

TOWNSHIP COMMITTEE MEETING – FEBRUARY 9, 2015

Deputy Mayor McMillan 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 Kevin B. McMillan. Absent: Mayor Mary Beth Jahn. (Dr. Michael Brantley arrived in the open workshop session)

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

Deputy Mayor McMillan 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:

The Committee reviewed a letter from the Board of Education regarding their request that the Township sponsor the Soccer Association Tournament. Mr. Bascom stated that the Board has been bombarded with facility use requests from private groups. The Township has a contract with the Soccer Association to provide recreation services. (Mr. Brantley arrived) The Board has asked the Township to submit the application for the Tournament so that it becomes an event with the Township's backing. The Soccer Association will provide the insurance as stipulated in their contract.

The Committee set a date and time of March 2nd at 6:00 p.m. for the Special Workshop Meeting to discuss goals and initiatives for 2015.

Mr. Bishop informed the Committee that there is a video on app.com showing an Asbury Park Police Officer stating that the crime problem in the area is from Neptune Township. Mr. Gadaleta contacted the Asbury Park Business Administrator who has apologized. The Administrator will address the matter with the Police Officer.

Mr. Bishop stated that there is a State Assembly Bill regarding the regulation and licensing of on-line taxi services. He stated that they do not have insurance or a background check, but pick people up for transportation when contacted on-line. He asked for a resolution to support the Bill to get require that these companies be licensed. Mr. Cuttrell will send copies of the Bill to the Committee.

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

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

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exist,

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

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.

2. The general nature of the subject matter to be discussed is as follows:

Personnel – Recommendation for two vacant Driver positions and Foreman position
Contract negotiations – Cityworks/West Lake Avenue Redevelopment
Personnel – Recommendation for Deputy Senior Center Director

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; and McMillan, aye.

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

Mr. Gadaleta recommended Kenneth Sprague and Daniel Virtgaym for two vacant Driver positions; Robert Church for the vacant Foreman position; and Kristina Torres for the vacant Deputy Senior Center Director position. The Committee took action on these personnel matters during the regular business portion of the meeting.

Mr. Bishop stated that the Committee needs to have a discussion about succession plans in senior management positions. The Committee asked for an update Table of Organization prior to the upcoming goal setting workshop meeting.

Mr. Gadaleta stated that the developer of Schoolhouse Square is seeking to extend the mortgage incentive program to the final affordable units of the project. Once these units are sold, the remaining 20 market units will be constructed. The Committee asked that the appropriate agreement and resolution be prepared.

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

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

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

After a moment of Silent Prayer and the Flag Salute, the Deputy 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"

Deputy Mayor McMillan 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.

APPROVAL OF MINUTES

Mr. Bishop offered a motion, seconded by Mr. Houghtaling, to approve the minutes of the meeting held on. All were in favor except Mr. McMillan who abstained due to his absence at that meeting.

REPORT OF THE CLERK

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

Senior Beacon for February.

Notice of public hearing on amendments to the Land Use Ordinance of the Township of Wall.

COMMENTS FROM THE DAIS

Dr. Michael Brantley thanked OEM for the great job that was done during the recent snow storm. He also stated he attended the budget hearings in which he was the chairperson of and they were cutting cost everywhere and was doing all that they could to save money. He attended the Division Street Visioning and the Elected and Newly Elected Officials meeting which was very informative. He stated he was out of town when the fire in Ocean Grove happened. He viewed the area the next day and the buildings have been demolished. The fire is under investigation and there are residents that have been displaced.

Mr. Houghtaling stated he attended his first Deal Lake Commission meeting. They were trying to dredge the lake and also trying to obtain a grant. He went on to state that the Sunset bridge

would be undergoing some major renovations and would be decommissioned. He attended and participated in the Second Baptist Church walk to celebrate the walk in Selma. He thanked the Public Works Department and OEM for doing a great job during the storm. The Township was well prepared regardless of the amount of snow we had. He also attended a fundraiser for Rob Hood who was an employee of the Township and passed away from esophageal cancer. The fundraiser was held to raise money that would be donated to esophageal cancer research. He attended the retirement dinner of Mike Ryan the former Mayor of Lake Como. He stated the fundraiser for Veterans Memorial Park was wonderful with a great turn out. He thanked all those that helped out with the fire in Ocean Grove.

Mr. Bishop expressed his condolences to the families of Bob Green and Bill Young. He commended the first responders and surrounding towns with helping out with the fire in Ocean Grove. He stated his thoughts were with the Cavano's who owned the building. He went on to state that both he and Dan volunteered at the Senior Center to help prepare food for the employees who worked during the storm. He thanked all those who worked and helped out. He also attended the Martin Luther King Celebration with the Central Jersey Club and the Presbyterian Church. He also attended the visioning session for Division Street and asked Mr. Gadaleta to select a second date so that they could have the second ceremony. He stated he attended Mike Ryan's retirement dinner. He had the first world changers meeting and they will be here on July 11th for a week. He stated the Veterans Memorial Park fundraiser raised over \$2,000 with over 160 people in attendance. He thanked Gourmet Kitchen who supplied the appetizers and stated it was a lot of fun. He thanked the member of Lodge 346 for donating the hall and the Veterans Memorial Park Committee for their help. He reported they were going to do the formal opening of the park on Memorial Day.

