

TOWNSHIP COMMITTEE MEETING – MARCH 9, 2015

Deputy Mayor McMillan called the meeting to order at 5:00 p.m. 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. (Mayor Mary Beth Jahn arrived during the open session workshop)

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.

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, a revised notice published on February 26, 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 discussed goals and initiatives for 2015. Mr. Bishop started by stating that he has looked at his departments and recommends that a number of items be addressed. In the Code and Construction Department, Mr. Bishop asked for an examination of current processes and documents and improved document storage/retrieval. He cited the need for an improved interdepartmental relationship between Code/Construction and Zoning/Engineering. For the Engineering/Land Use Department, Mr. Bishop discussed the following: separation of land use ordinances between Ocean Grove and the remainder of Neptune and the completion of revisions to regulations and a review of current processes/guidelines by the Historic Preservation Commission. Overall, Mr. Bishop discussed a review of the Intern Policy, a follow-up survey issued to residents for feedback on their experience with Township departments, a comprehensive list of drainage issues and a long term vision for Veterans Park including the restoration of the farmhouse. In the Senior Center, Mr. Bishop cited a need for discussion on succession planning and transportation issues due to the possible end of the County SCAT program.

Mr. McMillan asked if Township departments have internal goals and planning 3 to 5 years ahead. Mr. Gadaleta stated many departments do long range goals and planning.

Mr. Bascom reminded the Committee that priorities needs to be identified so that certain budgetary issues can be determined.

The Mayor arrived.

Mr. Houghtaling asked if there will be funding for repairs to the Senior Center roof. Mr. Bascom stated that this is being recommended for capital improvements this year.

Dr. Brantley discussed succession planning and an expansion of the summer recreation programs. Mr. Gadaleta stated that there will be a discount for multiple children from the same family. Mr. Bascom added that Recreation Trust funds can be used to lower costs.

Mr. Bishop stated that there is a need to discuss each redevelopment project in the Township. The Mayor added that the Committee needs to look at redevelopment goals in the areas that have been designated as redevelopment areas. Mr. Gadaleta stated that the Economic Development Corporation is working on the redevelopment zones and will be able to put together an update.

Mr. Houghtaling stated that there is a lack of garage and breakroom space at the Public Works Department. He would like to move the offices out of the garage area into trailers or a separate building. He also stated the need to examine the replacement of vehicles. Mr. Bascom stated that G4S has a chart which indicates how long a particular vehicle remains as a front line vehicle. Mr. Houghtaling cited his goals for the year as: complete the Broadway lighting project and address the drainage issue on Broadway, fill all slips at the Municipal Marina and complete repairs on the Ocean Grove boardwalk from Broadway to Asbury Park.

Mr. Bascom listed a number of items which should be a priority in 2015. They were; Wesley Lake wall completion; Shark River marina building; Shark River dredging; Route 66 widening; drainage issues; post Sandy planning grants; publicize the CRS Program; move recreation to Veterans Park; Intern Program; target Façade Program to Route 35 businesses; need for a public relations consultant; billing for EMS services during the daytime (insurance only); hazardous mitigation projects; traffic calming; Police Department accreditation; Police technology/surveillance

project. He stated that in the Police Department, the currently Quality of Life unit will transition to a Special Enforcement Unit and a new Quality of Life unit will be deployed to focus on nuisance crimes such as noise and parking.

Mr. Bishop asked for the opportunity to view the traffic calming plan prior to implementation.

