

TOWNSHIP COMMITTEE WORKSHOP MEETING – JANUARY 12, 2015 – 6:00 P.M.

Mayor Jahn calls the workshop meeting to order at 6:00 p.m. and asks the Clerk to call the roll:

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
J. Randy Bishop	_____
Dr. Michael Brantley	_____
Eric J. Houghtaling	_____
Kevin B. McMillan	_____
Mary Beth Jahn	_____

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

Mayor Jahn announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 8, 2015, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Discussion - Port Ambrose liquefied natural gas facility. (PW)

2. Review Committee calendars/update on outstanding issues and capital items.
- Various on-going capital improvement projects.

Res. # 15-58 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Houghtaling, _____; McMillan, _____; Jahn, _____.

TOWNSHIP COMMITTEE MEETING – JANUARY 12, 2015 – 7:00 P.M.

Mayor Jahn calls the meeting to order and asks the Clerk to call the roll:

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
J. Randy Bishop	_____
Dr. Michael Brantley	_____
Eric J. Houghtaling	_____
Kevin B. McMillan	_____
Mary Beth Jahn	_____

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

Silent Prayer and Flag Salute

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

Mayor Jahn announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 8, 2015, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at www.neptunetownship.org.

APPROVAL OF MINUTES

Motion offered by _____, seconded by _____, to approve the minutes of the meetings held on December 22nd and January 1st.

PROCLAMATION

The Mayor will proclaim the month of January as Human Trafficking Awareness Month in the Township.

PRESENTATION

The Pound the Pavement for Purple Committee will present a check, representing the proceeds from the 5km run held on November 1st, to the Lustgarten Foundation. The Lustgarten Foundation exists to advance the research related to the diagnosis, treatment, cure and prevention of pancreatic cancer.

REPORT OF THE CLERK

The Clerk states that the following reports and communications are on file in the Clerk's office:

Notice from the Monmouth County Board of Chosen Freeholders that the Township has been awarded a County Open Space Grant in the amount of \$232,000 for improvements to the perimeter track at Sunshine Fields.

Letters of thanks to the Senior Center staff from Patricia Coffey, Janice & Ray Rummel and Betty Wolny.

COMMENTS FROM THE DAIS

Comments from the Dais regarding business on this agenda or any reports on recent events in their respective departments.

PUBLIC COMMENTS ON RESOLUTIONS

Public comments regarding resolutions presented on this agenda only. The public will be permitted one visit to the microphone with a limit of five minutes.

ORDINANCES

For each ordinance with a public hearing, the public is permitted one visit to the microphone with a limit of five minutes.

ORDINANCE NO. 15-01 - An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding Resident Handicapped On-Street Parking Zones on Franklin Avenue, Broadway, Spray Avenue And Pitman Avenue – First Reading

Explanatory statement: This ordinance authorizes Resident Handicapped On-Street Parking Zones to be installed on the public roadway adjacent to 93 Franklin Avenue, 109 Broadway, 8 Spray Avenue and 17 Pitman Avenue.

Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Houghtaling, _____; McMillan, _____; Jahn, _____.

ORDINANCE NO. 15-02 - An ordinance to amend Volume I, Chapter XII of the Code of the Township of Neptune to rescind the section entitled “Prohibited Occupancy” – First Reading

Explanatory statement: This ordinance eliminates the section of the Property Maintenance Code entitled “Prohibited Occupancy”.

Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Houghtaling, _____; McMillan, _____; Jahn, _____.

The Public Hearings on Ordinances 15-01 and 15-02 will be held on Monday, January 26, 2015.

CONSENT AGENDA

Res. # 15-59 – Grant leave of absence under the Family Medical Leave Act.

Res. # 15-60 – Authorize the cancellation of a mortgage in connection with a UDAG Program Loan issued to Scrubber Doctor (222 Highway 35).

Res. # 15-61 – Authorize the sale of Veterans Poppies.

