

TOWNSHIP COMMITTEE MEETING – SEPTEMBER 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, Kevin B. McMillan and Mayor Michael Brantley. (Mary Beth Jahn arrived during open workshop session at 6:03 p.m.)

Also present at the dais were Richard J. Cuttrell, Municipal Clerk; Vito D. Gadaleta, Township Administrator; 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:

The Mayor stated that he is doing a large number of weddings which require many trips to the Township in a personal vehicle. He inquired if the Committee had interesting in looking at the possibility of establishing a small fee for wedding ceremonies and then allowing the Mayor and Deputy Mayor to submit for reimbursement of costs associated with performing the weddings.

Ms. Jahn arrived.

Mr. Cuttrell provided the state's guidelines and procedure on how this can be accomplished. Mr. Bishop asked Mr. Cuttrell to survey other towns to ascertain if they are charging. Ms. Jahn stated that she want to keep this service free because it is of the few things that we can do for free. If anything, the charge should only cover expenses and not be a money maker to the Township. Mr. Houghtaling stated that when he was Mayor, it was an honor to perform ceremonies so he is not in favor of a charge. Mr. Anthony stated there is no sample ordinance from the League of Municipalities and none of the large towns in Monmouth County have adopted an ordinance. Mr. Bishop stated that the Mayor has the ability to do as many, or as few, ceremonies as he or she desires. The consensus of the Committee was to do no further research and allow the current Mayor to determine his or her own availability to perform ceremonies.

Wayne Rode, Director of Public Works, provided an update on the Single Stream Recycling Program adopted by the Township. Since implementation of Single Stream, recycling has increased 42% resulting in a savings of \$54,000 in landfill costs over the last 10 months. The only issue has been a drop in the value of recyclable material down to \$1 per ton; however, this is compared to a cost of \$73 per ton for refuse at the landfill. Mr. Rode also asked for the Committee's support for the resolution authorizing the purchase of two new dump trucks. These trucks will also be used for snow plowing and sanding operations.

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:

- Litigation – Update on pending litigation
- Legal Opinion – Bicycle storage/abandonment
- Real Estate negotiations – Southorte Condominium Association easement

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.

The Committee reviewed the current ordinance prohibiting the chaining of bicycles to signs, lampposts, etc. Since there is not a problem with abandoned bicycles, the Committee indicated that the current ordinance will remain and the plan to add bicycle racks at key locations will proceed.

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. Cuttrel, Municipal Clerk; Vito D. Gadaleta, Township Administrator; Edward J. 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.

RECOGNITION OF RETIRING TOWNSHIP EMPLOYEE

The Mayor presented a plaque to Silvester Griffin in recognition of his retirement from the Public Works Department after 25 years of service.

PROCLAMATION – FAMILY OF GERALD G. PALAIA

The Mayor presented a proclamation to the family of Gerald G. Palaia recognizing the life of Gerald who passed away on July 13th.

PROCLAMATIONS

The Mayor designating the month of September as Childhood Cancer Awareness Month and Hunger Action Month in the Township of Neptune.

REPORT OF THE CLERK

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

A note from Nancy & Gerard Dinicola and family thanking the Senior Center staff. A thank you note from Marilyn Cole to Rosemary Gray and a thank you note from Mary Carr to Melanie Manning and Paige DeRosa, Summer Interns at the Senior Center.

COMMENTS FROM THE DAIS

Mr. Houghtaling thanked Wayne Rode for the update on Single Stream recycling and congratulated Silvester Griffin on his retirement. He stated that the Committee had a special meeting on September 4th to appoint a Police Chief and a Police Director. The department now has a Chief and three Captains and the officers are very pleased. He reiterated that the Committee and Police Department are always looking at ways to improve the relationship between the police and the citizens.

Mr. Bishop wished both Mr. Houghtaling and Mr. McMillan a happy birthday.

Mr. McMillan stated that he attended the closing ceremony of the Urban Gateway Enhancement Program and congratulated James Hunt and Mr. Bascom on their appointment to Chief of Police and Police Director, respectively.

Ms. Jahn wished the best to Silvester Griffin on his retirement and congratulated Police Chief Hunt. She will be attending a grand opening ceremony on September 15th for Martin's Place which is a home for people to transition back to society after battling addiction or other personal problems. She announced an upcoming job fair at Brookdale Community College. She spoke at the Shark River Hills Property Owners Association meeting on signs on utility poles. Ms. Jahn discussed a recent print article about efforts in the Hazleton/Scranton PA area on blighted/abandoned homes. This may be another tool in our efforts to deal with abandoned homes in the Township.

