

## TOWNSHIP COMMITTEE MEETING – DECEMBER 8, 2014

Mayor Brantley called the meeting to order at 6:00 p.m. and requested the Clerk to call the roll. The following members were present: J. Randy Bishop, Eric J. Houghtaling, Mary Beth Jahn, Kevin B. McMillan and Mayor Michael Brantley.

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

Mayor Brantley announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press on January 2, 2014 and The Coaster on January 3, 2014, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

The following items were discussed in open session:

Mr. Bishop stated that some members of the Land Use Boards approached him regarding applicants coming to the Board and getting the Board to determine the least that can be done and still obtain Board approval, so revisions are being made to the plan at the meeting. The applicants attend the meeting with plans that they know will not get passed in the hopes that the Board will say what they are willing to accept. He asked if the Township Committee could recommend that the Boards hear application on their own merit. Mr. Anthony stated that the Township Committee cannot get involved with revising applications. As policy, the Committee should not get involved in the business of the Boards because there is a separation of powers and that any interference or recommendation on how to conduct business could be illegal. Mr. Bishop stated that the Board attorneys are looking for guidance. Mr. Anthony stated that he will speak to the two board attorneys about the issue because they have the jurisdiction to advise the Boards on how to conduct the meetings.

The Committee reviewed language in the Property Maintenance Code regarding prohibited occupancies in the Certificate of Inspection process. Ms. Jahn stated that recently a renter called for a Certification of Inspection to rent a three bedroom apartment, but the ordinance states a child cannot share a bedroom with an adult. In this situation, there are two brothers that are 16 and 18 years old. Mr. Anthony stated that the BOCA Code deals with square feet per occupancy. COAH regulations contain language regarding age and gender. Mr. Anthony recommended that it is better to stay with square foot requirements. The Committee can repeal the section of the ordinance containing reference to ages and gender and the Construction Official can then refer the square footage requirements in the BOCA Code.

Mr. McMillan asked if the speed humps are being removed Township wide. Mr. Bascom replied that they are being taken out for the winter months and discussion will take place on where they will be installed next Spring. Mr. Houghtaling asked if grant money is available for speed humps. Mr. Bascom stated that Transportation Trust Fund monies may be available for permanent traffic solutions, but not portable speed humps.

Mr. Bishop stated that he intends to offer a motion to table the Transit Village Land Use Amendment scheduled for public hearing at this meeting until the December 22<sup>nd</sup> meeting. There is a concern from Sanitary Linen on Memorial Drive. A meeting will be scheduled and they will be asked to submit expansion plans prior to December 22<sup>nd</sup>. There are three other potential projects waiting on this amendment. The Committee indicated that they are willing to hear Sanitary Linen's response and if plans are in the works. Ms. Jahn stated that Bradley Beach has retail and new housing already and the Township needs to move on the Transit Village Plan to capture the market.

Mr. Bishop asked that discussion regarding the requirement for an on-site manager at apartment complexes be placed on the December 22<sup>nd</sup> workshop agenda.

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

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

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

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune,

County of Monmouth, as follows:

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

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

Personnel – Vacant Foreman position

Contract negotiations – Cityworks/West Lake Avenue Redevelopment

Contract negotiations – Additional/alternate bid work at Jumping Brook Ballfields

3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.

4. This Resolution shall take effect immediately.

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

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

Jaime Garay was recommended for the vacant Foreman position and action was taken by resolution during the regular business meeting.

Mr. Gadaleta reported that the Environmental/Shade Tree Commission Chairperson has reviewed the plantings adjacent to the Jumping Brook Ballfields and recommends that irrigation be installed. This will be coming from the original funding source. The resolution authorizing the work had been previously tabled pending additional information.

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

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

Also present at the dais were Richard J. 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 Mayor asked the Clerk to indicate the fire exits.