Mr. Bascom discussed the 2015 municipal budget. He stated that this is first municipal budget to be impacted by the revaluation. The assessed value of the Township went from \$2.807 billion to \$3.52 billion. After the budget hearings, the budget was up \$2 million. Since that time, \$1.2 million has been cut, but he is looking for another \$500,000 to reduce. The total budget is actually down \$500,000, but the levy and appropriations cap has been crushing to towns because the caps result in making surplus regeneration more difficult. The Township received almost \$3 million in grant funds. In 2014, the Township paid \$35 million in school taxes; almost \$11 million to the County; \$3.5 million to the fire districts; and \$1,172,000 to the library which left \$25,502,000 of the taxes collected for the Township. The Township received \$349,000 more revenue than anticipated. At the end of 2013, \$650,000 in surplus was generated versus \$326,000 at the end of 2014. The Township has been maintaining a balance of around \$800,000 in surplus from year to year. As a result of Hurricane Sandy, the Township borrowed \$3.6 million. Of this amount only \$1,779,000 remains and the Township may be able to pay off almost all of that balance in 2015. The amount of debt to start 2014 was \$21.4 million, of which \$1.7 was paid, leaving \$19.7 million. The current debt to assessed value ratio is a very low 0.726%. There will be no change in sewer or marina rates and both utilities remain self liquidating. Introduction of the budget is anticipated at the next regular meeting.

Mr. Gadaleta stated that two visioning sessions have been completed in regards to the Division Street Redevelopment Area. Mr. Gadaleta prepared and distributed a brief history of the area. The Township Planner and Township Engineer want to schedule a time to discuss ideas. The building on the street that is owned by the Township will be demolished leaving one residential building and one commercial building, which is the Parke Warner drug store. Mr. Bishop stated that the neighbors in the area are interested in a green area. He would like to see a combination of housing and green space. Mr. McMillan asked for conceptual drawings of three scenarios; all green space, combination of housing and green space; and all housing. Mr. Gadaleta stated that there is the potential for compromise with green space, single family housing and the use of COAH fees for rehabilitation projects in the neighborhood (which Mr. Gadaleta termed the three pronged approach). Dr. Brantley indicated his desire to look at the three pronged approach because rehabilitation of existing housing is very important. Mr. Bishop stated his desire to create affordable single family homes to encourage and allow for home ownership. The Mayor agreed that all three scenarios should be provided conceptually; all green space, the three pronged approach, and all housing.

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 – Housing Authority appointment
- Real Estate negotiations – Township owned lot on West Lake Avenue
- Pending Litigation – Residential drainage issue

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 Mayor excused herself from the remainder of the meeting.
The Committee entered executive session for discussion on closed session matters.

The Committee discussed the expiring term on the Housing Authority and asked that a resolution to reappoint Winifred Johnson be placed on the next regular meeting.

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. Cuttrell, 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, a revised notice published on February 26, 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 February 23rd. All were in favor.

PROCLAMATION

The Deputy Mayor proclaimed the week of March 15th to March 21st as Poison Prevention Week in the Township of Neptune.

COMMENTS FROM THE DAIS

Dr. Brantley stated he missed the Black History Celebration because he was at a municipal budget seminar.

Eric Houghtaling stated he went to the Ocean Grove Homeowners meeting last month where they had a guest speaker who was a World War II bombardier. He gave a wonderful presentation. He attended the Black History Month Celebration on the 28th. They had a play that was very enlightening. He commended the whole group who put it together. He attended the St. Patrick's Day parade in Lake Como and Belmar. He was very proud to march behind the high school band. He attended the gang awareness program at the high school and the visioning session. He participated in read across America.

Randy Bishop expressed his condolences to the family of Jeannie Potts and commended Mychal Mills for the wonderful job that was done with the Black History Celebration. He felt it was incredible and thanked the play write and the company who donated the play because he wrote it specifically for Neptune and put it on at no cost to the municipality. He also marched with Kevin McMillan and Eric Houghtaling at the St. Patrick's Day Parade in Lake Como and Belmar. The band was magnificent. He read his favorite book which was Green Eggs and Ham for read across America. He attended the visioning session #2, the gang and drug awareness presentation which was excellent. He commended the public work's department for the job they did during the recent snow event. He stated they did an incredible job.

Kevin McMillan sent his condolences to the family of Jean Potts. He also stated that he hoped there would be no more snow. He commended the Public Works Department and stated they've done a fantastic job. He stated he attended the black history month presentation felt Mychal Mills did a fantastic job. He stated it was a way of bridging the gap through various generations. He also went to the gang workshop that was sponsored by the police department and the Monmouth County Sheriff's Office. This past Sunday he received the DVD that our children are dying. It exposed the heroin and drug epidemic that's in the county as well. He also had the opportunity to go to the Monmouth County Cotillion Fashion show which was held at Long Branch High School. He stated there were a lot of Neptune debutants. He also went to Asbury Park's St. Patrick's Day Parade. It was a great event. He stated last week at Lake Como they froze but it was still great.

