

TOWNSHIP COMMITTEE MEETING – FEBRUARY 24, 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: Mary Beth Jahn, Kevin B. McMillan and Mayor Michael Brantley. Absent: J. Randy Bishop and Eric J. Houghtaling.

Also present at the dais were Richard J. Cuttrell, Municipal Clerk; Vito D. Gadaleta, Township Administrator; Edward Hudson, Assistant 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. Gadaleta distributed an estimate of construction costs prepared by T&M Associates in connection with Veterans Memorial Park. He also displayed a rendering showing five nodes for each service branch which would contain the names of Neptune residents killed in the line of duty. The walkway between the nodes would be pavers and would include the sponsored pavers that have been sold (approximately \$31,000) over the past two years. The Veterans Memorial Park Committee approved the concept and Mr. Bishop and Mr. Houghtaling also were in support. The cost estimate is \$762,720 and the Township would apply for grant funding. If the Committee desires to move forward, a capital ordinance would be ready for introduction at the next meeting. Ms. Jahn asked if the names of prisoners of war would also be displayed. Mr. Gadaleta stated that the Committee decided that only those killed in action would be displayed. The Park Committee's goal is to have a dedication on Veterans Day 2014. The Committee indicated that the plan should be proceed as presented.

Mr. McMillan stated that he attended the West Neptune Homeowners Association meeting and the residents raised the issues of vehicles over four tons on Jumping Brook Road and pockets of stormwater management issues Township wide. He asked that these items be added to the list of pending items. Mr. Gadaleta will speak to the Township Engineer regarding the stormwater management issues.

Ms. Jahn asked the Mayor to supply potential dates to hold a workshop meeting for discussion on planning 2014 priorities.

Mr. McMillan announced that he is organizing a Financial Literacy workshop in April at the High School.

Mr. Gadaleta reported that he met with JCP&L at Rhodes Terrace. It appears that the Township will be able to provide emergency access to and from Rhodes Terrace as requested by the residents.

Mr. Gadaleta also reported that the Wesley Lake wall project is proceeding along with the two lake desilting projects. The demolition of the structures at Veterans Memorial Park will begin on February 25<sup>th</sup> and a purchase order has been issued for the Broadway street lights.

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

Ms. Jahn 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:

Litigation – Update on pending litigation.  
Personnel – Housing Authority appointment  
Personnel – Recommendations for two vacant Driver positions

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: Jahn, aye; McMillan, aye; and Brantley, aye.

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

The Committee reviewed the vacancy on the Housing Authority. They are working on getting an interested resident to fill the vacancy and asked that a resolution be added to the next meeting to reappoint Edward Green to the Authority.

Mr. Gadaleta reported that Human Resources interviewed six individuals for the two vacant Driver positions. The Public Works Director and Road Supervisor then administered an aptitude test. Mr. Gadaleta reviewed the entire process and recommendations were made to hire Kevin Neal and Joseph Leone. Action was taken by resolution at the business portion of the meeting.

Mr. Gadaleta stated that the Ocean Grove boardwalk project specifications will contain a Project Labor Agreement. The State advised that the \$5 million threshold that appears in the legislation is not a minimum required project cost amount.

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: Mary Beth Jahn, Kevin B. McMillan and Mayor Michael Brantley. Absent: J. Randy Bishop and Eric J. Houghtaling.

The Mayor reported that Mr. Bishop, Mr. Houghtaling and Mr. Bascom were at a County meeting in reference to the desilting of Shark River. He read a statement from Mr. Houghtaling expressing his regrets for not being in attendance this evening but the County meeting is of great importance to the future of the Shark River.

Also present at the dais were Richard J. Cuttrel, Municipal Clerk; Vito D. Gadaleta, Township Administrator; Edward Hudson, Assistant 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 Ms. Jahn, to approve the minutes of the meeting held on January 1st. All were in favor.

#### PRESENTATION

The Mayor presented a plaque to Ermon K. Jones in recognition of his life long contributions and achievements towards the betterment of the citizens of Neptune Township. Mr. Jones stated that he had three goals to enrich the lives of those in the community. The goals were in the area of housing, education and employment. He cited examples of how he accomplished these goals and how that assisted in advancing African-Americans in all areas. He thanked the Township

Committee for the recognition and received a standing ovation from those in attendance.