The Clerk stated, "Fire exits are located in the rear of the room and to my right. In case of fire you will be notified by bell and or public address system, then proceed to the nearest smoke-free exit"

Mayor Brantley announced that the notice requirements of R.S. 10:4-18 for an "Annual Notice" have been satisfied by the publication of the required advertisement in the Asbury Park Press on January 2, 2014 and The Coaster on January 3, 2014, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at [www.neptunetownship.org](http://www.neptunetownship.org).

#### APPROVAL OF MINUTES

Mr. McMillan offered a motion, seconded by Mr. Bishop, to approve the minutes of the meeting held on November 24th. All were in favor

#### REPORT OF THE CLERK

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

An e-mail from Randy Slawsky, Lakewood Road, commending the Public Works Department for their assistance and hard work on a number of issues.

Senior Center monthly statistics for November.

#### COMMENTS FROM THE DAIS

Mr. Houghtaling stated that he attended the viewings of former Chief Paduano and Joe

Shafto. Mr. Shafto was a Fire Commissioner and Chairman of the Planning Board and will be greatly missed. He attended the Neptune/Asbury Park football game, a meeting with Broadway residents regarding the flooding, the tree lighting ceremonies at Volunteer Park, Ocean Grove and Midtown and the Ocean Grove Citizens Patrol dinner.

Mr. Bishop stated that he attended the viewings of former Police Chief Anthony Paduano and Joseph Shafto. He added that Mr. Shafto was Chairperson of the Planning Board and was a great Neptune Township historian. He reflected on Mr. Shafto's contributions to the Township and concluded that he will miss Mr. Shafto's input on the Planning Board. He attended the tree lightings ceremonies at Midtown Commons, Volunteer Park in Shark River Hills and Jersey Shore Arts Center. Mr. Bishop also attended meetings with state representatives to discuss Route 66 improvements and with the township administration and impacted residents to discuss Broadway flooding issues. Finally, he attended the Mayor's Youth Cabinet clothing drive.

Mr. McMillan stated that he attended the Midtown Oldies but Goodies Dance hosted by Wes Walker. He also attended the viewings of former Chief Paduano and Fire Commissioner Joseph Shafto, the Ocean Grove Citizens Patrol holiday party, and the Neptune High School Hall of Fame Luncheon at Jumping Brook honoring Verita Hill, Louis Jordan, and others. Finally, he attended the Monmouth County Foodbank Thanksgiving event in which McDonalds donated turkeys to the Foodbank for the event.

Ms. Jahn stated that she attended the Shark River Hills Christmas tree lighting, which was also attended by the Neptune High School Jazz Ensemble and two horses. She expressed her sorrow at the passing of Dave Biel, a longtime Public Works employee who just retired a few months ago. Ms. Jahn announced that she has designated Madonna House as the beneficiary of her Mayors' Ball this coming April. She reminded everyone that Madonna House is in desperate need of new or gently used boys' clothing and asked to keep them in mind for coats, snow suits or pants and boots that are gently used but have been outgrown for both boys and girls. These gifts would benefit kids in Neptune who would be warm and grateful for your donation.

Mayor Brantley stated that he attended the Neptune High School Hall of Fame inductee luncheon and tree lighting ceremonies in Shark River Hills, Ocean Grove and Midtown. He also attended a meeting with Broadway residents regarding the flooding issues. He stated the meeting was productive and the Township continues to look at ways to improve the situation. The Mayor also participated in a high level meeting to discuss the Route 66 Bottleneck Project which was hosted by Neptune on December 4th. In attendance were NJDOT representatives; Senator Jennifer Beck and Legislative staff; Executive Director of NJTPA; Committeeman Bishop and Township Staff. The NJDOT is in the Concept Development Phase and it is anticipated this Phase of the project will be complete sometime in mid-2015. A future meeting will be scheduled mid-year 2015.

#### PUBLIC COMMENTS ON RESOLUTIONS

Kathy Arlt, stated that she appreciates the resolution placing a lien on 103 Franklin Avenue. She added that the retaining wall on the property is near collapse and the sidewalk has been heaved due to tree roots. She asked for a copy of the lien which was provided by Mr. Cuttrell.