PUBLIC COMMENTS ON RESOLUTIONS

Michael Fornino commented on Resolution #15-130. He stated he was curious as to whether or not the applicant has provided a financial statement.

Mr. Gadaleta stated their was a formal application process that required documentation.

Mr. Fornino also commented on Resolution #15-31 and asked what was a municipal public access plan.

Mr. Gadaleta stated this was part of the Sandy dollars from the State and the Township has been fortunate to receive a number of these grants. This is a grant that has been made that we are going to be making application to. It's actually for public access to properties within the Township where the Township needs to access.

Mr. Fornino questioned what would it do for the public.

Mr. Gadaleta stated it would allow us to develop a future plan as part of our mitigation going forward.

Michael Golub asked if someone could explain Resolution #15-127 in more detail.

Mr. Bascom stated it was a grant to fund a remedial investigation for the property that is located at the border of the park on West Lake Avenue.

Mr. Golub stated assuming the park was ok what would become of the park.

Mr. Bascom stated it did not impact the park and the site remediation was all done, everything was complete there.

Dorothy Argyros stated she did not understand Resolution #15-131 and she needed a better explanation. She stated she also need to know who was paying for the capital improvements mentioned in Resolution #15-125. She asked whether it was a grant or would she be paying for it.

Mr. Gadaleta stated it was a post Sandy planning assistance grant that funded through FEMA to the State of New Jersey and Neptune applied and was funded for these three programs. He stated all of it was being paid 100% by a grant. It's to develop a plan as necessary for future public access as part of the recovery from Sandy mitigation. If there's a necessity for us to get to areas through public property they would have a plan developed to allow us to do that.

Mrs. Argyros questioned whether eminent domain would be a part of that.

Mr. Gadaleta confirmed there would be no eminent domain.

ORDINANCE NO. 15-08 - ADOPTED

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

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

Michael Golub questioned what did calculation of said requirements mean and whether it was done by our engineer or the applicant.

Mr. Bishop stated it would be done by the Township and there would be a formula that would have to be used and would take out all of the land that is was not buildable and not allow it to be in the density population.

Mr. Golub stated he really appreciated the Township Committee doing this. He stated he felt this was a decisive and deliberate move on the part of the Township Committee and should be congratulated on it.

Christine Shutz reiterated Mr. Golubs comments by stating it was very considerate of them to consider both of these ordinances (15-08 & 15-09). She stated last month she spoke briefly on Ordinance #15-08. She also asked if they had a chance to come out onto Jumping Brook Road to see what their concerns were and why they are so happy they are considering this.

Mr. McMillan stated he did drive around to look at the density and thanked her for her tenacity.

Patrick Dougherty questioned the density requirements and what it involved.

Mr. Bishop stated only the land that a building could be put upon would be used in order to calculate the density.

Helen Stocum thanked the Committee for considering ordinances 15-08 & 15-09. She stated it was protection for the wetlands.

Michael Fornino stated one of the problems in planning is that society is like a sponge. He went on to state that ou cannot allow density to get out of control and hopefully this will correct it and you cannot allow developers to do whatever they wanted to do. He thanked the Committee for doing this.

Michael Casano, Maplecrest Drive, commended the Committee for this ordinance. He felt it was long past due and it would be good for the community.

Tom Arteturia thanked the Committee for taking leadership on this issue.

Cheri Quene, Maplecrest Drive, stated she really hoped it was a go for these two ordinances.

Annette Scott, Wayside Road, stated she really hoped the Committee would consider these issues and would like to see it develop into wonderful neighborhoods because she felt they should not overdevelop.

Blanche Dunbar, Lynn Drive thanked the Committee for bringing up this ordinance because her property backs up to all of this development and it's an eyesore.