#### COMMENTS FROM THE DAIS

Mr. McMillan thanked Ermon Jones for his contributions. He attended the Black History Month celebration and it was great. He met with the Neptune Day Committee and announced that the event will be held on September 20<sup>th</sup> with more details to follow. He attended the MURC meeting where an update on redevelopment was provided by CityWorks. The Recreation Committee is planning on sending all youth sports coaches to a Rutgers three hour coaches seminar. Mr. McMillan attended a West Neptune Homeowners Association meetings where concerns about stormwater management issues were raised. Also, traffic calming on Jumping Brook Road is needed and the four ton weight limit needs additional enforcement.

Ms. Jahn stated that she was unable to attend the Black History Month celebration because she was performing three marriages that day. She heard it was a great event and Ermon and Blanche Jones are the first people that come to mind when someone mentions Neptune Township. She reported that she is working with Mr. Bascom on the 2014 municipal budget and looking at overtime costs and the rebuild phase of the Municipal Marina. She announced that March 3<sup>rd</sup> is Dr. Seuss Day and encouraged everyone to read a book to a child.

The Mayor announced that he attended the MURC meeting and a Meet the Mayor Night at the West Neptune Homeowners meeting. A Mayor's Ball meeting was also held with more details forthcoming. The Black History Month program was fantastic and he was happy to see the people begin recognized. He added that he was excited to be a part of history in recognizing Ermon Jones.

#### PUBLIC COMMENTS ON RESOLUTIONS

The Mayor requested public comments regarding resolutions presented on this agenda and they were as follows:

Dorothy Argyros, 2100 Rutherford Avenue, commended the appropriation for the Investigatory Report on the Police Department. She stated that she found two additional lawsuits involving the Police Department; Taylor and Babiloni, which are both civil rights cases. The next step is an ordinance requiring the Township Committee to make public knowledge any cases that are settled. She added that the Savage case is coming up for mediation and the Committee should let the people know about it because it can identify patterns of behavior in our Police Department. The Investigatory Report is a step in the right direction.

#### ORDINANCE NO. 14-10 - ADOPTED

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

##### ORDINANCE NO. 14-10

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-7 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING NO PARKING ZONES ON PORTIONS OF WEST LAKE AVENUE, HECK AVENUE, EMBURY AVENUE AND RIDGE AVENUE

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

Gail Oliver, Neptune City, thanked the Committee for considering this ordinance because she brought it to the Committee's attention last month. She added that M&E Motors on the corner of West Lake and Highway 35 frequently gets deliveries of cars from large car trailers. She no longer lives there, but if that is still occurring it causes traffic problems on that block. Ms. Jahn stated that she thought this matter was addressed. Mr. Gadaleta will further research.

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

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

#### ORDINANCE NO. 14-11 - ADOPTED

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

ORDINANCE NO. 14-11

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-21 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING HANDICAPPED PARKING ZONES ON MILTON AVENUE AND ABBOTT 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: Jahn, aye; McMillan, aye; and Brantley, aye.

Mr. Cuttrell stated that the Public Hearings on Ordinances 14-10 and 14-11 will be held on Monday, February 24, 2014.

CONSENT AGENDA

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

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT

WHEREAS, the properties listed below reflect overpayments; and,

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

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

<b>BLOCK</b>	<b>LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
51	1087	Delloso	70 Abbott Ave	2014	2,369.74
89	36	Hayes	102 Mt Hermon Wy	2014	4,003.60
510.01	1616	Whelan	522 N. Riverside Dr	2014	1,322.14

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

AUTHORIZE THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT WITH THE NEPTUNE TOWNSHIP SCHOOL DISTRICT FOR THE PRODUCTION OF JOINT NEWSLETTERS

WHEREAS, the Township of Neptune and the Neptune Township School District desires to enter into an Interlocal Service Agreement pursuant to N.J.S.A. 40:8A-1 et seq. whereby the District will produce up to four (4) newsletters annually containing information about both District and municipal operations, news and events; and,

WHEREAS, the Township will agree to pay the District a fee for each newsletter based on a fee schedule outlined in the Interlocal Service Agreement and in consultation with the District's approved vendor; and,

WHEREAS, the Township will provide the text for their portion of the newsletter and the District will be responsible for all other aspects including preparation, layout, production and mailing; and,

WHEREAS, this Interlocal Service Agreement shall be automatically renewed on an annual basis on the anniversary date of the signing of said Agreement for a term of five (5) years,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Interlocal Services Agreement with the Neptune Township School District, a copy of which is on file in the Office of the Municipal Clerk, which authorizes the Township and District to produce joint newsletters to provide pertinent information about municipal and school operations to Township residents; and,

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

District.