Dorothy Argyros, 2100 Rutherford Avenue, asked what the grant money will be used for in the resolution to change title and text in the municipal budget. Mr. Bascom stated that the resolution transfers funds from matching grants to the Drug Alliance grant which will be used for educational programs. Ms. Argyros asked what the term "fleet" means in the resolution to renew the contract for fleet maintenance. Mr. Bascom stated that refers to all Township vehicles.

Joan Venezia, 107 Mt Hermon Way, asked for details on the resolution to authorize repairs at the municipal marina. Mr. Bascom stated that the resolution is to purchase lumber for pilings as part of a bulkhead repair. The total cost of the repair project is around \$60,000. Ms. Venezia asked if the marina is making a profit. Mr. Bascom stated that the marina is operating in the black and all revenue earned by the marina offsets all costs at the marina.

#### ORDINANCE NO. 14-48 - TABLED

Mr. Bishop offered a motion, moved and seconded by Mr. McMillan, to table the public hearing on Ordinance No. 14-48 until December 22, 2014.

#### ORDINANCE NO. 14-48

AN ORDINANCE AMENDING LAND DEVELOPMENT ORDINANCE, VOLUME II, §300, ENTITLED, "DISTRICTS" AND TO ADD §423 TO BE ENTITLED, "TRANSIT VILLAGE ZONE"

All were in favor.

ORDINANCE NO. 14-49 - ADOPTED

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

ORDINANCE NO. 14-49

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 MT. HERMON WAY AND REMOVING TWO HANDICAPPED PARKING ZONES ON CLARK 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; Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

Mr. Cuttrell stated that the Public Hearing on Ordinance 14-48 will be held on Monday, December 22, 2014.

CONSENT AGENDA

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

ESTABLISH FEE FOR NON-RESIDENTIAL CONTAINERIZED GARBAGE COLLECTION UPON REQUEST

WHEREAS, Ordinance No. 07-59 establishes provisions and regulations for non-residential garbage collection; and,

WHEREAS, the ordinance permits the establishment of fees for collection of non-residential containerized receptacles by Resolution of the Township Committee; and,

WHEREAS, the Township has established fees for contractual weekly collection and now desires to establish a fee for non-contractual/pick-up as needed service,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township Committee that the following rates are hereby established for collection of non-residential containerized receptacles by the Public Works Department:

Contractual – Weekly Pick-up

Non-residential not for profit organizations - \$2.00 per cubic yard per pick-up  
All other non-residential businesses - \$4.00 per cubic yard per pick-up

Contractual – Weekly Pick-up

Organizations/businesses outside of Neptune Township - \$6.00 per cubic yard per pick-up

Non-contractual – Pick-up as needed (not to exceed eight per year)

Non-residential organizations/businesses - \$6.00 per cubic yard per pick-up

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

ACCEPT A CORRECTIVE ACTION PLAN IN CONNECTION WITH THE 2013 AUDIT RECOMMENDATIONS

WHEREAS, the Township Committee previously accepted the 2013 Township of Neptune audit by resolution; and,

WHEREAS, the various Departments within the Township have reviewed the comments and recommendations portion of said audit and submitted a Corrective Action Plan to the Chief Financial Officer and Township Committee,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Corrective Action Plan of the 2013 Township of Neptune Audit be and is hereby accepted and is authorized for submission to the Division of Local Government Services; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer.

SUPPORT THE "DRIVE SOBER OR GET PULLED OVER 2014 YEAR END HOLIDAY CRACKDOWN"

WHEREAS, impaired drivers on our nation's roads kill more than 10,000 people each year and cost our society more than \$37 billion annually; and,

WHEREAS, 22% of motor vehicle fatalities in New Jersey in 2013 were alcohol related; and,

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and,

WHEREAS, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and,

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the *Drive Sober or Get Pulled Over Year End Holiday Crackdown*; and,

WHEREAS, the project will involve increased impaired driving enforcement from December 5, 2014 through January 2, 2015; and,

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby declares its support for the *Drive Sober or Get Pulled Over Year End Holiday Crackdown* from December 5, 2014 through January 2, 2015 and pledges to increase awareness of the dangers of drinking and driving; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police and Sgt. Michael Zarro.