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

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

ORDINANCE NO. 15-09 - ADOPTED

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

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

Dorothy Argyros questioned whether this would make the definition more stringent.

Mr. Bishop confirmed that it would.

Mrs. Argyros questioned whether this was done to help with the flooding.

Mr. Bishop stated it helps to address the overall issue. It will help with the entire storm water management and percolating the water back into the ground as opposed to running off.

Hank Coakley asked as he has in the past where did the work impervious and pervious come from.

Mr. Anthony stated he thought it was developed by the planners and the engineers overtime and accepted by the State of New Jersey and now the local municipalities.

Mr. Bishop stated they looked at what happens to structures that are sitting close to the ground as opposed to structures that are over the ground in means of determining if it sits close to the ground it acts as an impervious surface so there's a run off that gets carried away but if it's above it has the ability to fall and go into it and taken into the ground itself. That's why it's a difference between heights of similar structures.

Mr. Coakley stated if you have that space the water is still going to run between the planks. He stated he did not accept this.

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

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

ORDINANCE NO. 15-10 - APPROVED

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

ORDINANCE NO. 15-10

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XIII, SECTION 13-1 OF THE CODE OF THE TOWNSHIP OF NEPTUNE TO AMEND THE PROVISIONS REGULATING THE EXCAVATION OF STREETS AND SIDEWALKS

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

ORDINANCE NO. 15-11 - APPROVED

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

ORDINANCE NO. 15-11

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A RESIDENT HANDICAPPED ON-STREET PARKING ZONE ON CLARK AVENUE AND REMOVING ZONES ON OCEAN PATHWAY AND NEW JERSEY AVENUE

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

ORDINANCE NO. 15-12 - APPROVED

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

ORDINANCE NO. 15-12

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND ESTABLISH A CAP BANK FOR

PURPOSES OF INTRODUCING THE 2015 MUNICIPAL BUDGET

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 15-10, 15-11 and 15-12 will be held on Monday, March 23, 2015.

CONSENT AGENDA

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

APPOINT ALTERNATE PROSECUTOR

WHEREAS, the Township of Neptune desires to appoint an Alternate Prosecutor through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Township accepted Requests for Proposals for said position on February 19, 2014 and will make a selection from the proposals received; 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, that the Township Committee of the Township of Neptune hereby appoints Brian T. Wilton to serve as Alternate Prosecutor in the absence of the Prosecutor for the year 2015, at an hourly compensation rate as established by Resolution of the Township Committee; and,

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

APPOINT ALTERNATE PUBLIC DEFENDER

WHEREAS, the Township of Neptune desires to appoint an Alternate Public Defender through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Township accepted Requests for Proposals for said position on February 19, 2014 and will make a selection from the proposals received; 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, that the Township Committee of the Township of Neptune hereby appoints Lawrence W. Luttrell to serve as Alternate Public Defender in the absence of the Public Defender for the year 2015, at an hourly compensation rate as established by Resolution of the Township Committee; and,

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

ACCEPT THE RESIGNATION OF TIMOTHY GRISWOLD AS A SPECIAL LAW ENFORCEMENT OFFICER – CLASS II

WHEREAS, the Township Committee has received a letter from Timothy Griswold resigning as a Special Law Enforcement Officer – Class II effective February 24, 2015,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Timothy Griswold as a Special Law Enforcement Officer – Class II is hereby accepted effective February 24, 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 Chief of Police.

GRANT LEAVE OF ABSENCE TO JOHN JACKSON UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, John Jackson, Patrolman 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 John Jackson, Patrolman 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 March 12, 2015 through May 7, 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.

ACCEPT THE RESIGNATION OF SHANE TOOHEY AS A MEMBER OF THE ENVIRONMENTAL/ SHADE TREE COMMISSION

WHEREAS, the Township Committee has received correspondence from Shane Toohey resigning as a member of the Environmental/Shade Tree Commission effective February 20, 2015,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Shane Toohey as a member of the Environmental/Shade Tree Commission is hereby accepted effective February 20, 2015; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Secretary to the Environmental/Shade Tree Commission.