ACCEPT THE RESIGNATION OF CLIFFORD JOHNSON AS A MEMBER OF THE BOARD OF ADJUSTMENT

WHEREAS, the Township Committee has received a letter from Clifford Johnson resigning as a member of the Board of Adjustment effective February 12, 2014,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Clifford Johnson as a member of the Board of Adjustment is hereby accepted effective February 10, 2014; and,

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

AMEND RESOLUTION #14-80 TO PROVIDE ADDITIONAL APPROPRIATION FOR INVESTIGATORY SERVICES

WHEREAS, on January 13, 2014, the Township Committee adopted Resolution #14-80 which authorized Greg Turner to provide investigatory services for independent review and investigation of internal complaints filed in the Police Department at an amount not to exceed \$27,000.00; and,

WHEREAS, there is a need for an amendment to said resolution to provide an additional appropriation in the amount of \$3,000.00 in order to complete the services requested by the Township; and,

WHEREAS, funds will be provided for the first three months of 2014 in the 2014 Temporary Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, 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 amends Resolution #14-80 to provide an additional appropriation to Greg Turner to provide investigatory services for independent review and investigation of internal complaints filed in the Police Department at an additional amount not to exceed \$3,000.00; 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., and Deputy Chief of Police.

AUTHORIZE THE MONMOUTH COUNTY MOSQUITO EXTERMINATION COMMISSION TO CONDUCT MOSQUITO CONTROL MEASURES AS NECESSARY

WHEREAS, the Monmouth County Mosquito Extermination Commission has requested authorization to apply pesticides from aircraft to control mosquitoes over portions of the County of Monmouth and possibly the Township of Neptune; and,

WHEREAS, it is this Committee's understanding that all pesticides used are only those approved for aerial application by the New Jersey Department of Environmental Protection and the United States Environmental Protection Agency; and,

WHEREAS, the areas to be treated are only those which have significantly high mosquito populations to be either a nuisance or health hazard; and,

WHEREAS, prior to each and every application, the Monmouth County Mosquito Extermination Commission further agrees to notify the Neptune Township Police Department;

THEREFORE, BE IT RESOLVED, that the Mayor and Clerk are hereby authorized to execute an agreement authorizing the Monmouth County Mosquito Extermination Commission to apply pesticides from aircraft for the year 2014, pursuant to the conditions of this resolution; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Monmouth County Mosquito Extermination Commission, the Neptune Township Police Department, and the Business Administrator.

AUTHORIZE THE TOWNSHIP OF NEPTUNE AND THE NEPTUNE JOINT VETERANS ASSOCIATION TO CO-SPONSOR A MEMORIAL DAY PARADE

WHEREAS, the Township Committee desires to continue the tradition of co-sponsoring a Memorial Day parade to honor those who gave the ultimate sacrifice in defense of our Nation; and,

WHEREAS, funds for this purpose are available in the appropriation entitled Celebration of Public Events and the Chief Financial Officer has so certified in writing.

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that permission is hereby granted to conduct the annual Memorial Day Parade, co-sponsored by the Township of Neptune and the Neptune Joint Veterans Association, to be held on Monday, May 26, 2014 and an appropriation of not to exceed \$1,500.00 is authorized for costs associated with the parade; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Parade Committee, Director of Public Works and the Chief of Police.

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

WHEREAS, volunteer personnel in the Office of Emergency Management were placed on stand-by duty as a result of the snow emergency declared on February 13th; and,

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

WHEREAS, funds will be provided for the first three months of 2014 in the 2014 Temporary Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that stand-by duty payment at the rate of \$14.00 per hour be and is hereby authorized to the following Office of Emergency Management staff for the hours indicated as a result of the snow emergency on February 13, 2014:

Anthony Devlin – 8 hours  
Jeffrey Devlin – 8 hours  
Michael Scannapieco – 8 hours  
William Van Meter – 8 hours

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

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,

1

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
201/39.01	1318 Corlies Avenue, LLC	1322 Corlies Ave	2014	450.00

REASON: Building disconnected from sewer in September, 2013

2

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
282/8.01	Elite Suites, LLC	1820 Corlies Ave	2014	1,350.00

REASON: Corrected units for commercial building

3

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
3101/1C203	Omni Suites, LLC	1900 Corlies Ave	2014	450.00

**REASON:** Unit combined with Lot 1C202

**4**

<b>BLOCK/LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
3101/1C302	Omni Suites, LLC	1900 Corlies Ave	2014	450.00

**REASON:** Unit combined with Lot 1C301

**5**

<b>BLOCK/LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
3101/1C303	Omni Suites, LLC	1900 Corlies Ave	2014	450.00

**REASON:** Unit combined with Lot 1C301

**6**

<b>BLOCK/LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
7018/6.01	Edmar Developers, LLC	3442 West Bangs Av	2014	225.00

**REASON:** Sewer disconnected 2/18/14

**7**

<b>BLOCK/LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
228/1	Gary E. & Margaret A. White	405 Highway 35	2014	450.00

**REASON:** Sewer disconnected 1/30/14

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

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

EMPLOY DRIVER IN THE PUBLIC WORKS DEPARTMENT ON A PROBATIONARY BASIS

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

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

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

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

WHEREAS, funds will be provided for the first three months of 2014 in the 2014 Temporary Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, 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 Kevin Neal at an annual salary of \$33,000.00 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 March 3, 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., AFSCME Local #1844, Director of Public Works and Human Resources.