PLACE LIEN ON 103 FRANKLIN AVENUE

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

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

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

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

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
104/1691	103 Franklin Avenue	477.10

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

GRANT LEAVE OF ABSENCE UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, Joe Leone, 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 sick time and unpaid leave; and,

WHEREAS, the Business Administrator has approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that Joe Leone, Driver in the Department of Public Works, is hereby granted a leave of absence, with the use of sick time and unpaid leave, under the provisions of the Family Medical Leave Act from November 20, 2014 through February 12, 2015; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Public Works Director, Business Administrator, and Human Resources.

RELEASE ALL SURETY BONDS AND DEVELOPERS ESCROW FOR IMPROVEMENTS AT WAWA ON ROUTE 66

WHEREAS, Wawa, Inc. filed a maintenance bond written by Travelers Casualty & Surety Company of America in the amount of \$84,030.00, guaranteeing the maintenance of site improvements for two years at the project known as Wawa, located on State Highway 66 (Block 10000, Lots 27 & 28); and,

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

WHEREAS, on November 24, 2014, the Township Engineering Consultant 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 performance 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, Township Engineering Consultant and Construction Official.

AUTHORIZE AN AMENDMENT TO THE 2014 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2014 in the sum of \$7,500.00 which is now available from the New Jersey Division of Highway Traffic Safety in the amount of \$7,500.00; and,

BE IT FURTHER RESOLVED that the like sum of \$7,500.00 is hereby appropriated under the caption of 2014 Drive Sober or Get Pulled Over Year End Crackdown; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from a New Jersey Division of Highway Traffic Safety – 2014 Drive Sober or Get Pulled Over Year End Crackdown in the amount of \$7,500.00; and,

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

AUTHORIZE CHANGE IN TITLE AND TEXT IN 2014 MUNICIPAL BUDGET TO PROVIDE MATCHING FUNDS FOR A COUNTY OF MONMOUTH MUNICIPAL DRUG ALLIANCE GRANT

WHEREAS, N.J.S. 40A:4-85 provides that the Director of the Division of Local Finance may, at the request of, or with the consent of, the governing body of the county or municipality, make changes of the title, text or amount of any appropriation appearing in the budgets as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any such county or municipality; and,

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of N.J.S. 40A:4-85, the Township of Neptune hereby requests the Director of the Division of Local Finance to make the following corrections in the budget of the year 2014;

	<u>Appropriation Title</u>	<u>Amount</u>
Appropriation From:	Matching Funds for Grants	\$ 15,390.75
Appropriation To:	County of Monmouth DEDR Municipal Match	\$ 15,390.75

BE IT FURTHER RESOLVED that the foregoing correction is, in the opinion of the governing body, warranted and authorized by the statute above referred to, and is necessary for the orderly operation of the municipality for the reasons hereinafter set forth: The appropriation "Matching Funds for Grants" is a non-spending appropriation which must be transferred into a specific line-item for use by the municipality. The municipality has been awarded funding from the County of Monmouth DEDR Municipal Match which requires a municipal cash match which is expected to be \$15,390.75 for 2014; and,

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

AUTHORIZE APPLICATION TO THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FLOOD HAZARD RISK REDUCTION AND RESILIENCY GRANT PROGRAM

WHEREAS, the State of New Jersey Department of Environmental Protection has announced the Flood Hazard Risk Reduction and Resiliency Grant Program; and,

WHEREAS, the purpose of this competitive grant program is to fund projects that will reduce storm surge and flood hazard risks and enhance resiliency in the areas impacted by Superstorm Sandy; and,

WHEREAS, said grant has eligible funding for projects limited to Coastal Lake Surge Reduction and Increased Discharge Capacity, Flood Risk Reduction Infrastructure, Stormwater Management, and Beneficial Reuse of Dredge Material; and,