AUTHORIZE TOWNSHIP ENGINEERING CONSULTANT TO PREPARE MASTER PLAN AND LAND USE UPDATES THROUGH POST SANDY PLANNING ASSISTANCE GRANTS

WHEREAS, CME Associates prepared and submitted applications on behalf of the Township of Neptune for Second Round Post Sandy Planning Assistance grants; and,

WHEREAS, the Township has been awarded grants for the preparation of a Capital Improvement Plan, preparation of a Community Facilities Element, and updating the Land Development Ordinance; and,

WHEREAS, it is necessary for a licensed AICP Engineer from the Township's approved list of Engineering Consultants to prepare plans and specifications in connection with this project; and,

WHEREAS, the Township Engineer has obtained proposals from CME Associates and recommends that they perform said work; and,

WHEREAS, funds for this purpose will be provided in the 2015 temporary budget via Second Round Post Sandy Planning Assistance Grants, 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 CME Associates to perform the following planning services at amounts not to exceed the following:

- Preparation of a Capital Improvement Plan - \$30,000.00
- Preparation of a Community Facilities Element - \$35,000.00
- Preparation of an updated Land Development Ordinance - \$50,000.00

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

ACCEPT PERFORMANCE GUARANTEE AND AUTHORIZE EXECUTION OF A DEVELOPER'S AGREEMENT FILED BY PETRO REALTY, LLC FOR SITE IMPROVEMENTS AT THE MOBIL STATION AT 3330 ROUTE 66

WHEREAS, Petro Realty, LLC has filed performance bond B1152861, written by Selective Insurance Company of America in the amount of \$25,920.00, guaranteeing site improvements at the Mobil station at 3330 Route 66 (Block 9025, Lot 54.01); and,

WHEREAS, the required 10% cash surety and inspection fee escrow have been posted; and,

WHEREAS, the Developer has also submitted the required fee for the preparation of a Developer's Agreement by the Township Attorney which has been prepared and executed by the Developer; and,

WHEREAS, the acceptance of this Performance Guarantee does not authorize the issuance of any licenses or permits by the Construction Department but serves as certification to the Planning Board/Board of Adjustment that compliance with the Land Development Ordinance of the Township of Neptune has been met;

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

1. The Performance Guarantee as stated above be and is hereby accepted.
2. The Mayor and Clerk be and are hereby authorized to execute the Developer's Agreement for the above referenced project.
3. A copy of this resolution shall be forwarded to the Township Engineer, Planning Board, Construction Department, and the Developer.

ACCEPT A GRANT FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMER CHIDNESE PROPERTY – 1825 WEST LAKE AVENUE)

WHEREAS, the Township of Neptune has applied for and has been awarded a grant in the amount of \$87,333.00 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority for the Remedial Investigation along with report preparation of the former Chidnese property at 1825 West Lake Avenue,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the above referenced grant is hereby accepted and the Mayor is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Township of Neptune; and,

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority, the Chief Financial Officer, Business Administrator and Administrative Assistant to the C.F.O.

ACCEPT THE RESIGNATION OF SAMANTHA MARCUS AS A SPECIAL LAW ENFORCEMENT OFFICER – CLASS I

WHEREAS, the Township Committee has received a letter from Samantha Marcus resigning as a Special Law Enforcement Officer – Class I in the Police Department effective March 3, 2015,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Samantha Marcus as a Special Law Enforcement Officer – Class I in the Police Department is hereby accepted effective March 3, 2015; 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.

AUTHORIZE PURCHASE OF MUNICIPAL SOFTWARE APPLICATIONS

WHEREAS, the Purchasing Agent solicited quotes for the purchase of municipal software applications for data collection and processing in the Construction, Code and Land Use departments; and,

WHEREAS, the cost of said item is less than the bid threshold but exceeds \$17,500.00 and therefore must be awarded by Resolution of the governing body; and,

WHEREAS, said quotes were reviewed by the Purchasing Agent who have recommended that the low quote be accepted in accordance with the Open Public Contracts Law; 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 the purchase of municipal software applications for data collection and processing in the Construction, Code and Land Use departments be and is hereby authorized through Jungle Lasers, LLC pursuant to their quote of \$18,700.00; 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., Construction Official and Land Use Boards Administrator.

