

## TOWNSHIP COMMITTEE MEETING – AUGUST 24, 2015

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

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

Deputy Mayor McMillan announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press and The Coaster on January 8, 2015, 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 stated that appraisals have been ordered for Township owned property on West Lake Avenue between Myrtle and Fisher Avenues. Also, title work is being done on the properties and Mr. Anthony is reviewing the current Plan with the goal of developing a RFP which can be discussed at the next meeting. Mr. Anthony stated that there is nothing in the Redevelopment Plan that prevents the Committee from breaking the project into multiple pieces. Dr. Brantley asked what the appropriate amount of time should be to respond to the RFP. Mr. Gadaleta stated that 30 days would be a good amount of time between issuing the RFP and the deadline to submit proposals.

Mr. Gadaleta presented a display board of the proposed Route 66 project. He stated that a meeting was held with NJDOT last week. The NJDOT was presented with different ideas and the preferred plan is four lanes with a grass center island, pedestrian access, new signalization and developing the road to accommodate anticipated traffic flows out to the year 2035. A public hearing at the High School Performing Arts Center is contemplated for Fall 2015. The NJDOT expects engineering to be completed in 2018 and construction to take place in 2019 and 2020. The estimated cost is \$12 million which will be federally funded.

Mr. Gadaleta stated that a memo was provided by the Township Engineer outlining potential projects for the Monmouth County Open Space grant. Ideas for projects included a dog park in Shark River Hills, the Bert Willis/Veterans Park Trail System and improvements to Loffredo Fields. Loffredo Fields appears to be the most viable and would get things started for the installation of a synthetic field. Mr. Gadaleta added that the grant provides \$200,000 to \$250,000 for a single project only. Mr. Bishop stated that Veterans Park is not ready for a trail system, a Shark River Hills dog park would benefit a small number and Loffredo Fields would benefit the most. Mr. Houghtaling stated that the estimate on the trail system seems high. Mr. Gadaleta stated that it is based on prior similar improvements. Mr. McMillan stated that the dog park would be the least costly because it is mostly fencing. He thinks there is a need for a dog park and we should look at funding possibilities. Mr. Houghtaling asked about the \$600,000 estimate for Loffredo Fields. Mr. Gadaleta stated that new soil would be needed or existing soil would have to be compacted and a synthetic turf surface would be costly. Mr. Houghtaling stated that there are also drainage issues at the site that need to be addressed. The Committee indicated that the preferred project is improvements to Loffredo Fields.

Mr. Gadaleta provided a list of roads that are being recommended by Engineering for the 2015/2016 Road Program. The list can be expanded if additional roads are found to be in bad shape. The plan is to start the program this fall. Dr. Brantley asked for a list of all the roads that were considered. Mr. Bishop asked that some roads in all sections of the Township be included.

Mr. Bishop stated that he has been talking to the Construction Official about the registration of abandoned properties along with a registration fee. The Township may need to do title work on some of the properties so the registration fee can be used to pay for the title work. Mr. Anthony will prepare a draft ordinance amendment for the Committee's review.

Dr. Brantley stated that the new field at Jumping Brook Ballfields has standing water near home plate. Mr. Gadaleta stated that the Engineer is working on a solution and it is the Township's responsibility, not the Contractor.

Mr. Houghtaling stated that the Committee needs to have a discussion about the future of the east side of Veterans Park. Mr. Gadaleta stated that the soil in this area must remain until all environmental work is complete. Mr. Bishop asked that Public Works take care of the grass and

overgrown ivy near the structure at the site.

Mr. Bishop reminded everyone that they are invited to the start of the September 19<sup>th</sup> 5km sponsored by the Jersey Shore Performing Arts Center.

