a Maintenance Bond guaranteeing said site improvements for a period of two years,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the maintenance guarantee as stated above be and is hereby accepted and the performance guarantee is authorized to be released; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee in the amount of \$3,157.65 be and is hereby authorized to be refunded (with \$3,171.60 being retained to serve as the two year maintenance guarantee); and,

BE IT FURTHER RESOLVED, that the inspection fee escrow be and is hereby authorized to be refunded (with \$200.00 being retained for final inspection at the end of the two year maintenance period); and,

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

AUTHORIZE ISSUANCE OF DUPLICATE TAX SALE CERTIFICATE

WHEREAS, New Jersey Boardwalk, LLC c/o US Bank as C/F NJ Boardw (sic) had purchased Tax Sale Certificate comprising a lien on the following property:

<b>Certificate #</b>	<b>Block/Lot</b>	<b>Address</b>	<b>Property Owner</b>
2013-350	9017/20	12 Rutgers Terr.	Robinson, E & Walker, P&L

WHEREAS, New Jersey Boardwalk, LLC c/o US Bank as C/F NJ Boardw has filed a duly executed affidavit swearing that he is still the lawful owner of said certificate but has lost same; and,

WHEREAS, the Tax Collector has recommended the issuance of a duplicate tax sale certificate pursuant to Chapter 99, P.L. 1997,

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 issue a duplicate tax sale certificate to be marked "Duplicate Certificate" to New Jersey Boardwalk, LLC c/o US Bank as C/F NJ Boardw (sic) upon payment of the sum of \$100.00; and,

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

CONFIRM THE SALE OF 1308 HECK AVENUE AT PUBLIC AUCTION

WHEREAS, the Township of Neptune conducted a public sale of non-conforming Township owned property to adjoining property owners only on July 23, 2015; and,

WHEREAS, said property was sold to the highest bidder,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the sale of the following properties be and is hereby confirmed:

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>PURCHASER</u>	<u>AMOUNT</u>
503/7	1308 Heck Avenue	Dolores Allen	\$ 7,700.00

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute a Deed conveying each property and Affidavit of Title on behalf of the Township of Neptune, County of Monmouth, a municipal body corporate of the State of New Jersey.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Attorney and Tax Assessor.

ACCEPT THE RESIGNATION OF JEFFREY DEVLIN AS A DRIVER IN THE PUBLIC WORKS DEPARTMENT

WHEREAS, the Township Committee has received a letter from Jeffrey Devlin resigning as a Driver in the Public Works Department effective July 22, 2015,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Jeffrey Devlin as a Driver in the Public Works Department is hereby accepted effective July 22, 2015; and,

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

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

#### ACTION ON EMPLOYEE GRIEVANCE

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

WHEREAS, Police Officer Kyheem Davis has submitted a Step 3 grievance in accordance with the grievance procedure in the P.B.A. collective bargaining agreement; and,

WHEREAS, the Township Committee has reviewed said grievance,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby takes the following action in regards to the Step 3 grievance filed by Police Officer Kyheem Davis dated July 15, 2015:

Denied at Step 3 as this is not the correct venue

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

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

#### AUTHORIZE WAIVER OF LATE FEES FOR CITYWORKS NEPTUNE OFFICE BUILDING UDAG LOAN PAYMENT

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

WHEREAS, Cityworks Neptune Office Building (CWNO) was granted a UDAG Reciprocal Loan in connection with the office building constructed at the intersection of West Lake Avenue and Route 35; and,

WHEREAS, CWNO is scheduled to make monthly payments against said loan but has not made payment since October, 2014; and,

WHEREAS, CWNO has requested a waiver of late fees if payment in the amount of \$7,248.60 is made by July 31, 2015 to cover payments for the period from November, 2014 to October, 2015,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a waiver of late fees is hereby granted in connection with the Cityworks Neptune Office Building UDAG Reciprocal Loan contingent upon payment in the amount of \$7,248.60 being made by Cityworks to the Township no later than July 31, 2015; and,

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

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

#### AUTHORIZE THE PAYMENT OF BILLS

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

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

CURRENT FUND	\$2,848,127.50
FEDERAL & STATE GRANT FUND	17,230.18
TRUST OTHER	74,449.81
GENERAL CAPITAL FUND	34,690.03
SEWER OPERATING FUND	212,349.49
SEWER CAPITAL FUND	1,537.94
MARINA OPERATING FUND	11,244.04
DOG TRUST	561.60
UDAG TRUST	144.16
LIBRARY TRUST	2,108.82
BILL LIST TOTAL	\$3,202,443.57

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.