Kevin McMillan stated he conducted budget hearings with the Administration for the Library and Recreation Departments. He met with Monique Burger to discuss potential community partnership opportunities for 2015 and beyond. Yesterday, he visited the site of the fire on Main Avenue in Ocean Grove. The site was self contained with adequate fencing as it related to safety concerns. Passerby took pictures and many gathered to witness the after effects of the fire. Wegmans as well as the high school have reached out to support the victims of this tragic event. We will continue to work with the residents, Camp Meeting, Red Cross and others to bring the lives of those impacted back to normalcy. He attended the Division Street Visioning session, the Legislative Committee meeting in Princeton and the bills that were approved. He attended a recreation meeting and they discussed current programming for winter which included Biddy Basketball which started its season in January which plays games Friday nights at the middle school with 22 teams and approximately 170 kids. They also discussed American Youth Football which will open in April. Neptune Soccer has already opened online registration with 100 participants thus far. Oaths were also administered to Committee members. He attended the YMCA annual Martin Luther King Celebration in West Long Branch, the Martin Luther King Program at Holy Spirit Church in Asbury Park sponsored by Center Jersey Club of Business and Professional Women. He gave the welcome address on behalf of Neptune. He also attended the Martin Luther King Walk at Second Baptist Church in Asbury Park along with Committeeman Eric Houghtaling. He attended the MURC meeting where they revealed their new vision statement

PUBLIC COMMENTS ON RESOLUTIONS

Dorothy Argyros, 2100 Rutherford Avenue, stated she was shocked to see Resolution #15-80 but was pleased that there were exceptions when awarding punitive damages. She stated she hoped this resolution is voted down because it represents a bad change. She stated she did not want what happened in the Monmouth County prison to happen here in Neptune. She stated she did not want the Township to support police brutality.

Kennedy Buckley, Broadway, commented on Resolution #15-77 regarding the seasonal on-call drivers for snow plowing. He stated he hoped that they were well trained. He also stated he hoped they would get to work on the sidewalks.

Diana Harris, MURC, requested more detail on Resolution #15-92.

Mr. Bascom stated it was a reapplication where Neptune, Asbury Park and the Monmouth County Prosecutor's Office wanted to focus their efforts on addressing gangs and guns. It also involves several Federal agencies. He explained in detail various programs that would be involved and stated it did not replace anything they were currently doing.

Ms. Harris questioned whether there were any programs that would work with juveniles or was this just a collection of data.

Mr. Bascom stated there was a specific portion where they collaborate with social service.

Agency professionals and community members notify the offender of their status and they inform them of the consequences of their behavior and that they are being targeted for enforcement action and work with them to find alternative measures.

Ms. Harris questioned whether there would be meetings about these programs.

Mr. Bascom stated yes and that there would be monthly meetings.

Ms. Harris stated she was concerned about the juveniles.

Mr. Bishop stated they applied for it last year but it went to Newark.

Mike Golub, Cliffwood Drive, questioned why Diana was asking about this grant instead of thanking you. He felt the communication with her organization was lacking and that her organization should have been a driving force behind the application. He stated someone should have consulted with her organization and she should be affirming this.

Mr. Bishop asked Ms. Harris if she felt excluded.

Ms. Harris stated she was just concerned whether or not there would be programs for the juveniles and not just locking them up.

Mr. McMillan stated they always try and work with MURC.

Mr. Golub stated he felt there should be more cross over and not less.

Michael Fornino, 120 Fulham Place, commented on Resolution # 15-79 and questioned who was being appointed as the Agent/Broker.

Mr. Gadaletta stated it was Ted Wardell with Brown and Brown Associates.

Mr. Fornino questioned whether the infraction of the employee suspended was on the job or off as mentioned in Resolution# 15-90.

Mr. Anthony stated the infraction was off the job.

Mr. Fornino questioned what was the cost involved with Resolution #15-97.

Mr. Bascom stated the cost was \$373,801.

Mr. Fornino stated he was glad the Township made use of the snow plan.

Blanche Dunbar, 40 Lynn Drive, commented on Resolution #15-71 and asked them to elaborate on the programs they have.

Mr. McMillan stated they had programs such as soccer, biddy basketball and track.

Jack Pensabene, 9th Avenue, commented on Resolution #15-97 and questioned where the Township was going to get the money to pay for it.

Mr. Bascom stated it was appropriated under the 2013 Monmouth County Improvement Authority Capital Lease Improvement Program.

Kathy Arlt, 106 Abbott Avenue, referred to Resolution #15-74 and questioned what were the improvements for.