RECAST TWO UDAG IMPROVEMENT LOANS ISSUED TO SUNILAND FURNITURE

WHEREAS, the UDAG Loan Committee approved two UDAG improvement loans to Suniland Furniture for the property at Highway 35 and Rutherford Avenue; and,

WHEREAS, Loan #1 was issued on February 1, 2008 in the original amount of \$52,035.89 and Loan #2 was issued on February 1, 2008 in the original amount of \$37,262.24; and,

WHEREAS, the Loan Committee recommends that the combined remaining balance due on the two loans be recast into a single loan to be financed over a five year period at the same interest rate of the original two loans,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the two UDAG Reciprocal Loans issued to Suniland Furniture and described herein be and are hereby authorized to be recast into a single loan in the amount of \$37,000.00 for a five year term at an interest rate of 2.38%; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer and Economic Development Corporation Secretary.

APPLY FOR A DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT FOR THE DEVELOPMENT OF A MUNICIPAL PUBLIC ACCESS PLAN

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Michael J. Bascom or the successor to the office of Chief Financial Officer, is hereby authorized to:

- a) make application for such a loan and/or such a grant;
- b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$15,000.00 and not more than \$15,000.00;
- c) to execute any amendments thereto which do not increase the Grantee's obligations; and,

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

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

AUTHORIZE THE REFUND OF SEWER RENT (102 PROSPECT AVENUE)

WHEREAS, the properties listed below reflect overpayments; and,

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

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the Tax Collector be and hereby is authorized to refund the Sewer Rent as stated herein:

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
427/23	D'Olois & Ventola	102 Prospect Ave	2014	220.00

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

AUTHORIZE THE CANCELLATION OF SEWER RENT

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

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

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
1002/1	Archan, Inc.	2000 Route 66	2015	8,757.00

REASON: Billing adjusted based on water bills provided

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
408/59	Theresa McCall	527 S. Riverside Dr.	2015	460.00

REASON: Billed for six units, should be five

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
3101/1C203	Omni Suites, LLC	1900 Corlies Ave	2015	460.00

REASON: Unit combined with C202

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

RECLASSIFY EMPLOYEE TO THE POSITION OF HEAVY EQUIPMENT OPERATOR

WHEREAS, due to a promotion, there is a vacancy in the position of Heavy Equipment Operator in the Public Works Department; and,

WHEREAS, the position was duly posted; and,

WHEREAS, the Director of Public Works 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 Ernest Worth be and is hereby reclassified to the position of Heavy Equipment Operator in the Department of Public Works at an annual salary of \$61,442.06 effective March 10, 2015; and,

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

The resolutions of the Consent Agenda were approved 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	\$1,199,795.46
FEDERAL & STATE GRANT FUND	40,759.16
TRUST OTHER	53,361.41
GENERAL CAPITAL FUND	23,311.11
SEWER OPERATING FUND	40,360.88
SEWER CAPITAL FUND	0.00
MARINA OPERATING FUND	12,460.64
MARINA CAPITAL FUND	0.00
DOG TRUST	0.00
LIBRARY TRUST	90.69
BILL LIST TOTAL	\$1,370,139.35

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

Patrick Dougherty stated he also represented Neptune in the Belmar Parade and that he was invited by the Essex County Sheriff’s Pipe and Drum Band. He requested an application that was submitted by Hovnanian be rendered null and void.

Jack Bredin, 94 ½ Heck Avenue, stated that the Ocean Grove beach is not owned by the Camp Meeting Association. They have riparian rights. A lot on the beach would require half of the boardwalk to become a road and there is no record of 4 Boardwalk being subdivided. The Township usurped the DEP by allowing uses on the beach. The Township confiscated land under the North End pavilion and gave the property to a redeveloper illegally. The zoning for this area is also illegal. The Redevelopment Plan depends on a subdivision and a street on the map. He asked the Township to call the State for their opinion.

Tad Adams stated the Department of Public Works did a wonderful job. He was both impressed and thankful.