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

EMPLOY DRIVER IN THE PUBLIC WORKS DEPARTMENT ON A PROBATIONARY BASIS

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

adopted:

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

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

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

WHEREAS, funds will be provided for the first three months of 2014 in the 2014 Temporary Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, 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 Joseph Leone at an annual salary of \$28,000.00 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 March 3, 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., AFSCME Local #1844, Director of Public Works and Human Resources.

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

AUTHORIZE THE PAYMENT OF BILLS

Ms. Jahn offered the following resolution, moved and seconded by Mr. McMillan, 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	6,524,926.55
FEDERAL & STATE GRANT FUND	6,136.72
TRUST OTHER	9,213.53
GENERAL CAPITAL FUND	60,474.00
SEWER OPERATING FUND	770.14
SEWER CAPITAL FUND	8,980.00
MARINA OPERATING FUND	2,396.92
LIBRARY TRUST	1,669.90
BILL LIST TOTAL	\$6,614,567.76

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: Jahn, aye, adding that \$5,833,299.00 of this total is taxes going to the County, School and fire districts; McMillan, aye; and Brantley, aye.

AMEND RESOLUTION AUTHORIZING MEDIATION IN THE CASE OF GONZALEZ/SAVAGE V. NEPTUNE TOWNSHIP

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



WHEREAS, there is a pending lawsuit against Neptune Township by two police officers in the matter of Gonzalez/Savage vs. Neptune Township; and

WHEREAS, Non-binding Mediation has been offered on March 18, 2014; and

WHEREAS, the Township's insurance carrier requires the consent of the governing body for said mediation; and

WHEREAS, Neptune Township adopted a Resolution on February 10, 2014 authorizing the above referenced mediation; and

WHEREAS, the Township's insurance carrier requires as part of mediation the ability to mediate and negotiate to the extent of policy limitations.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorizes the aforesaid Non-binding Mediation to the extent of policy limitations in the case of Gonzalez/Savage vs. Neptune Township, to ensure good-faith negotiations; and,

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

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

#### PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Thomassina Shanks, 12 Shorebrook Circle, stated that this is erosion of her land due to a stream to the rear of her home. She contacted Trenton and was told that it is the Township's responsibility. The Mayor stated that stormwater management issues were brought up at the West Neptune Homeowners Association meeting. Mr. Gadaleta asked for contact information and stated that he will look into the matter.

Jack Breden, 94 ½ Heck Avenue, stated that he has the highest respect for the volunteer members of the Planning Board and Board of Adjustment. He added that there is no section on the Board of Adjustment agenda for public comment. He cited Cox's Land Use Manual which states that the agenda should include a public comment section. Any Applicant for a use variance is actually saying that the current zoning is wrong so a speaker on the application should not be considered an "Objector". Mr. Anthony stated that these are semi-autonomous Boards and the Township Committee cannot interfere with their duties and how they set agendas. This issue has to be brought to the attorneys of the respective boards

Dorothy Argyros, 2100 Rutherford Avenue. stated that each police officer costs the taxpayer \$200,000 per year. Courts have ruled that police officers are not obligated to respond to a 9-1-1 call. Most officers want to help but are under no legal obligation to do so. She cited cases from outside of Neptune where the police did not respond and people died.

Kennedy Buckley, Broadway, stated that he was impressed with hearing the accomplishments of Ermon Jones. He added that he hopes there can be a one hour summons writing campaign to people who do not shovel the snow from their sidewalks. This would be a deterrent to everyone. Mr. Gadaleta stated that he is in the process of rewriting the ordinance because it does not permit for the issuance of a summons. It only allows for a lien to be placed on the property so there the current ordinance has no teeth. Mr. Buckley was pleased to hear that the ordinance was being looked at for revision.

Celestine Overby, Bingham Street, stated that plow drivers should lift their plows as they pass driveways because they keep pushing snow back into shoveled driveways.

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

Richard J. Cuttrel,  
Municipal Clerk