The Mayor stated that he recently spoke at several churches and addressed incoming medical students on what to expect. He stated that the Committee waited to appoint a Chief of Police because they wanted to make the right decision. He expressed happiness with the outcome and with the ongoing accreditation process.

PUBLIC HEARING – APPLICATION TO MONMOUTH COUNTY MUNICIPAL OPEN SPACE PROGRAM

The Mayor asked Leanne Hoffmann, Township Engineer, to present the Township's application to the Monmouth County Open Space Program. Ms. Hoffmann presented a project entitled "Improvements to Sunshine Village Fields". She stated that the Township has been successful in receiving many Open Space grants in the past. As an urban aid municipality, the Township qualifies for 75% grant/25% match. This year's project will require an application for the maximum of \$250,000 in grant funding. The project will to replace the existing track around the perimeter of the fields. The current track is five to six feet wide and comprised of crushed stone. The track is well used and has a history of issues with settlement and grading issues which cause it to washout in spots. The project would completely replace the entire 2800 linear foot track with an eight foot wide rubberized track. The project would include drainage improvements at certain key points along the track to eliminate maintenance by preventing erosion and washout.

Mr. Bishop asked if there are maintenance requirement with a rubber track. Ms. Hoffmann answered that the track will have a warranty and should require much less maintenance than the current crushed stone track. Mr. McMillan asked if any land acquisition is necessary with the slightly wider track. Ms. Hoffmann responded no. Ms. Jahn stated that she heard of rubberized material in a playground catching fire in another town and asked if the rubber material is flammable. Ms. Hoffmann stated that she did not know but will look into the matter. Mr. Houghtaling asked that the drainage along the perimeter of the field also be looked at.

The Mayor opened the Public Hearing regarding the Township's proposed application to the Monmouth County Municipal Open Space Program for "Improvements to Sunshine Village Fields".

Jack Breden, Ocean Grove, asked if the resolution to approve the project requires a deed restriction that the park property can only be used for open space. Mr. Cuttrell stated that there is no land acquisition with this application. The Township already owns the property and such a restriction exists.

Sally Edmunds, 192 Maple Avenue, asked why the track needs to be widened. Ms. Hoffmann responded that the track is not wide enough to have too many people on it and to pass other walkers/runners comfortably. The track will be able to better handle user volume at eight feet in width.

Ms. Edmunds stated that not a lot of people use it now so she wonders why it needs to be widened. Ms. Edmunds then asked if the drainage improvements will be underground. Ms. Hoffmann stated that the drainage improvements will be underground and will be tied into existing drainage systems.

Ms. Edmunds asked if the drainage will be tied into the pumping station on Pine Street. Ms. Hoffmann stated no. The pumping station handles sanitary sewer, this will be storm water drainage.

John Edmunds, 192 Maple Avenue, stated that probably no more than twenty people use the track daily. He added if water runoff will go through Musquash Brook because the brook needs to be cleared so water can exit the area. Ms. Hoffmann stated that she will look into the matter with the Public Works Department.

Michael Fornino, 120 Fulham Place, stated that the Township has roads and a boardwalk for walkers and runners. There are already two rubberized tracks behind the schools. He stated that

the drainage is needed but the track is under utilized.

Mr. McMillan stated that there are workstations along the track for exercising and believes they will be used more frequently with the track improvements.

AUTHORIZE APPLICATION TO THE MONMOUTH COUNTY MUNICIPAL OPEN SPACE PROGRAM

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

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and,

WHEREAS, the Governing Body of the Township of Neptune desires to obtain County Open Space Trust Funds in the amount of \$250,000.00 to fund the project known as "Improvements to Sunshine Village Fields" located at 10 Pine Drive, also known as Block 307.26, Lot 5; and,

WHEREAS, the total cost of the project including all matching funds is \$333,000.00; and,

WHEREAS, the Township of Neptune is the owner of and controls the project site,

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

1. Michael J. Bascom, Chief Financial Officer, is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the principal contact person and correspondent of the above named municipality; and
2. The Township of Neptune is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Michael J. Bascom, Chief Financial Officer, is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. 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.