Mr. Cuttrell stated it involves trees and sod for private development.

Albert Neal, commented on Resolution #15-92 and stated last year he asked for help with gang violence. He felt things have gotten better with the police department working with the County and the City of Asbury Park but he would like to see more interaction between the police and the community.

Mr. McMillan stated they were trying to come up with solutions

Hank Coakley, Valley Road, commented on Resolution #15-92 and questioned whether any civilians were in this program and if they had firearm training. He felt they should be made to know how to use a firearm.

Mr. Bascom stated the people funded by this program were police officers.

ORDINANCE NO. 15-01 - ADOPTED

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

ORDINANCE NO. 15-01

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 FRANKLIN AVENUE, BROADWAY, SPRAY AVENUE AND PITMAN AVENUE

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

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

ORDINANCE NO. 15-02 - ADOPTED

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

ORDINANCE NO. 15-02

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XII OF THE CODE OF THE TOWNSHIP OF NEPTUNE TO RESCIND THE SECTION ENTITLED "PROHIBITED OCCUPANCY"

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

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

ORDINANCE NO. 15-03 - APPROVED

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

ORDINANCE NO. 15-03

CAPITAL ORDINANCE APPROPRIATING AN \$800,114 GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM TO FUND IMPROVEMENTS IN THE WEST LAKE AVENUE REDEVELOPMENT AREA, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

ORDINANCE NO. 15-04 - APPROVED

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

ORDINANCE NO. 15-04

BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF THE MUNICIPAL MARINA BUILDING, BY THE MARINA UTILITY OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$2,500,000 THEREFOR (INCLUDING A GRANT IN THE AMOUNT OF

\$1,700,000 AND INSURANCE PROCEEDS IN THE AMOUNT OF \$379,100) AND AUTHORIZING THE ISSUANCE OF \$420,900 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 15-05 - APPROVED

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

ORDINANCE NO. 15-05

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF SIDEWALKS ALONG NEPTUNE BOULEVARD, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$250,000 THEREFOR (INCLUDING A GRANT IN THE AMOUNT OF \$142,000) AND AUTHORIZING THE ISSUANCE OF \$108,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 15-06 - APPROVED

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

ORDINANCE NO. 15-06

BOND ORDINANCE PROVIDING FOR THE CENTRAL AVENUE ROADWAY RECONSTRUCTION AND DRAINAGE IMPROVEMENTS PROJECT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$500,000 THEREFOR (INCLUDING A GRANT IN THE AMOUNT OF \$273,590) AND AUTHORIZING THE ISSUANCE OF \$226,410 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 15-07 - APPROVED

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

ORDINANCE NO. 15-07

BOND ORDINANCE PROVIDING FOR THE ALBERTA BASIN DRAINAGE PROJECT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$950,000 THEREFOR (INCLUDING A GRANT IN THE AMOUNT OF \$696,084.75) AND AUTHORIZING THE ISSUANCE OF \$253,915.25 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 15-08 - APPROVED

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

ORDINANCE NO. 15-08

AN ORDINANCE TO AMEND SECTIONS 201 AND 410 OF THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY ESTABLISHING "NET DENSITY PROVISIONS AFFECTING RESIDENTIAL ZONES"

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

ORDINANCE NO. 15-09 - APPROVED

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

ORDINANCE NO. 15-09

AN ORDINANCE TO AMEND SECTION 201 OF THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY AMENDING THE DEFINITION OF "IMPERVIOUS COVER"

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

Mr. Cuttrell stated that the Public Hearings on Ordinances 15-03 through 15-07 will be held on Monday, February 23, 2015 and the Public Hearings on Ordinances 15-08 and 15-09 will be held on Monday, March 9, 2015.

CONSENT AGENDA

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

AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH JSAS HEALTH CARE, INC. FOR ADULT SUBSTANCE ABUSE SERVICES TO TOWNSHIP RESIDENTS

WHEREAS, JSAS Health Care, Inc. is a non-profit corporation, licensed and approved by the New Jersey Department of Health to provide ambulatory care services to substance abusers of all ages, on-site at its principal offices at 685 Neptune Blvd., Suite 101, Neptune, New Jersey or off-site in an approved and confidential setting, and,

WHEREAS, the Township desires to make available to its residents, a full range of substance abuse services, at no "out of pocket" cost to any individual resident and the Township will make available up to fourteen thousand dollars (\$14,000) in 2015 budgeted funds to pay for these services; and,

WHEREAS, JSAS Health Care, Inc. agrees to continue providing its services if the amount of the Township appropriation is exhausted; and,

WHEREAS, funds for this purpose will be provided for the first three 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 the Mayor and Clerk be and are hereby authorized to execute an agreement with JSAS Health Care, Inc., to provide substance abuse services to Township residents for the year of 2015 at an amount not to exceed \$14,000.00; and,

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

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

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

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

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute contracts with various organizations and groups that are supported by the Township's Recreation Department and that provide recreational services and programs to Township residents for the year 2015; and,