Diana Harris questioned how someone could apply for the internship program, what were the qualifications and will it be posted.

Mr. Gadaleta stated they were in the process of having their respective departments determine whether or not there would be a need for an intern in their department and if there is they are to determine a specific job description for that position and once we have that information from the various departments we will make information available and put it out publicly by website, direct email and so forth.

Ms. Harris asked that consideration be given for speed bumps to be placed on Monroe Avenue from Rte 35 to the Neptune border. She stated she also hoped that they would consider density

while they were doing the Division Street project. She also questioned if there's ever been affordable housing any where else in the Township other than school house square. She questioned whether there were ever any in Shark River Hills , West Neptune or Gables.

Mr. Gadaleta stated on the top of his head there were none.

Ms. Harris stated they were creating defecto segregation because they were constantly putting affordable housing in one area and she's not trying to play the race card, its about economics. She stated she was asking that this be taken into consideration when they plan this project.

Mr. Gadaleta stated in work session there was quite a bit of discussion on this specific designation of what is affordable and not creating low income housing but have it for people who can afford to buy housing. He also stated perhaps the Coaster will help them with the internship when they get the information together.

Mr. Fornino questioned what was causing the increase in Ordinance #15-12.

Mr. Bascom stated there was no proposed increase. It was actually down \$500,000 from last year. It's a management tool of allowing ourselves flexibility to manage our own budget going forward.

Mr. Fornino stated it was great when you have a snow plan as far as the DPW. He also stated the speeders were back in the Gables.

Barbara Burns questioned whether the Township would consider having parking on both sides of the median in both directions on Broadway fro traffic calming.

Mr. Gadaleta stated from an engineering and public safety standpoint it will have to be looked at. He stated he did not know whether its been done before.

Mr. Bishop stated he thought it had been done but it was determined that it became so narrow that when someone drove by there door would be taken away when opened.

Ms. Burns questioned whether there were any plans for a public access channel. She felt it would be a great way to get information out to the public.

Mr. McMillan stated he agreed and knew of other towns with a public access channel.

Ms. Burns questioned when would they get an update on the Broadway drainage.

Mr. Gadaleta stated at the last Township Committee meeting the Township adopted a capital ordinance for Central Avenue which stood to include funding for some additional drainage on Broadway.

Ms. Burns questioned to what would it be dedicated.

Mr. Gadaleta stated there were a couple of areas that our Engineering Department is focusing on. One is filling in the basins on one of the original projects also, improvement at Broadway and Central to address some of those concerns.

Chris Shift thanked the DPW for doing a great job in her recollection in 2010 the reason we were stuck in the house for four days was because we helped those that were stuck on Route 18. She stated the Township listened to them as far as Jumping Brook Road. She also stated She understood that they would have four permanent speed bumps on West Jumping Brook and two moveable ones on West Jumping Brook. He stated they were very appreciative.

Michael Golub stated success was due to those who do the heavy lifting and the planning and administration. He stated Wayne Rode the Director of Public Works and his Supervisors deserve the credit for getting things done as far as the snow was concerned. He also stated after the snow storms we now have potholes developing on Route 33. He phoned the State and made comments. He went on to state that Mychal Mills did a great job with the Black History Celebration. He also stated there wasn't enough parking in the Township parking lot and suggested moving some of the police vehicles closer to the hospital. He stated the Division Street project should be passive open space. He agreed with the sentiments of Mrs. Harris and suggested spreading it out and all over. He also recommended consideration that delivery of large items be limited on Jumping Brook Road. He stated there's being construction done on Sunday and it shouldn't. He stated the gang seminar was great and he wished more people would come out.