WHEREAS, the Borough of Avon-By-The-Sea is preparing an application for grant funding under said program for silt removal, storm system improvements and wall repairs to Sylvan Lake; and,

WHEREAS, a portion of the storm water that is discharged into Sylvan Lake originates in the Township of Neptune; and,

WHEREAS, said grant application must be signed by a person(s) authorized by written resolution or ordinance of the local government unit to file an application for a grant, to represent the local government unit in all matter relating to the application process, and to obligate the local government unit to the terms and conditions of a grant agreement,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Mayor be and is hereby authorized to sign and file an application for the aforementioned grant; and,

BE IT FURTHER RESOLVED, that a copy of this resolution will be included as part of the grant application to the State of New Jersey Department of Environmental Protection; and,

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

EXTEND CONTRACT OF CENTERRA INTEGRATED SERVICES TO PROVIDE FLEET MANAGEMENT AND MAINTENANCE

WHEREAS, the Township contracted with G4S Integrated Fleet Services, Inc. to provide fleet management and maintenance services to the Township through December 31, 2013 with the option of up to two additional single year extensions; and,

WHEREAS, the Township Committee desires to extend this contract for a period of one year through December 31, 2015 pursuant to N.J.S.A. 40A:11-15 and amend the original agreement to reflect current size of fleet; and,

WHEREAS, as a result of changes in corporate structure G4S Integrated Fleet Services, Inc. is now Centerra Integrated Services; and,

WHEREAS, funds will be provided in the 2014 municipal budget in the appropriation entitled Vehicle Maintenance O.E., 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 a one year extension of the current contract, with amendments to reflect the current size of the fleet, with Centerra Integrated Services to provide fleet management and maintenance to the Township of Neptune through December 31, 2015 at an annual amount of \$870,853.00 which represents an increase of 1.5% in the annual amount per the current index rate calculation; and,

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

ACCEPT THE RESIGNATION OF MELVIN HOOD AS AN ALTERNATE MEMBER OF THE PLANNING BOARD

WHEREAS, the Township Committee has received electronic correspondence from Melvin Hood resigning as an alternate member of the Planning Board effective December 31, 2014,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Melvin Hood as an alternate member of the Planning Board is hereby accepted effective December 31, 2014; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Administrative Officer of the Planning Board.

GRANT LEAVE OF ABSENCE UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, Elena Gonzalez, Sergeant in the Police Department, has requested a leave of absence under the provisions of the Family Medical Leave Act during which time she will utilize both sick time and unpaid leave; and,

WHEREAS, the Business Administrator has approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that Elena Gonzalez, Sergeant in the Police Department, is hereby granted a leave of absence, with the use of sick time and unpaid leave (beginning January 1, 2015), under the provisions of the Family Medical Leave Act from December 22, 2014 through April 6, 2015; and,

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

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

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

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

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

WHEREAS, funds will be provided in the 2014 municipal budget in the appropriation entitled Police S&W and the Chief Financial Officer has so certified in writing,



THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Samantha Marcus be and is hereby employed as a part-time Special Law Enforcement Officers - Class I, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, effective January 1, 2015, 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.

EMPLOY SPECIAL LAW ENFORCEMENT OFFICERS CLASS II AND JAILERS IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

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

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

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

WHEREAS, funds will be provided in the 2014 municipal budget in the appropriation entitled Police S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following individuals be and are hereby employed as a part-time Special Law Enforcement Officers - Class II and part-time Jailers, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, effective January 1, 2015, at an hourly rate as established by prior resolution of the Township Committee:

Joseph Sicliano	Joseph Baldasare
Christopher Kampf	Julian Morgan
Travis Sodon	Joshua Jenkins

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.