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

ACKNOWLEDGE THE RETIREMENT OF ELLEN SANDERSON AS DEPUTY DIRECTOR OF THE DEPARTMENT OF SENIOR SERVICES AND THE SENIOR CENTER

WHEREAS, the Township Committee has received a letter from Ellen Sanderson indicating that she will be retiring as Deputy Director of the Department of Senior Services and Senior Center effective January 30, 2015,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the retirement of Ellen Sanderson as Deputy Director of the Department of Senior Services and Senior Center be and is hereby acknowledged effective January 30, 2015; and,

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

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 Director of Code Enforcement may abate the violation or condition immediately or order the owner, operator or occupant to correct the violation or condition within a three-day period; and

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

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

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

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
194/4	313 Myrtle Avenue	\$ 138.75
175/516	1205 Embury Avenue	207.50

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

RELEASE PERFORMANCE BOND FOR LANDSCAPING IMPROVEMENTS AT NEPTUNE ESTATES (3351 HIGHWAY 33)

WHEREAS, on March 5, 2013, Neptune Estates, LLC posted a cash performance guarantee in the amount of \$4,000.00, guaranteeing the installation of certain landscaping improvements within the project known as Neptune Estates, LLC, located on at 3351 Highway 33 (Block 7018, Lot 9); and,

WHEREAS, on January 14, 2015, the Township Engineering Consultant certified that the landscaping improvements covered by this specific performance guarantee have been completed and maintained and the performance bond may be released; and,

WHEREAS, the release of these funds does not release the Developer from the performance guarantees and inspection fee escrow held for the remainder of the site plan improvements and the previously authorized escrow agreement,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the release of the \$4,000.00 performance guarantee held for landscaping improvements within the larger Neptune Estates site plan approval; and,

BE IT FURTHER RESOLVED, that all remaining performance guarantees, inspection fee escrow and escrow agreement funds for this project shall remain with the Township; and,

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

AUTHORIZE THE RELEASE OF ALL SURETY BONDS AND DEVELOPERS ESCROW FILED BY GILMAN LAND, LLC FOR IMPROVEMENTS AT 116 ROBIN ROAD

WHEREAS, on December 20, 2012, Gilman Land, LLC filed a cash maintenance guarantee in the amount of \$4,086.00, guaranteeing the maintenance of site improvements for two years at the project known as Gilman Land, LLC subdivision, located at 116 Robin Road (Block 1007, Lot 35.01); and,

WHEREAS, the two year maintenance period has expired and the Township Engineer has conducted an inspection; and,

WHEREAS, on January 15, 2015, the Township Engineer certified that all site work has been completed and said maintenance bond may be released,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the release of the maintenance bond as stated herein; and,

BE IT FURTHER RESOLVED, that all remaining balances of the cash maintenance guarantee account and inspection escrow account be and are hereby authorized to be refunded; and,

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

AUTHORIZE A REDUCTION IN THE PERFORMANCE GUARANTEE FILED BY GILMAN LAND, LLC FOR SITE IMPROVEMENTS AT 112 ROBIN ROAD

WHEREAS, on June 9, 2014, the Township Committee adopted a resolution which accepted a cash performance guarantee in the amount of \$35,883.60 filed by Gilman Land, LLC guaranteeing site improvements at 112 Robin Road (Block 1007, Lots 33.02); and,

WHEREAS, at the request of the Developer, the Township Engineer has inspected the site improvements and has recommended a reduction in the performance guarantee to the amount of \$11,718.00; and,

WHEREAS, the Developer will be refunded cash performance guarantee in the amount of \$24,165.60

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a reduction in the Performance Guarantee for Gilman Land, LLC, 112 Robin Road (Block 1007, Lots 33.02) be and is hereby approved to the amount of \$11,718.00; and,

BE IT FURTHER RESOLVED, that the cash performance guarantee in the amount of \$24,165.60 shall be refunded to the Developer; and,

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

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

WHEREAS, the Township employs a pool of individuals with commercial drivers license on a seasonal basis to operate snow plows during and after major snowstorms as a supplement to the full-time Public Works staff; and,

WHEREAS, the Director of Public Works has recommended that two individuals be added to the pool; and,

WHEREAS, funds will be provided for the first three 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 Frank Martuscelli and Mark Maxwell be and are hereby employed in the Department of Public Works as a Casual Employee on an on-call basis only for snow plowing during major snow/ice events during the 2014-2015 winter season at an hourly rate of \$25.00; and,

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

RESTATE DESIGNATION OF MEMBERS APPOINTED TO THE WESLEY LAKE COMMISSION

WHEREAS, on January 1, 2015, the Township Committee adopted Resolution #15-24 which appointed members to the Wesley Lake Commission for the year 2015; and,

WHEREAS, appointees to the Commission are appointed as representatives of specific municipal departments or titles; and,

WHEREAS, the Committee desires to restate the representative designation of two of the members appointed on January 1, 2015,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the appointment of the following individuals to the Wesley Lake Commission for the year 2015 is amended to reflect representation as follows:

Sharon Davis - Business Administrator's Representative
Beth Miller - at-large member

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Secretary to the Wesley Lake Commission.