Res. # 15-62 – Appoint representative to the Deal Lake Commission.

Res. # 15-63 – Accept the resignation of Daniel Savastano as a Special Law Enforcement Officer – Class II.

Res. # 15-64 – Authorize temporary closing of streets in connection with a benefit 5km run at Volunteer Park.

Res. # 15-65 – Authorize execution of a State-Local Grant Agreement in connection with a Pre-Disaster Mitigation Competitive Grant Program award for the Lake Alberta Flood Mitigation Project.

CONSENT AGENDA Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Houghtaling, _____; McMillan, _____; Jahn, _____.

Res. # 15-66 – Oppose offshore Port Ambrose Liquefied Natural Gas facility.

Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Houghtaling, _____; McMillan, _____; Jahn, _____.

Res. # 15-67 – Employ Driver in the Department of Public Works on a probationary basis.

Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Houghtaling, _____; McMillan, _____; Jahn, _____.

Res. # 15-68 – Authorize the payment of bills.

Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Houghtaling, _____; McMillan, _____; Jahn, _____.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Members of the public may address any concern relating to the Township. The public will be permitted one visit to the microphone with a limit of five minutes.

ADJOURNMENT

ORDINANCE NO. 15-01

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING RESIDENT HANDICAPPED ON-STREET PARKING ZONES ON FRANKLIN AVENUE, BROADWAY, SPRAY AVENUE AND PITMAN AVENUE

BE IT ORDAINED, by the Township Committee of the Township of Neptune that the Code of the Township of Neptune is hereby amended as follows:

SECTION 1

Volume I, Chapter VII, Section 7-21.7 – Resident Handicapped On-Street Parking, is hereby amended by adding the following:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Franklin Avenue	1	North side of Franklin Avenue beginning 60 feet west of the northwest intersection of Franklin Avenue and Pennsylvania Avenue
Broadway	1	North side of Broadway beginning 77 feet east of the northeast intersection of Broadway and Delaware Avenue
Spray Avenue	1	South side of Spray Avenue beginning 115 feet east of the southeast intersection of Spray Avenue and Beach Avenue
Pitman Avenue	1	North side of Pitman Avenue beginning 43 feet east of the northeast intersection of Pitman Avenue and Beach Avenue

SECTION 2

Volume I, Chapter VII, Section 7-21.1 – Handicapped Parking on Street, is hereby amended by deleting the location on Spray Avenue being added to Section 7-21.7 as described in Section 1.

SECTION 3

This ordinance shall take effect upon publication in accordance with law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrel,
Municipal Clerk

Mary Beth Jahn,
Mayor

ORDINANCE NO. 15-02

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

BE IT ORDAINED, by the Township Committee of the Township of Neptune of the
County of Monmouth in the State of New Jersey as follows:

SECTION 1.

Chapter XII, entitled "Property Maintenance" §12-1.2, Subsection (t) entitled "§PM -405.7
– Prohibited Occupancy", shall be deleted and rescinded in its entirety.

SECTION 2

All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but
only to the extent of such inconsistency.

SECTION 3

The amended Ordinance shall become effective immediately upon its final passage and
publication as required by law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Mary Beth Jahn,
Mayor

RESOLUTION #15-58 – 1/12/15

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

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

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

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

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

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

Personnel – Recommendation for vacant Driver position

Potential Litigation – Request for refund of mercantile license fee

Potential Litigation - Background check ordinance for volunteer public safety workers

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.

RESOLUTION #15-59 - 1/12/15

GRANT LEAVE OF ABSENCE UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, Irene Paternostro, Senior Center Departmental Secretary, has requested a leave of absence under the provisions of the Family Medical Leave Act during which time she 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 Irene Paternostro, Senior Center Deputy Director, is hereby granted a leave of absence, with the use of accumulated sick time, under the provisions of the Family Medical Leave Act from January 26, 2015 through April 17, 2015; and,

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF NEPTUNE ON 01/12/2015

A handwritten signature in black ink, appearing to read "Richard J. Cuttrell", is written over a horizontal line.