PUBLIC COMMENTS ON RESOLUTIONS

Hank Coakley, Valley Road, asked why the Township was entering into a Mutual Aid agreement with the County. Mr. Gadaleta replied that this is formalizing long standing mutual aid arrangements and insurance companies when agencies respond outside of their jurisdiction. Mr. Coakley asked if the appointment of a Consultant for Hazardous Discharge Site Remediation Fund investigations was for future sites to be determined. Mr. Gadaleta responded yes.

Dorothy Argyros, 2100 Rutherford Avenue, stated that every time this Committee spends money, they must ask themselves whether the need for the item is greater than reducing taxes. She added that this Committee continues to overspend.

Michael Fornino, 120 Fulham Place, asked if the revenue received in the two resolutions to amend the budget is general revenue or restricted to a specific purpose. Mr. Gadaleta stated that this was grant money received for a specific purpose.

Stephanie Seyr, South Riverside Drive, asked why the purchase of two dump trucks was less money than landscaping at Veterans Park. Mr. Bishop stated that the amount stated in the resolution for Veterans Park is the grand total of the entire project, not just landscaping.

ORDINANCE NO. 14-35 - ADOPTED

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

ORDINANCE NO. 14-35

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY CONVERTING AN EXISTING HANDICAPPED PARKING ZONE ON ATLANTIC AVENUE TO A RESIDENT HANDICAPPED ON-STREET PARKING ZONE AND DELETING A HANDICAPPED PARKING ZONE ON MT. CARMEL WAY

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

Heinz Weck, Ocean Grove, thanked the Committee for their kindness in passing this ordinance.

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

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

ORDINANCE NO. 14-36 – ADOPTED

Mr. Bishop offered a motion, seconded by Mr. Houghtaling, to table Ordinance No. 14-36. The motion was defeated by the following vote: Bishop, no; Houghtaling, aye; Jahn, no; McMillan, no; and Brantley, no.

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

ORDINANCE NO. 14-36

AN ORDINANCE AMEND VOLUME I, CHAPTER XII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING SECTION 12-5 ENTITLED “VACANT AND ABANDONED PROPERTIES”

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

Norm Goldman, 36 Ocean Pathway, offered suggestions to make this ordinance more affective in his opinion.

Kathy Arlt, Abbott Avenue, stated the Township changed the time frame as to when a property can be deemed abandoned and the owners really get seven months before the Township can do anything. Once they do something the building must be secured along with monthly inspections. She stated Code Enforcement should be going into the building to see what was wrong with them. She suggested the Township charge the owners a fee and requested another officer be appointed for the historic district. She also stated she felt there should be a minimum fine of \$1,000 since they had the maximum fine already at \$2,000.

Mr. Anthony stated the time schedule was based on the state statute and they could not reduce it. The statute says if you do a minimum fine it has to be \$100 and he did not want to do that.

Kennedy Buckley, Broadway, recommended the Township amend the ordinance to have a registration fee.

Joan Venezia, 107 Mt. Hermon Way, addressed the Committee and reiterated comments that were made by other residents pertaining to the minimum and maximum fine an owner could be charged and stated where Neptune is requesting six months there were towns that have lesser than that.

Mr. Anthony stated if they had less than six months then they were in violation of the state statute.

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

The ordinance was adopted on the following vote: Bishop, aye; Houghtaling, no; Jahn, aye; McMillan, aye; and Brantley, aye.

CONSENT AGENDA

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

REJECT REQUEST FOR RELEASE OF PERFORMANCE BOND GUARANTEEING SITE IMPROVEMENTS AT BRICKHOUSE TAVERN & TAP (ROUTE 66)

WHEREAS, the Township of Neptune holds a performance bond guaranteeing site improvements at Brick House Tavern & Tap on Route 66; and,

WHEREAS, the Developer requested a release of said bond and the Township Engineering Consultant has performed a site inspection; and,

WHEREAS, on August 27, 2014, the Engineering Consultant has prepared a punch list of unfinished items and recommends that the request for bond release be rejected until all items have been completed,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby rejects the request for release of the performance bond guaranteeing site improvements at the Brick House Tavern & Tap located on Route 66 (Block 1508, Lot 1); and,

BE IT FURTHER RESOLVED, that the Developer shall notify the Municipal Clerk when the outstanding punch list items are complete and the Engineering Consultant will be instructed to re-inspect the site; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Township Engineer and Leon S. Avakian, Inc.