APPOINT AGENT/BROKER OF RECORD FOR TOWNSHIP SHORT TERM DISABILITY POLICY

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Business Administrator is hereby authorized to execute an Agent of Record Letter to indicate that Ted Wardell, a representative of Brown & Brown Benefit Advisors, is appointed Agent/Broker of Record and representative in insurance matters in connection with the Township's Short Term Disability Policy; and,

BE IT FURTHER RESOLVED, that the Agent/Broker of Record is authorized to negotiate with any insurance company to effect changes in existing coverage, obtain in-force policy information, forms and documentation relating to the Township Short Term Disability Policy and/or amend or cancel such insurance as requested; and,

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

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

WHEREAS, in the matter of Diomedes Babilonia v. Township of Neptune, et. Al., Police Officer Jesse Dallago has requested that Eric J. Marcy, Esq. serve as his legal counsel as to the claim for punitive damages; and,

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

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

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted to Police Officer Jesse Dallago to retain Eric J. Marcy, Esq. as legal counsel for the claim of punitive damages in the above referenced matter at an amount not to exceed \$5,000.00; and,

BE IT FURTHER RESOLVED, that Resolution #14-291, which authorized a different legal counsel for Officer Dallago in this matter be and is hereby rescinded; and,

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

GRANT LEAVE OF ABSENCE TO LARRY DAVIS UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, Larry Davis, Driver in the Department of Public Works, has requested a leave of absence under the provisions of the Family Medical Leave Act during which time he will utilize accumulated sick time; and,

WHEREAS, this is an extension of a Leave of Absence previously authorized by Resolution #14-495; and,

WHEREAS, the Business Administrator has approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that Larry Davis, Driver in the Department of Public Works, is hereby granted a three month leave of absence, with the use of accumulated sick time, under the provisions of the Family Medical Leave Act from January 1, 2015 through March 31, 2015; and,

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

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

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

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

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

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

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

1. The Neptune Township Committee does hereby authorize submission of a strategic plan for the Neptune Township Municipal Alliance grant for fiscal year July 1, 2015- June 30, 2016 in the amount of:

DEDR	\$	<u>63,915.00</u>
Cash Match	\$	<u>15,978.75</u>
In-Kind	\$	<u>47,936.25</u>

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

GRANT LEAVE OF ABSENCE TO ROBERT BALDWIN UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, Robert Baldwin, Sergeant in the Police Department, has requested a leave of absence under the provisions of the Family Medical Leave Act during which time he will utilize accumulated sick time; and,

WHEREAS, the Business Administrator has approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that Robert Baldwin, Sergeant in the Police Department, is hereby granted a leave of absence, with the use of accumulated sick time, under the provisions of the Family Medical Leave Act from November 19, 2014 through February 9, 2015; and,

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

AMEND AUTHORIZED APPROPRIATION TO H2M ARCHITECTS AND ENGINEERS FOR ARCHITECTURAL SERVICES IN CONNECTION WITH NEW MUNICIPAL MARINA BUILDING

WHEREAS, on March 24, 2014, the Township Committee adopted Resolution #14-183 which authorized the execution of an agreement with H2M Architects and Engineers, the appointed Marina Architect, for architectural services at the new Municipal Marina Building at an amount not to exceed \$140,600.00; and,

WHEREAS, H2M Architects and Engineers has submitted a proposal for additional services in connection with the addition of a diesel extraction system; additional FEMA cost opinions and revisions to the floor elevation; and,

WHEREAS, the Township Engineer recommends that these services be performed and the authorized appropriation be amended accordingly; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 13-18 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 an amendment to Resolution #14-183 for include an additional appropriation of \$9,300.00 to H2M Architects and Engineers, the appointed Marina Architect, for additional architectural services at the new Municipal Marina Building as described herein, resulting in a total authorized appropriation of \$149,900.00; and,

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

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

WHEREAS, volunteer personnel in the Office of Emergency Management were placed on stand-by duty as a result of the snow emergency declared on January 26 and 27; and,

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

WHEREAS, funds will be provided for the first three months of 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 stand-by duty payment at the rate of \$14.00 per hour be and is hereby authorized to the following Office of Emergency Management staff for the hours indicated as a result of the snow emergency on January 26 and 27, 2015:

Anthony Devlin – 14 hours
Anthony Cerniglia – 11 hours
Robert Balko – 22 hours
Jeffrey Devlin – 19 hours
William Van Meter – 25 hours
Michael Scannapieco – 18 hours
Daniel Werksman – 11 hours

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

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

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

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

WHEREAS, the Township of Neptune desires to apply for and obtain grants from the New Jersey Department of Community Affairs for the following:

\$50,000.00 to develop a North Island Neighborhood Plan
\$50,000.00 to develop a Shark River Hills Neighborhood Plan
\$50,000.00 to amend Parks & Recreation Element of the Master Plan
\$20,000.00 for Ordinance development
\$50,000.00 to amend the Environmental Resource Inventory

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

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

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the applications, and that they or their successors in said titles are authorized to sign the agreements and any other documents necessary in connection therewith:

ACCEPT THE RESIGNATION OF SHANE ROLAND AS A SPECIAL LAW ENFORCEMENT OFFICER – CLASS II

WHEREAS, the Township Committee has received a letter from Shane Roland resigning as a Special Law Enforcement Officer – Class II in the Police Department effective December 31, 2014,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Shane Roland as a Special Law Enforcement Officer – Class II in the Police Department is hereby accepted effective December 31, 2014; and,

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

ACCEPT THE RESIGNATION OF ERIC D. BROPHY (DIEGNAN & BROPHY) AS ALTERNATE PUBLIC DEFENDER

WHEREAS, the Township Committee has received a letter from Eric D. Brophy (Diegnan & Brophy) resigning as Alternate Public Defender effective immediately,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Eric D. Brophy (Diegnan & Brophy) as Alternate Public Defender is hereby accepted effective immediately; 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 Resource and Court Administrator.

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT

WHEREAS, the properties listed below reflect overpayments; and,

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

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

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
564	58	Shapiro	110 Sea Spray Lane	2014	1,793.90
51	1085	Gershwin	72 Abbott Ave	2014	2,009.84
5	513	Cronin	11 Pitman Ave	2014	7,913.71

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

SUSPEND EMPLOYEE WITHOUT PAY

BE IT RESOLVED, by the Township Committee of the Township of Neptune, that Ralph Parkman, Jr., part-time Custodian at the Senior Center, be and is hereby suspended indefinitely without pay, effective February 2, 2015; and,

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

AMEND TEMPORARY BUDGET

WHEREAS, on January 1, 2015, the Township Committee adopted a Temporary Budget for the year 2015; and,

WHEREAS, there is a need to amend said Temporary Budget to add an appropriation for Post Sandy Planning Assistance Grant funds,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the 2015 Temporary Budget, adopted January 1, 2015 be and is hereby amended to add the following appropriation:

Post Sandy Planning Assistance Grant Programs \$115,000.00

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

AUTHORIZE SUBMISSION OF A GRANT APPLICATION TO THE UNITED STATES DEPARTMENT OF JUSTICE UNDER THE VIOLENT GANG AND GUN CRIME REDUCTION PROGRAM (PROJECT SAFE NEIGHBORHOODS)

WHEREAS, the United States Department of Justice, Bureau of Justice Assistance is accepting applications from municipal governments for Violent Gang and Gun Crime Program Grants (Project Safe Neighborhoods) to create safer neighborhoods through a sustained reduction in crime associated with gang and gun violence; and,

WHEREAS, the Township of Neptune desires to submit an application to obtain funding in the amount of \$500,000.00 to place street crime units from multiple jurisdictions in target areas and monitor improvements in the crime result as a result of this initiative; and,

WHEREAS, there are no local matching funds required,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey hereby authorizes the submission of a grant application to the United States Department of Justice, Bureau of Justice Assistance Violent Gang and Gun Crime Program in the amount of \$500,000.00 for the purpose as described herein; and,

BE IT FURTHER RESOLVED, that the Mayor, Clerk and Police Director are hereby authorized to execute the required grant application and to provide submittals and documentation as required by the United States Department of Justice; and,

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

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

WHEREAS, there is a need for an additional Senior 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 Robert Zoino be and are hereby employed as a part-time Senior 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, Chief Financial Officer, Assistant C.F.O., and Human Resources.

The resolutions of the Consent Agenda were adopted on the following vote: Bishop, aye, with regrets to the retirement of Ellen Sanderson; Brantley, aye; Houghtaling, aye; and McMillan, aye, except abstain on the resolution approving contracts with various organizations to provide recreational services.

RECLASSIFY EMPLOYEE TO THE POSITION OF FOREMAN IN THE DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, due to the retirement of Silvester Griffin, there is a vacancy in the position of Foreman in the Sanitation/Recycling Department of Public Works; and,

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

WHEREAS, the Business Administrator has made his recommendation to reclassify a Driver to this position; and,

WHEREAS, funds will be provided for the first three 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 Robert Church be and is hereby reclassified to the position of Foreman in the Sanitation/Recycling Department of Public Works, effective February 10, 2015, at an annual salary of \$60,000.00 and,

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

#1844, and Human Resources.

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

EMPLOY 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, there are two vacancies in the position of Driver in the Public Works Department; and,

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

WHEREAS, the Public Works Director and Business Administrator have made their recommendations; and,

WHEREAS, funds will be provided for the first three 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 Kenneth Sprague and Daniel Virtgaym 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 February 2, 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; and McMillan, aye.