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-60 - 1/12/15

AUTHORIZE THE CANCELLATION OF A MORTGAGE IN CONNECTION WITH
A UDAG PROGRAM LOAN ISSUED TO SCRUBBER DOCTOR (222 HIGHWAY 35)

WHEREAS, the Township of Neptune holds a mortgage dated August 31, 2004 in connection with a UDAG Program Loan issued to Scrubber Doctor at 222 Highway 35; and,

WHEREAS, the ten year loan has been paid in full; and;

WHEREAS, the Township desires to cancel said mortgage in accordance with the terms of the mortgage note,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and they are hereby authorized to execute a cancellation of mortgage in connection with the UDAG Program Loan issued to Scrubber Doctor at 222 Highway 35; and,

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF NEPTUNE ON 01/12/2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-61 - 1/12/15

AUTHORIZE THE SALE OF VETERANS POPPIES

BE IT RESOLVED, that the Neptune Township American Legion Auxiliary Unit No. 346 and the O'Brien Major Post No. 2639 be and is hereby authorized to sell Veterans Poppies in the Township of Neptune for the month of May at various locations throughout the Township; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Neptune Township American Legion Auxiliary Unit No. 346, O'Brien Major Post No. 2639 and the Neptune Township Police Department.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF NEPTUNE ON 01/12/2015

A handwritten signature in black ink, appearing to read 'Richard J. Cuttrell', is written over the certification text.

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-62 - 1/12/15

APPOINT REPRESENTATIVE TO THE DEAL LAKE COMMISSION

BE IT RESOLVED, by the Township Committee of the Township of Neptune that Eric Houghtaling be and is hereby appointed the Neptune Township representative to the Deal Lake Commission for a one year term expiring December 31, 2015; and,

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF NEPTUNE ON 01/12/2015

A handwritten signature in black ink, appearing to read "Richard J. Cuttrell".

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-63 - 1/12/15

ACCEPT THE RESIGNATION OF DANIEL SAVASTANO AS A
SPECIAL LAW ENFORCEMENT OFFICER - CLASS II

WHEREAS, the Township Committee has received a letter from Daniel Savastano resigning as a Special Law Enforcement Officer – Class II effective December 31, 2014,

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

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

CERTIFICATION
I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF NEPTUNE ON 01/12/2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-64 – 1/12/15

AUTHORIZE THE TEMPORARY CLOSING OF STREETS IN CONNECTION WITH
A BENEFIT 5K RUN AT VOLUNTEER PARK

WHEREAS, Recovery Along the River Foundation, Inc. has scheduled a benefit 5K Run/Walk on Sunday, May 3, 2015 at Volunteer Park on South Riverside Drive; and,

WHEREAS, it is necessary to temporarily close streets and designate no parking on the streets bordering South Riverside Drive, the Marina and Volunteer Park during the event; and,

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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates the temporary closure and posting of temporary no parking on the following streets on May 3, 2015 from 9:00 A.M. to 12:00 P.M. for the 5K Run/Walk:

South Riverside Drive between Park Place and Marvin Court
Clinton Place between South Riverside Drive and Valley Road
Valley Road between Clinton Place and Park Place
Park Place between Valley Road and South Riverside Drive
Vernon Avenue, Tremont Drive, Benton Place, Cliffwood Drive, Sylvan Drive, The Plaza,
Milford Road, Prospect Avenue, Highland Avenue, Melrose Avenue, Hillcrest Avenue,
Fairview Place, Beverly Way and Riverview Court at South Riverside Drive

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF NEPTUNE ON 01/12/2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-65 - 1/12/15