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

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

WHEREAS, due to the recent resignations, there are three 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 Resources Specialist and Business Administrator have made their recommendations; and,

WHEREAS, funds will be provided in the 2015 municipal budget in the appropriation entitled Solid Waste S&W, 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 Alf Berg III, Steven Disandro, and Donald Coles be and are hereby employed as Drivers 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 August 3, 2015, at an annual salary of \$28,560.00; 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; Brantley, aye; Houghtaling, aye; McMillan, aye; and Jahn, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Michael D. Fornino questioned when was the sewer project in the Gables going to start.

Mr. Gadaleta stated it has started.

Mr. Fornino stated he hasn't seen it.

Mr. Gadaleta stated he could not tell him what street but assured him that they were out there but he could get him that information.

Mr. Fornino also stated that he noticed that there were a lot of homes that do not have numbers on them and he felt that they should and the Township should require the property owner to have it.

Mr. Gadaleta stated it was in the property maintenance code and they strongly suggest that the property owners comply. He stated they could reinforce it again to the members of the public.

Mr. Fornino stated he heard through the grapevine that there was also a movement afoot to somehow subjugate the Neptune decision having to do with all government employees. He stated the Township should draft a letter against anything that would change it. He also stated last weekend in Long Island there was an issue where four people were killed by a drunk driver. He felt that license plates and licenses both should be taken away at the same time.

James McMichael, 111 ½ Asbury Avenue stated at June 8<sup>th</sup> he presented a petition to Deputy Mayor McMillan to close the gates in Ocean Grove. He would like to have those gates locked at 10pm and would like it to be voted on at a Committee meeting.

Mr. Bishop requested this matter be placed on the next Workshop meeting and they will gather more information so that they can discuss it.

Mr. Gadaleta stated they already have an ordinance on the gate with time to be changed by resolution.

Mr. McMichael requested they really enforce the ordinance during the summer time because it is not as bad in the winter time.

Dr. Brantley stated they did need to discuss this and he understood that it is a big problem.

Celestine Overby, 608 Bingham St., thanked the Police Commissioner for having signs put on her street but stated the residents were not adhering to them and they were not slowing down.

Dr. Brantley stated that sign is also to determine if that area is feasible for a speed hump.

Kathy Arlt stated today's Star Ledger had an article in it about zombie foreclosures and it concentrated on what Gloucester County has done. Ten municipalities in Gloucester County have banded together and they all have vacant property registration ordinances and they've hired a company that also works with other municipalities. At the last meeting she stated the appropriate filings were not made with the county but since then they have been. She requested an update on the enforcement of this ordinance and 80 Main Avenue.

Mr. Anthony stated he would have to check into it because the attorney left him with the impression that it was sold. As far as enforcement, he spoke to Mr. Doolittle and he's getting complaints together. He felt special court sessions would be needed but Judge Wernik doesn't want to do that.

Ms. Arlt questioned whether anyone else has come in for signs.

Mr. Gadaleta stated he would have to get that information from Mr. Doolittle.

Mr. Bishop stated they actually spoke on Thursday, it was Senator Beck, Billy, Mike from the Bankers Association and himself. They all walked away with items to do and they are working together to set up a process so that they don't have to handle this all at once.

Joan Venezia, 107 Mount Hermon Way, questioned whether everyone had received an email from her regarding the North End and the Homeowner Associations priorities attached to

it. They confirmed that they had and she stated she would like to have them considered in their negotiations. She also questioned whether the financials were received from Wave.

Mr. Anthony stated he just revised the proposed redeveloper's agreement which includes the requirements for financials before any action can be taken. He stated once the subcommittee completes its review of the proposed redevelopment they will forward it to the attorney for the redeveloper for their review and proceed from there.

Mr. Bishop stated he has asked for a couple of in house professionals to look at it as well.

Mr. Anthony stated he copied almost all of our professionals who would have any input and he's waiting for their comments.

Ms. Venezia also stated the homeowner's association was having a breakfast and requested a confirmation from both Mr. McMillan and Mayor Jahn. Both said they would attend. Ms. Venezia stated since Mrs. Grace has been out she has not been receiving the agenda via the email blast.

Mr. Gadaleta stated he would look into it and take care of it.

Ms. Venezia also requested a status of vacant buildings because signs are not going up.

Mr. Bishop asked Mr. Gadaleta to get a status of the vacant buildings at least once a month.

Mr. Gadaleta stated he would make sure he received a copy of the spread sheet detailing the information he's requesting.