AUTHORIZE THE PURCHASE OF LIQUID MAGNESIUM TREATED GRANULAR CHLORIDE THROUGH THE COUNTY COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Neptune Township Public Works Department desires to purchase liquid magnesium treated granular sodium chloride for treatment of roads during winter storms through an authorized vendor under the Monmouth County Cooperative Purchasing Program; and,

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

WHEREAS, Morton Salt, Inc. has been awarded Monmouth County Cooperative Contract No. F-157-2014 for this item; and,

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

WHEREAS, the cost of the item shall not exceed \$72.68 per ton; and,

WHEREAS, funds for this purpose are available in the 2014 municipal budget in the appropriation entitled Streets and Road Maintenance O.E. 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 liquid magnesium treated granular sodium chloride for treatment of roads during winter storms from Morton Salt, Inc. through the Monmouth County Cooperative Purchasing Program be and is hereby authorized at an amount not to exceed \$72.68 per ton; and,

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

AUTHORIZE BULKHEAD REPAIR AT THE MUNICIPAL MARINA

WHEREAS, the Purchasing Agent and Township Engineer solicited quotes for the repair of a

section of bulkhead at the Municipal Marina; and,

WHEREAS, the cost of said repair 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 Township Engineer and the Purchasing Agent who have recommended that the low quote be accepted in accordance with the Open Public Contracts Law; 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, by the Township Committee of the Township of Neptune that the bulkhead repairs at the Municipal Marina be and is hereby authorized through Marine Lumber & Piling, LLC pursuant to their quote of \$23,755.92; 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 THE TRANSFER OF 2014 BUDGET APPROPRIATIONS**

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of current year appropriations during the last two months of the fiscal year; and,

WHEREAS, the Chief Financial Officer has recommended that the following appropriation transfers be authorized:

<b>APPROPRIATION</b>	<b>FROM</b>	<b>TO</b>
Finance OE	5,000.00	
Finance SW	4,000.00	
MIS SW	15,000.00	
Tax Assessment OE	10,000.00	
Planning Board OE	10,000.00	
Code Enforce SW	35,000.00	
Liability Insurance OE	25,000.00	
Admin DPW SW	20,000.00	
Solid Waste Collection SW	95,000.00	
Maintenance Parks OE	17,000.00	
Electricity OE	100,000.00	
Gasoline OE	90,000.00	
Solid Waste Disposal OE	204,000.00	
Clerk OE		2,800.00
Clerk SW		3,700.00
Tax Assessment SW		1,500.00
Legal OE		90,000.00
Engineering SW		48,000.00
Police OE		70,000.00
Police SW		175,000.00
OEM OE		7,000.00
Streets & Road Maintenance OE		50,000.00
Admin DPW OE		3,500.00
Bldgs. SW		18,000.00
MOMV OE		85,000.00
Recreation SW		2,500.00
Sr. Ctr. SW		45,000.00
Telecommunications OE		7,500.00
Natural Gas OE		10,000.00
Debt Note Interest		10,500.00
<b>TOTAL</b>	<b>630,000.00</b>	<b>630,000.00</b>

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, that 2014 Budget Appropriations be transferred as stated herein; and,

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

The resolutions of the Consent Agenda were adopted on the following vote: Bishop, aye; Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye. (Mr. Bishop and the Mayor both conveyed regrets to the resignation of Melvin Hood as a member of the Planning Board. They both cited Mr. Hood's contributions to the Township.)

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

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

WHEREAS, due to the reclassification of George Reid to the position of Supervisor, there is a vacancy in the position of Foreman in the Road 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 Foreman to this position; and,

WHEREAS, funds will be provided in the 2014 municipal budget in the appropriation entitled Roads S&W and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Jaime Garay be and is hereby reclassified to the position of Foreman in the Road Department of Public Works, effective December 9, 2014, at an annual salary of \$66,500.00 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; Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

RECLASSIFY PART-TIME CUSTODIAN IN THE BUILDING MAINTENANCE DEPARTMENT TO FULL-TIME STATUS

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

WHEREAS, there is a vacancy in the position of full-time Custodian in the Building Maintenance Department; and,

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

WHEREAS, the Business Administrator has made his recommendation to reclassify a current part-time Custodian to the full-time position; and,