AUTHORIZE EXECUTION OF A STATE-LOCAL GRANT AGREEMENT IN CONNECTION
WITH A PRE-DISASTER MITIGATION COMPETITIVE GRANT PROGRAM AWARD
FOR THE LAKE ALBERTA FLOOD MITIGATION PROJECT

WHEREAS, the Township has submitted an application for funding to the New Jersey Office of Emergency Management Pre-Disaster Mitigation Competitive Grant Program to perform a Lake Alberta Flood Mitigation Project; and,

WHEREAS, the Township has received notification that it will receive grant funding in the amount of \$696,084.75 to be applied to the project cost and,

WHEREAS, the Township Committee desires to accept said funding and authorize execution of the required State-Local Grant Agreement,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Neptune Township Emergency Management Coordinator be and is hereby authorized to execute a State-Local Grant Agreement in connection with a Pre-Disaster Mitigation Competitive Grant Program award in the amount of \$696,084.75 for the Lake Alberta Flood Mitigation Project; and,

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

CERTIFICATION
I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF NEPTUNE ON 01/12/2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-66 - 1/12/15

OPPOSE OFFSHORE PORT AMBROSE LIQUEFIED NATURAL GAS FACILITY

WHEREAS, the characteristics of the ocean waters east of New Jersey are unique in the world as more than 300 species of fish, nearly 350 species of birds, 7 species of sea turtles, and many marine mammals such as 25 species of whales and dolphins, and several species of seals and porpoises frequent the area; and,

WHEREAS, the ecological richness and economic viability of tourism and fishing in this region depends on a clean marine environment and shoreline; and,

WHEREAS, the Port Ambrose liquefied gas facility, proposed by Liberty Natural Gas, could be hazardous to our shoreline in many ways, and,

WHEREAS, this proposed facility would be located 25 miles east of Long Branch, New Jersey and would be used to transport liquefied natural gas, a very volatile substance, from specially fitted ships through a lateral pipeline located 13 miles from Sandy Hook, and,

WHEREAS, this proposed facility would be in an area that is vulnerable to attack and is within miles of three major airports and some of the most densely populated areas in the United States;

WHEREAS, the fracking involved in the process could pollute drinking water, increase greenhouse gas emissions, harm various marine species and pose a threat to our local economy as commercial fishermen will be excluded certain areas and beachfront tourism will be put at risk,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey hereby opposes the building of the Port Ambrose liquefied natural gas facility in the waters off the New Jersey coast for the reasons described herein; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to The Honorable Chris Christie, Governor of New Jersey and Clean Ocean Action.

CERTIFICATION
I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF NEPTUNE ON 01/12/2015



Richard J. Cuttrell, Municipal Clerk

TABLED

RESOLUTION #15-67 - 1/12/15

EMPLOY DRIVER IN THE DEPARTMENT OF
PUBLIC WORKS ON A PROBATIONARY BASIS

WHEREAS, there is a vacancy in the position of Driver in the Public Works Department; and,

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

WHEREAS, the Public Works Director has made his recommendation; 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 _____ be and is hereby employed as a Driver in the Department of Public Works, on a probationary basis for a period of not less than 90 days and not exceeding one year, pending favorable results of the required physical, effective January 20, 2015, at an annual salary of \$28,560.00; and,

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

RESOLUTION #15-68 – 1/12/15

AUTHORIZE THE PAYMENT OF BILLS

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

CURRENT FUND	364,249.07
FEDERAL & STATE GRANT FUND	38,775.11
TRUST OTHER	229,353.58
GENERAL CAPITAL FUND	225,140.80
SEWER OPERATING FUND	6,998.74
MARINA OPERATING FUND	3,280.15
MARINA CAPITAL FUND	6,516.60
DOG TRUST	77.40
LIBRARY TRUST	3,653.24
BILL LIST TOTAL	\$878,044.59

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

CERTIFICATION
I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF NEPTUNE ON 01/12/2015



Richard J. Cuttrell, Municipal Clerk