Kennedy Buckley, 65 Broadway, stated whatever they were doing as far as having house numbers displayed on homes was not working. He suggested they try something new. He also discussed the lighting on Broadway and stated it would be nice if JCPL replaced the last light on the pole.

Mr. Gadaleta stated that requires a concrete base to be constructed and would cost a considerable amount of damage in that area but we are working on a different type of pole.

Mr. Buckley also thanked the Committee for improving the snow & ice removal ordinance.

Janice Thompson, 271 Fisher Avenue, stated she was so proud of how our police cars looked compared to Asbury Park. She felt that Neptune had the best and it's okay to pay a little more for them. She went on to state that at the last meeting she asked about the abandoned properties and there was talk about getting a portable housing alliance and it was said that it would probably be a 5pm meeting today about that issue. She stated she was here on behalf of Midtown and someone had to speak on behalf of this and it not be in the hands of an absentee landlord. We need to encourage more homeownership. She went on to questioned whether the new developer from Midtown had to be from New Jersey.

Mr. Bishop stated it could be anyone.

Mayor Jahn stated they do not have to be New Jersey based, they just have to have a proven track record.

Dr. Brantley stated we were supposed to have an open public workshop meeting regarding this. The Committee agreed to discuss this matter at the next workshop meeting.

Dianna Harris thanked Ms. Thompson for coming and discussing redevelopment and the abandoned buildings. She questioned whether there was any unfinished business with Cityworks.

Mr. Gadaleta stated they were no longer involved in the redevelopment process but they still are indebted to the Township. We have a mortgage on property and they are continuing to pay at this time.

Ms. Harris questioned whether they still owe any money for any type of plans.

Mr. Anthony stated the way the redevelopers agreement is written it says that we don't pay them for their expenditures and money. The next redeveloper reimburses the older redeveloper for anything.

Ms. Harris thanked the Public Works Department for the nice sign for their garden. She also stated the outside water hydrant was broken and a child could hurt themselves. She asked if the Township could mark it.

Mr. Gadaleta asked whether Public Works was aware of it. Ms. Harris stated no. Mr. Gadaleta stated he would follow up on it.

Rob Bandstera thanked the Committee for the third speed hump on Jumping Brook Road but questioned how the residents could lobby for another one because people were speeding up and then slowing down. He also questioned whether they could have digital devices because he felt it would help.

Mr. Bascom stated all these were discussed and they approved funding for small speed signs and hash marks. He stated the engineer was to look at potential locations of a fourth speed hump. There are regulations for how close and how far the speed humps can be from intersections and drive ways. He stated it was his understanding that it would take a few weeks for them to finalize the design. The Administrator will meet with the affected property owners and discuss how it will affect their properties. A contractor will be brought on board to do the curbing. The town is going to do the demolition.

Jack Breden congratulated Dr. Brantley on an article that he read about him in the Coaster. He discussed the various professionals that must be hired for the North End. He stated Wave hired Lomack's Consulting Co. and the Township and the Attorney are not on the list and they are not sending anything to the Clerk either.

Mayor Jahn stated they are not required to.

Mr. Anthony stated the Township did not have a redevelopers grant therefore there's no obligation yet.

Dorothy Argyros stated she has been accused of blowing up matters by a Committee member. She presented a flyer of 48 people who have been murdered by police and stated it was nothing to be swept under the rug. She stated the accreditation they were asking for has become urgent because of the Seidle case.

Mr. Bascom stated the internal review should be concluded by the end of this week and then they have to make the request the New Jersey Association Chiefs of Police and then have the formal review.

Mrs. Argyros stated on July 25<sup>th</sup> a thousand people came together and marched in Newark. She display several signs that were used in the march. She stated it was important to do something with these Police Departments because she felt they needed to be brought under control.

Hank Coakley stated they only painted half of Brighton and Lakewood Road. He questioned why they did not finish the rest. He also asked the Committee to write to our Federal Legislators to allow military recruiters to be armed. He went on to state that when getting on Marconi Road & Brighton Avenue onto to Route 18 heading to Wall you could not see because the shrubs need to be trimmed down. He called the DOT and did not get a response.

Mr. Gadaleta stated paving on Brighton and Lakewood the contractor that did the pipe work on both those streets paved half the roadway in accordance with our ordinance. The Township received a DOT grant and they had submitted application and they received funding, not total funding to repave the other half of that roadway. Our Engineer Department is working to finalize a plan and it will be included as part of our road improvement this year. With regard to the intersection that is Wall Township and he will reach out the Administrator in the morning.

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

Pamela D. Howard,  
Deputy Municipal Clerk