AUTHORIZE EXECUTION OF THE MONMOUTH COUNTY MUTUAL AID AGREEMENT

WHEREAS, the Monmouth County Prosecutor's Office and the Monmouth County Chiefs of Police Association have created the Monmouth County Mutual Aid agreement (the Agreement) to provide a mechanism for participation in a program designed to provide supplemental police protection for all municipalities joining in such agreement; and,

WHEREAS, the provision and procedures for providing mutual police assistance are set forth in the Agreement; and,

WHEREAS, the Township Committee finds that participation in the Agreement will benefit the citizens of the municipality,

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

1. Participation in the Monmouth County Mutual Aid Agreement is hereby authorized.
2. Michael J. Bascom is hereby authorized to be the representative of the Township of Neptune to sign the Declaration of Joinder in the Monmouth County Mutual Aid Agreement.
3. The guidelines as set forth in the Agreement are hereby accepted.
4. This Resolution is separate and distinct from any mutual aid agreement previously entered into between any other municipalities and shall remain in effect until the Agreement is dissolved or until a formal resolution is adopted by the Township Committee withdrawing from the Agreement.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Monmouth County Prosecutor, Chief of Police and Police Director.

AUTHORIZE AN AMENDMENT TO THE 2014 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE COUNTY OF MONMOUTH

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 \$55,245.00 which is now available from the County of Monmouth in the amount of \$55,245.00; and,

BE IT FURTHER RESOLVED that the like sum of \$55,245.00 is hereby appropriated under the caption of Monmouth County Workforce Investment Board Youth Initiative; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from the Monmouth County Workforce Investment Board in the amount of \$55,245.00; and,

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

GRANT LEAVE OF ABSENCE TO JOYCE WILDER UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, Joyce Wilder, Customer Service Representative in the Office of Vital Statistics, has requested a leave of absence under the provisions of the Family Medical Leave Act during which time she will utilize the balance of her 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 Joyce Wilder, Customer Service Representative in the Office of Vital Statistics, is hereby granted an eight week leave of absence, with the use of accumulated sick time followed by unpaid leave at the point that accumulated sick time is exhausted, under the provisions of the Family Medical Leave Act from October 27, 2014 through December 21, 2014; and,

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

APPOINT HARBOR COMMISSION SECRETARY

WHEREAS, there is a vacancy in the part-time position of Harbor Commission Secretary; and,

WHEREAS, the position was duly posted; and,

WHEREAS, the Business Administrator has made a recommendation to appoint a current full-time employee to said position; and,

WHEREAS, funds will be provided in the 2014 Marina Utility in the appropriation entitled Marina Utility 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 Holly Rhinehardt be and is hereby appointed to the position of Harbor Commissioner Secretary at an annual salary of \$1,500.00 effective September 9, 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., Harbor Master, and AFSCME Local #1844.

ACCEPT THE RESIGNATION OF ANGEL MARRERO AS A POLICE OFFICER IN THE POLICE DEPARTMENT

WHEREAS, the Township Committee has received a letter from Angel Marrero resigning as a Police Officer in the Police Department,

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

that the resignation of Angel Marrero as a Police Officer in the Police Department is hereby accepted effective close of business September 2, 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., Human Resources and Chief of Police.

AUTHORIZE AN AMENDMENT TO THE 2014 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE 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 \$10,148.22 which is now available from the NJ Department of Law & Public Safety – Division of Highway Traffic Safety in the amount of \$10,148.22; and,

BE IT FURTHER RESOLVED that the like sum of \$10,148.22 is hereby appropriated under the caption of Drunk Driving Enforcement Fund; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Law & Public Safety – Division of Highway Traffic Safety Drunk Driving Enforcement Fund in the amount of \$10,148.22; and,

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

APPOINT SPECIAL LAW ENFORCEMENT OFFICERS IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

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

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

WHEREAS, the Chief of Police and Police Director have made their 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 Timothy Griswold, Shane Rowland and Edward Homiek be and are hereby appointed as part-time Special Law Enforcement Officers - Class II, and Jeffrey Force be and is hereby appointed as a part-time Supervising Special Law Enforcement Officer – Class II; and,

BE IT FURTHER RESOLVED, that all officers will perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, effective immediately, 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.