Kennedy Buckley stated thankfully the dirt has been removed from the Jersey Shore Art Center lot. He also stated that he put in an opra request asking how many cars had been ticketed and towed for parking on the wrong side of the road during the storm. The police responded and stated thirty one tickets were issued and twenty seven were towed. He stated that shows that it works and he asked for this for many years. He stated he also put in an opra to code enforcement asking how many tickets and summons were issued for sidewalks not being cleared and he hasn't received an answer because the request only applies to paperwork. He stated no tickets, no paperwork, no records, no tickets were issued because the ordinance does not have anything in it. He stated there were no provisions for writing tickets and the only ways its handled in this Township is that the Township can clear the sidewalk and leave. He stated they should charge the offending property owners and collect from them. He felt a crew of shovelers would be a nice thing to form. The Township would provide employment and also get some money. He also discussed the parking problem in Asbury Park and stated their problems could become our problems. He felt the parking problems in Ocean Grove needed to be looked at and solved. He stated as far as the North End he had an idea to add a street down the middle of the North End and construct single family homes on either side of the street.

Clifford Johnson stated he lived on Rhodes Terrace and had ongoing concerns regarding access to Wayside Road. He stated he's been a prisoner in his own home at times and all the families in his development are affected by this. He stated he expressed his concerns before and have been waiting on a response for a long time.

Mr. Gadaleta stated this governing body approved an agreement with Verizon for access through their property from within your neighborhood. That access agreement has been transmitted to Verizon and most recently our attorney Mr. Anthony who has been back and forth with them. He stated they were awaiting the signed copy from them because without that we cannot have access to their property but what will occur is that we will create an emergency access roadway through the Verizon property in such cases as he mentioned. Emergency services will be able to access the neighborhood as well.

Dorothy Argyros stated in response to the nationwide epidemic of police killings and violence you probably have read that the United States Department of Justice did a major investigation of Ferguson and they released an 80 page report that basically said that Ferguson police have a policy and practice of targeting minorities and lower income people and ticketing them to make revenue and not to create safety. She stated they were supporting the town on the backs of the poor minorities. She went on to state that Neptune was part of the epidemic because they just named a police chief who has three lawsuits against him against him for abuse and violence. She also stated that a committeeman stated we were trying for accreditation. She questioned whether the Township was still moving forward with that.

Mr. Bascom stated they were hopeful for a May accreditation.

Mrs. Argyros questioned whether there would be something in the accreditation that would stop them from beating up on people.

Mr. Bascom stated contrary to her statement he did not believe Neptune had that issue.

Mrs. Argyros stated we have at least four cases that she knows about. She also requested the Township notify her when lawsuits are filed against the Township.

Kathy Arlt stated the derelict property list should have come out by now. She asked whether it has come out or not or whether it actually exist.

Mr. Gadaleta stated the presumption is that it exist but he has not seen the list.

Ms. Arlt stated she hoped something happens as a result of that ordinance. She stated she understood that during the workshop meeting there was discussion of separating the ordinances and if this specifically related to the CLG does it look like it might happen in 2015.

Mr. Bishop stated they can separate them but we will also have to clean up the ordinances and take out the pieces from the other ones.

Ms. Arlt stated she really wanted to get this done in 2015.

Blanche Dunbar questioned whether the Committee was able to look into her concerns she raised at the last meeting regarding her property going up 50%.

Mr. Gadaleta informed her that he spoke with the Assessor and either he or someone from his office will be reaching out to her.

Ms. Dunbar asked would she be penalized for speaking at the meeting.

Mr. McMillan assured her that she would not.

Annette Scott stated she was over 65 years old and disabled and owned a duplex. She asked if there were any tax breaks available for her.

Mr. Gadaleta stated there were programs out there but unfortunately he was versed in them. He informed her that Mr. Haney or Ms. Crozier in the Tax Assessor's office should be able to assist her or Mr. Bascom.

Mr. Bascom suggested she contact the Tax Department and ask to speak to Merrill Megill. He also asked her to understand that regulations are set by the State and not by the municipality.

Ms. Scott also spoke regarding the timing of the light that's located at Wayside Road and Route 66. She asked whether they could alter the light to give them a few more seconds.

Mr. Gadaleta stated he believed that intersection was a part of the County & DOT but he will present this to the County engineer regarding the timing of the light and see if there is something that can be done.

Heinz Weck commended the DPW and the Police Department. He stated the chief was the conductor and the officers play the instruments.

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

Richard J. Cuttrell,
Municipal Clerk