RECLASSIFY EMPLOYEE TO THE POSITION OF DEPUTY DIRECTOR OF THE DEPARTMENT OF SENIOR SERVICES AND SENIOR CENTER

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

WHEREAS, due to the retirement of Ellen Sanderson, there is a vacancy in the position of Deputy Director of the Department of Senior Services and Senior Center; and,

WHEREAS, the position was duly posted; and,

WHEREAS, the Director of the Department of Senior Services and Senior Center and the Business Administrator have made a recommendation to reclassify an existing employee to said position; and,

WHEREAS, funds will be provided for the first three 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 Kristina Torres be and is hereby reclassified to the position of Deputy Director of the Department of Senior Services and Senior Center at an annual salary of \$45,000.00 effective February 10, 2015; and,

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

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

AUTHORIZE THE PURCHASE OF A SEWER JET-VAC TRUCK THROUGH THE HOUSTON-GALVESTON AREA COUNCIL PURCHASING PROGRAM

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

WHEREAS, the Township Committee wishes to authorize the purchase of a 2015 Freightliner 114SD Truck with Vactor Plus combination sewer cleaner utilizing pricing through the Houston-Galveston Area Council 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 Houston-Galveston Area Council has a nationally recognized cooperative agreement and has awarded Contract No. HT06-14 to Kinloch Equipment & Supply for this 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 the purchase of this equipment shall not exceed \$373,801.00; and,

WHEREAS, funds for this purpose are available from Ordinance No. 13-31 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 purchase of a 2015 Freightliner 114SD Truck with Vactor Plus combination sewer cleaner (Jet-Vac Truck) for the Public Works Sewer Department be and is hereby authorized through the Houston-Galveston Area Council Purchasing Program at an amount not to exceed \$373,801.00; and,

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

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

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	\$4,538,913.92
FEDERAL & STATE GRANT FUND	8,834.00
TRUST OTHER	20,774.82
GENERAL CAPITAL FUND	111,371.23
SEWER OPERATING FUND	208,813.46
SEWER CAPITAL FUND	1,127,220.00
MARINA OPERATING FUND	6,152.50
MARINA CAPITAL FUND	927,001.56
DOG TRUST	7,864.60
LIBRARY TRUST	3,644.85

BILL LIST TOTAL

\$6,960,590.94

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; and McMillan, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Christina Schuetz, 24 Cedar Crest Drive, urged the Committee to vote in favor of Ordinance #15-08 because she felt that it would protect natural resources and maintain our existing residential neighborhoods as being attractive and of top quality. She stated it appears as though the Township wants to fill these odd shaped lots. She suggested they look at what's being built on Jumping Brook Road and Wayside Road because they were just packing things in those areas. She went on to state that she would like for Ordinance #15-09 to be stronger or consider something else.

Edith Greenwood, 738 Wayside Road, stated she lives on Wayside Road and she concurred with the previous speaker. She requested that they take everything into consideration because she did not want apartments or town homes near single family homes. She strongly recommended that Ordinance #15-08 be passed.

Helen Stocum, 22 Lynn Drive, stated she was in favor of Ordinance #15-08 and it would help all those fighting over building in the township. She stated she was concerned with what was being built behind the AIG building and she did not believe they had any fire breaks.

Mr. Gadaleta stated they were being overseen by our Construction Department and they were being constructed under the current building codes in the State of New Jersey. There are fire breaks as defined in the building code for that type of Construction.

Mike Golub, Cliffwood Drive, stated he would like to lend his support to the two previous speakers and urged the Committee to pass these ordinances when it is time to pass them. He also discussed redevelopment grants with MURC.

Bruce Cottrell, 10 Toomin Drive, strongly urged the Committee to pass Ordinance #15-08 & 15-09. He stated he believed it would better protect the natural watershed and homes around sensitive wetlands. Recent overdevelopment has left his area with flooding issues.

Robert Lane, 217 Poplar Place, urged the Committee to pass Ordinance #15-08 & 15-09. He did not want properties jammed into small areas. He also stated where he lives people are parking their cars on the wrong way of the street. He did not know why the police department hasn't noticed it. He also inquired as he has in the past about having Town Hall opened late to receive tax payments, even if they had the employees working staggered hours on that day to avoid paying overtime.

Mr. McMillan stated they would look into it.

Dorothy Argyros, 2100 Rutherford Avenue, stated she was disappointed they passed Resolution #15-80 because in her opinion the police could now pick a person up by his broken arm and kill a person in custody or anything they want without fear of punishment. She went on to state that Neptune has been the headquarters of nepotism since purchasing the marina from a former mayor's family because they changed the law for punitive damages and it is gong to cost her money.

Mr. Anthony stated she did not pay for punitive damages. The officers are required to and the Township only pays for representation.

Kennedy Buckley, Broadway, commended the firemen for the fine job they did with the fire in Ocean Grove. He also mentioned that he read the Coaster regarding the North End Plan.