APPOINT CONSULTANT FOR HAZARDOUS DISCHARGE SITE REMEDIATION FUND INVESTIGATION

WHEREAS, the Township of Neptune desires to appoint a Consultant for Hazardous Discharge Site Remediation Fund Investigation through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Township accepted Requests for Proposals for said position on September 4, 2014 and desires to make an appointment from the proposals received; and,

WHEREAS, funds will be provided for this purpose in the 2014 municipal budget (a separate resolution will be adopted to authorize specific site work/project) 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 the execution of a contract to engage the services of Dynamic Earth, LLC as Consultant for Hazardous Discharge Site Remediation Fund Investigation for the balance of 2014, at the terms as indicated in said proposal on file on the Office of the Municipal Clerk; and,

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

AMEND AUTHORIZATION OF THE TOWNSHIP ENGINEERING CONSULTANT FOR SPECIFICATIONS AND DESIGN DEVELOPMENT FOR VETERANS MEMORIAL PARK

WHEREAS, the Township of Neptune is undertaking a project to create Veterans Memorial Park at the site of the former Welsh Farms dairy on Old Corlies Avenue; and,

WHEREAS, on December 23, 2013, the Township Committee adopted Resolution #13-551 which authorized T&M Associates to prepare plans and specification in connection with said project at an amount not to exceed \$26,600.00; and,

WHEREAS, as a result on-going design development, requested improvements and design alternates, it is necessary for the Township Engineering Consultant to perform additional work; and,

WHEREAS, funds for this purpose will be provided in Ordinance Nos. 14-13 and 14-29, 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 the December 23, 2013 authorization to T&M Associates to perform the services as stated herein at an additional amount not to exceed \$27,000.00 (total authorization now \$53,600.00); and,

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

AUTHORIZE THE TOWNSHIP ENGINEERING CONSULTANT TO PERFORM ENGINEERING SERVICES FOR SOUTH CONCOURSE AND SHARK RIVER ISLAND DRAINAGE IMPROVEMENT PROJECT

WHEREAS, the Township of Neptune expects to receive a Flood Mitigation Assistance Grant from the Federal Emergency Management Agency for the South Concourse and Shark River Island Drainage Improvement Project and is desirous to undertake said project; and,

WHEREAS, it is necessary for a Township Engineer Consultant from the approved list of 2014 Engineering Consultants appointed via Request for Proposals to perform professional engineering services including preparation of design, plans, specifications, permitting, and construction administration in connection with this project; and,

WHEREAS, T&M Associates has submitted a proposal for this work to the Township Engineer; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 11-05, as amended by Ordinance No. 14-30, 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 T&M Associates to perform the services as stated herein as Township Engineering Consultant at an amount not to exceed \$132,100.00, said proposal on file in the Office of the Municipal Clerk; and,

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

APPOINT ACTING FIRE SUB-CODE OFFICIAL

WHEREAS, due to the retirement of Kenneth Northrup, there is a vacancy in the position of Fire Sub-Code Official; and,

WHEREAS, the Construction Official recommends that Joseph Ciccone, current Building Sub-Code Official, be appointed as Acting Fire Sub-Code Official; and,

WHEREAS, funds for this purpose will be provided in the 2014 Municipal Budget in the appropriation entitled Construction S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby appoints Joseph Ciccone as Acting Fire Sub-Code Official at a salary of \$200.00 per week effective July 1, 2014 and concluding at such time that a Fire Sub-Code Official is appointed; and,

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

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

AWARD BIDS FOR POWERED AMBULANCE STRETCHERS AND COT FASTENING SYSTEMS

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

WHEREAS, on August 29, 2014, the Purchasing Agent received bids for the award of a contract for four Powered Ambulance Stretchers and four Power Load Cot Fastening Systems; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that both bids be awarded to the lowest bid submitted for each bid by Stryker Sales Corp.; and,

WHEREAS, said bids were advertised, received and awarded in a "fair and open" competitive bidding process in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in Ordinances No. 13-31 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a contract be awarded to Stryker Sales Corp. on their lowest responsible bid of \$55,872.00 for four (4) Powered Ambulance Stretchers; and,

BE IT FURTHER RESOLVED, that a contract be awarded to Stryker Sales Corp. on their lowest responsible bid of \$85,000.00 for four (4) Power Load Cot Fastening Systems; and,