WHEREAS, funds will be provided in the 2014 municipal budget in the appropriation entitled Buildings & Grounds S&W and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Anthony Cardiello be and is hereby reclassified as a full-time Custodian in the Building Maintenance Department, on a probationary basis for a period of not less than 90 days and not exceeding one year, effective December 9, 2014, at an annual salary of \$32,000.00 (substantial experience level); and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

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

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the

following bills be paid if properly certified:

CURRENT FUND	737,240.00
FEDERAL & STATE GRANT FUND	98,220.04
TRUST OTHER	9,712.58
GENERAL CAPITAL FUND	101,723.60
SEWER OPERATING FUND	195,256.87
SEWER CAPITAL FUND	6,740.00
MARINA OPERATING FUND	36,311.74
MARINA CAPITAL FUND	26,485.92
BILL LIST TOTAL	\$1,211,690.75

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

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

#### PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Russ Harmstead, 111 Hawthorne Street, stated that he is still trying to get the Township reimbursed for the cost of the sidewalk repair on Old Corlies Avenue near the entrance to the Water Company facility. He stated that Section 13-4 of the Township Code requires that sidewalks be repaired at the expense of the property owner where the sidewalk abuts. He asked if this ordinance was followed as to the repair of the sidewalk. Mr. Gadaleta stated that the Township is responsible for the repair of sidewalks on a County bridge and Township owned Green Acres land abuts the sidewalk. The Mayor stated that Mr. Harmstead can meet with Mr. Gadaleta to further discuss the matter.

Dorothy Argyros, 2100 Rutherford Avenue, read a statement regarding the recent grand jury decisions not to indict police officers in cases in Ferguson, MO and New York City. She stated that this is also happening in Neptune. The Chief of Police was a defendant in two police brutality cases. She is sick of paying settlements for police brutality and is appalled at the purchase of rubber bullets for simulated training for "cop killers". We do not need to train killers but need to train police to diffuse situations. Ms. Argyros recommended that the Township go back to community policing, make cops pay for their own liability insurance and attorneys, make access to complaints easier for citizens, punish abusers and provide de-escalation training.

Linda Johnson, 704 Chaphagan, stated that the Committee made James Hunt the Police Chief, but she read the complaint against him as a Deputy Chief that cost the taxpayers over \$500,000. The complaint shows that he disrespected women and people in general. There is no legitimate reason why the Committee made Hunt the Chief of Police. The Mayor stated that the police department is working well.

Kennedy Buckley, 65 Broadway, thanked the Committee for attending the Ocean Grove Citizens Patrol dinner and for the informative meeting for the residents on the Broadway flooding.

Joan Venezia, 107 Mt. Hermon Way, asked how and when it will be determined how much will be spent in 2015 to address the Broadway flooding issue. Mr. Gadaleta stated that the Township will work on a plan for Broadway and the list of overall capital projects will be reviewed during the budget process. There may be some funds leftover in 2014 to allow some work to be done. Mr. Bascom stated that the budget is usually adopted in April. The timing of any expenditure depends on when the plan is developed. Ms. Venezia asked when the abandoned property list under the new ordinance would be available. Mr. Anthony stated six months from the adoption date of the ordinance.

Gail Oliver, Neptune City, stated that in regards to the no indictment verdicts for police misconduct in Ferguson, MO and New York, the police need sensitivity training. She added that

uprisings for justice will continue.

Ellis Jones, 30 Ridge Avenue, stated that the playground at Division Street has been spray painted with gang signs. Public Works took care of this but the house across the street at the corner of Embury and Atkins still has gang signs painted on the outside. He asked if the landlord can be pursued to clean it up. Mr. Gadaleta will follow-up with the Code Department.

Hank Coakley, Valley Road, asked if the life of a tideflex valve is known because one of the valves in the Shark River did not work. Mr. Gadaleta stated that he does not know the expected life but will research the condition of the one valve that did not work.

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

Richard J. Cuttrell,  
Municipal Clerk