Jack Bredin, 94 ½ Heck Avenue, discussed the North End Redevelopment Plan and stated it was a gateway design feature. It is a good idea but the Committee has not determined what the design feature will be. He stated this was not an area of rehabilitation but an area of redevelopment. He felt there should be a visual landmark for both Ocean Grove and Asbury Park. He questioned whether the Township Committee decide what the gateway design feature would be, would the Phase II Boardwalk Plan be available for public inspection and would the Committee review the Phase II Boardwalk Plan.

Mr. Bishop stated there was one question he had and asked Mr. Bascom for clarification that they were not doing a boardwalk redevelopment plan but was doing a repair due to super storm sandy so there's nothing to review at this time. He stated they were just repairing that that was damaged and they did not apply to FEMA for redevelopment.

Mr. Bascom stated this was not his area of expertise but if they widened the Boardwalk by 10ft or something along that line it would have to be what they and FEMA agreed to.

Michael Fornino, 120 Fulham Place, felt that the State law should be enforced about parking on the wrong side of the street. He stated he did not know why the police did not see it. He went on to state that he came here to pay his taxes and there were no parking spaces so he went to the drive up window so he complained to Mr. Gadaleta. He stated there were more police vehicles than there were police and it did not make sense and there was something wrong with this picture. He also stated the other night a young man solicited his disapproval of L&G plant but he told them he wanted it built. He stated we were going to have a problem with the water and not oil and we're going to need the L&G plan because we are not going to have enough water. He also stated they were taking on the Division Street project but hasn't finished the West Lake Avenue project. He suggested they finish what they started first.

Ann Horan, Clark Avenue, stated the insurance company has to review damages to the building in Ocean Grove, then she questioned who was responsible for removing the debris.

Mr. Bascom stated they would have to contract with a demolition company because there was some debris material in there that must be handled differently.

Ms. Horan questioned how long would it take to clean up, and would it take two months to clear it up.

Mr. Bascom stated he hoped that it would be faster than that.

Ms. Horan stated snow removal in Ocean Grove worked fairly well. She also stated that she saw that Asbury Park was hiring someone to focus directly on abandoned homes.

Mr. Gadaletta stated they actually hired a new Code Enforcement Officer to oversee the Department.

Mr. Bishop stated we have been chosen by the New Jersey Bankers Association to compile a project in the state for dealing with foreclosed and derelict properties. He stated there list was due out on March 9th. He thanked Senator Beck for helping out and stated they were making progress.

Kathy Arlt, 106 Abbott Avenue, stated that was a big development and she personally did not see how it would work. A lot of the original mortgages for these properties may have been with local banks.

Mr. Bishop explained that it did not have to be with a local bank and that the bank just had to be a member of the organization.

Ms. Arlt stated that does nothing with the tax liens. She also stated to the best of her knowledge last June Asbury hired someone for just derelict houses and he was an attorney. She went on to state that in January she asked if they could get CLG rolling and questioned the status of that.

Mr. Bishop stated part of it was talking about the budget process and what has to be done and they were still going through the budget discussion.

Ms. Arlt stated she was still available to sort through the zoning ordinance. She also questioned once an area has been declared as an area in need of redevelopment does the designation stay with it forever.

Mr. Anthony stated there was no statutory limitation on how long an area can remain for redevelopment. The case law indicates that it can be indefinite but it doesn't mean that the governing body doesn't have the right to amend the original redevelopment plan but it does mean that you can't force the town to redevelop an area once its designated merely because the lapse of time.

Ms. Arlt questioned the status of 80 Main Avenue and 14 Surf.

Mr. Anthony stated they've hired an attorney, they went to court at the time it was determined

the property was in eminent danger of collapsing. It prompted Mr. Doolittle to inspect it and he did not find it in eminent danger of collapsing so they will go back to court to enforce the property maintenance ordinance. As far as 14 Surf, the courts gave Lucianna 90 days to address the issues and the 90 days is running out. He's going to have to ask for an enforcement hearing.

Ms. Arlt thanked the fire department and everyone that helped with the fire on Friday.

Blanche Dunbar, 40 Lynn Drive, complained about the parking at the municipal complex. She also stated whoever the company was that assessed her property did an awful job. She wasn't home the first time they came and she made several attempts to have them come back out but no one ever did. The Township then assured her that someone would come out. She received a bill with a 50% increase because they could not gain access to her home.

Jack Pensabene, 9th Avenue, stated the police and township employees should do something about things they see without them calling about it. He stated they did a nice job with the snow removal but they always wait until after he's done with his driveway and sidewalk to come through his neighborhood. He asked if they could clean up around township properties, especially parks, etc.

Mr. Bishop stated crews go out to maintain all properties.

Mr. Pensabene stated the park near him was not done. He also questioned whether the Township received any money from FEMA for the boardwalk.

Mr. Bascom stated they did for the first stage.

Mr. Pensabene urged the Township to stop spending money on loans.

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

Richard J. Cuttrel,
Municipal Clerk