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

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

AUTHORIZE THE PURCHASE OF TWO DUMP TRUCKS THROUGH THE HOUSTON-GALVESTON AREA COUNCIL PURCHASING PROGRAM

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

WHEREAS, the Township Committee wishes to authorize the purchase two (2) 2015 Freightliner 108SD 70 Cab Chassis with Monroe FFDS Dump Body dump trucks utilizing pricing through the Houston-Galveston Area Council Purchasing Program; and,

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

WHEREAS, the Township of Neptune, is authorized pursuant to N.J.S.A. 52:34-6.2(b)(3) to use procurement methods by entering into a nationally recognized cooperative agreement; and;

WHEREAS, the Houston-Galveston Area Council has a nationally recognized cooperative agreement and has awarded Contract No. HT06-14 to Houston Freightliner, Inc. for this equipment; and,

WHEREAS, the Purchasing Agent and Chief Financial Officer recommends the utilization of

this contract on the grounds that the price reflects a substantial savings; and,

WHEREAS, the amount of the purchase of the two (2) dump trucks shall not exceed a total of \$337,718.00; and,

WHEREAS, funds for this purpose are available from Ordinance Nos. 09-36 and 13-31 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township of Neptune Committee of the Township of Neptune that the purchase of two (2) 2015 Freightliner 108SD 70 Cab Chassis with Monroe FFDS Dump Body dump trucks for the Department of Public Works be and is hereby authorized through the Houston-Galveston Area Council Purchasing Program at an amount not to exceed \$337,718.00 (\$168,859.00 each); and,

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

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

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH IMPROVEMENTS TO VETERANS PARK

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

WHEREAS, on June 9, 2014, a contract was awarded to Down to Earth Landscaping in the amount of \$776,426.00 in connection with the Improvements to Veterans Park; and,

WHEREAS, changes to the contract have been experienced as a result of extending the concrete paver path & pad, paving the parking lot, and adding decorative fence and columns (Alternates 1, 2 and 4 in the original bid); and,

WHEREAS, these changes have been approved by the Township Engineer; and,

WHEREAS, funds for this purpose are available in Ordinance Nos. 14-13 and 14-29 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #1 in the contract with Down to Earth Landscaping in connection with Improvements to Veterans Park resulting in a net increase of \$131,500.00 revising the total contract amount to \$907,926.00; and,

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

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. Houghtaling 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	1,907,414.13
FEDERAL & STATE GRANT FUND	6,804.00
TRUST OTHER	42,346.27
GENERAL CAPITAL FUND	102,765.15
SEWER OPERATING FUND	1,084,660.27

SEWER CAPITAL FUND	4,050.13
MARINA OPERATING FUND	88,339.00
MARINA CAPITAL FUND	31,164.00
DOG TRUST	159.60
UDAG RECIPROCAL TRUST	185.00
LIBRARY TRUST	222.64
BILL LIST TOTAL	\$3,268,110.19

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 stated since October 2013 he has been trying to get the sidewalk in front of the water treatment plant on Old Corlies Avenue fixed. He felt it was a safety hazard for anyone one who uses the bridge. He’s spoken to officials from both the Township and the water company. He proposed the Township take any steps necessary to recoup fees pertaining to this. He also requested the governing body to give him standing so that he could try and recoup money on behalf of the Township. He presented the Committee with his DVD and thumb drive with information on it. He felt it was an atrocity for the Township to pay a bill that was someone else’s responsibility.

Mr. Houghtaling questioned whether this was an area that he could go and take a look at.

Ms. Jahn stated Mr. Bascom informed her that it would be fixed tomorrow or Wednesday.

Mr. Harmstead stated he did not want the Township to pay for the repairs.

Dorothy Argyros, 2100 Rutherford Avenue, commented on Ordinance #14-31. She stated she was happy to see this ordinance for the police department. She went on to state that at the September 4th's Special Meeting it was suppose to be the time she could speak on the ordinance but all they were going to do was to name Deputy Chief James Hunt as the Chief. She felt it was a slap in the face because he received two lawsuits and was also named in the Gonzales and Savage lawsuit in which they were awarded \$660,000. She also stated that Captain Hunt was involved in the Babolonia case as well and she did not know why the Committee would promote someone as a partial solution to a problem when he has questionable behavior himself. She stated she would watch him and report to them everything that he does.

Stephanie Seyr, asked if there were any changes to the status of the river dredging. Mr. Bishop stated that things are happening between various governmental agencies. The effort has not stopped, but there are no updates.

Kennedy Buckley, stated that he has observed Public Works employees removing debris from storm drains on numerous occasions. He also asked the Committee to amend the vacant property ordinance.

Mike Rose, 5 Hillview Drive, stated the Black History Committee would be meeting on September 18th at 6:30pm in the library and reminded everyone of the theme for this year “Unity in the Community, Closing the Gap”. He also questioned whether the Mayor’s Youth Cabinet was still operating.

Mr. Bishop stated he was the advisor and would see him after the meeting.

Mr. Rose also stated the Foodbank invitations have been sent out and not everyone had the money or food to donate but they could advocate. On October 2nd they will have an open house for the community.

Joan Venezia, 107 Mt. Hermon Way, stated she wanted to make sure that Mr. Gadaleta

received her email regarding the drainage on Broadway.

Mr. Gadaleta stated he did receive it and it was a start to help them understand their individual property owners problems. He stated they've done work to problems that have been visible to them.

Mr. Houghtaling requested the email be forwarded to the Committee as well.

Ms. Venezia stated as far as the ordinance that was adopted tonight, they must now wait six months and then a list would be compiled.

Mr. Anthony stated they already had a list that would be used as a preliminary list until they after the six months but in the meantime they would monitor. They would use the property maintenance ordinance to get things done.

Mr. Bishop stated this ordinance would not stop them dead in the water for six months.

Ms. Venezia stated last year \$30,000 was spent on vacant homes and only \$190 was spent on the homes in Ocean Grove. She questioned why the disparity.

Mr. Anthony stated he had no idea where she came up with that.

Ms. Venezia stated there has been requests for boarding up homes and grass cutting and 80 Main was one of the homes but nothing has been done.

Mr. Anthony stated from a disparity stand point most of our actions are in Ocean Grove. He stated he was in municipal court every Thursday and 90% of his cases were in Ocean Grove.

Dr. Ann Horan, 69 Clark Avenue stated this was a total misquote as to what took place at the homeowner's meeting. She stated she never mentioned Jack Green and knows he has nothing to do with the North End and she would write a letter to the Coaster and ask for a retraction.

Kathy Arlt, 106 Abbott Avenue clarified what she meant by appointing a special officer to deal with Ocean Grove. She felt that Ms. Jahn might of thought that she was asking for a paid position, when in fact she was asking for a member of the HPC be appointed to this position. She asked Mr. Cuttrell if it would be better to send him emails or provide him with paper copies of complaints.

Mr. Cuttrell informed her that she could send him an email.

Ms. Venezia stated there were fifty municipalities with a vacant registry ordinance and they had a specific time limit to do most of what's in the ordinance.

Mr. Anthony stated the Township did not have a registration section. When you decide a property qualifies as being vacant/abandoned you have to see if its been vacant for six months, then you go through the other criterias. The ordinance is directly from the statute he stated.

Ms. Arlt stated she did not understand how a town like Matawan could say you could come in 30 days and you register this property and you pay us \$500 for the first year and then after you pay the \$500 you prove to us that you have insurance, you make sure the property is secure and do all of the things in the ordinance.

Mr. Anthony stated she mentioned two separate portions of the statute and one part was the section of the registration and they never get to do anything else. He went on to state that you can almost take the statute and break them up into separate statutes if you wanted to. You cannot use bits and pieces of it. If you don't have registration what else do you have? You have the abandoned list and that requires something else.

Jack Breden, 94 ½ Heck Avenue, reviewed deficiencies in the North End Redevelopment Plan. He asked for an update to recent comments that the plan was now moving forward. Mr. Anthony stated that there is no change in the status of the Redevelopment and there is no Redevelopment Agreement in place.

Mr. Anthony stated nothing has changed within the last two and a half years and there was no redevelopment plan.

Mr. Bishop stated all changes as far as this plan comes from the Committee. There are no back door deals.

Mr. Houghtaling stated what everyone is talking about is just talk.

Ann Horan, 69 Clark Avenue,

Kathy Arlt, Abbott Avenue,

Heinz Weck, Ocean Grove, stated that Neptune Township has the best police officers anywhere.

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

Richard J. Cuttrell,
Municipal Clerk