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

Mr. Bishop offered the following resolution, moved and seconded by Dr. Brantley, 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:

Potential Litigation – Previously approved bond reduction for Neptune Estates  
Personnel – Housing Authority vacancy  
Personnel – Human Resources Director

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

4. This Resolution shall take effect immediately.

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

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

Mr. Cuttrell stated that the Township Committee adopted resolutions in 2012 to reduce performance guarantees for both phases of the Neptune Estates project. The funds were not refunded because of a conflict over possession of the funds. A Settlement Agreement was provided that indicates the funds can be refunded to a specified owner of Neptune Estates, LLC and Victoria Homes, LLC. The Agreement was reviewed by Michael Celli, Assistant Township Attorney, and the funds can now be released.

Mr. Bishop recommended Derrick Griggs for appointment to the Housing Authority. The Committee requested the appropriate resolution be placed on the next meeting.

Mr. Gadaleta stated that additional work is necessary at the Marina Building at a cost of between \$120,000 and \$150,000. The change is due to the discovery of underground piles and soil conditions which necessitated a design change and an additional 30 piles to support the concrete slab. The Contractor wants to continue to drive piles pending preparation of the necessary change order, otherwise he will have to leave to work at another job site. The Committee indicated approval due to the unforeseen problem with the underground piles.

The Committee asked for further information regarding a reclassification of an employee to Human Resources Director.

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

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

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

After a moment of Silent Prayer and the Flag Salute, the Deputy Mayor asked the Clerk to indicate the fire exits.

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

Deputy Mayor McMillan announced that the notice requirements of R.S. 10:4-18 for an "Annual Notice" have been satisfied by the publication of the required advertisement in the Asbury Park Press and The Coaster on January 8, 2015, 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. Bishop offered a motion, seconded by Mr. Houghtaling, to approve the minutes of the meeting held on August 10th. All were in favor.

#### COMMENTS FROM THE DAIS

Dr. Brantley stated that he attended the MURC Back to School event. The Police Department was very involved in the event and food and games were enjoyed. He added that Thomas Daniels passed away and offered condolences to his family.

Mr. Houghtaling attended the Back to School event and offered congratulations to MURC. The widening of Route 66 has been explored for year and is now finally moving forward. This will be quite a project and will be of benefit to the entire area.

Mr. Bishop expressed condolences to the Daniels family.

Deputy Mayor McMillan, stated that he attended a Zeta Phi Beta luncheon and they are coming to the area. He attended the Back to School event where the Police Department provided a physical fitness test. He added that the resident at 1510 Embury Avenue has requested a speed hump on Embury Avenue. He expressed condolences to the Daniels family. Mr. Daniels was an engineer for many years and will be missed.

#### RECLASSIFY EMPLOYEE TO THE POSITION OF HUMAN RESOURCES DIRECTOR - TABLED

Dr. Brantley offered a motion, seconded by Mr. Houghtaling, to table a resolution to "Reclassify employee to the position of Human Resources Director". The resolution as tabled on the following vote: Bishop, no; Brantley, aye; Houghtaling, aye; and McMillan, aye.

#### PUBLIC COMMENTS ON RESOLUTIONS

Michael D. Fornino, 120 Fulham Place commented on Resolution #15-358 and questioned whether this would replace the walk path that goes between the wooden part of the boardwalk and in front of the old Homestead Restaurant.

Mr. Gadaleta stated it's actually from the entrance to the North End Beach, the Surf Beach and all the way to the Asbury line.

Jack Bredin, 91 ½ Heck Avenue commented on Resolution #15-358 and stated after Super Storm Sandy he asked the Township whether they would be applying for FEMA money for the section of the boardwalk between the area that falls between redevelopment and the response from the Committee was no because the Camp Meeting would file that application. He then questioned whether they would review their plan. He asked whether they would review the two plans together to make sure they were consistent with one another. He also read a previous resolution. He questioned where the money was coming from to fix the boardwalk.

Mr. Gadaleta stated it was coming from FEMA and the Camp Meeting Association.

Mr. Bredin questioned whether it was being donated to the Township and why was the Township doing the bidding.

Mr. Cuttrell stated it was the same exact procedure they did for the middle part.

Mr. Bishop stated we received approval from the local finance board to act in essence as the banker for the fiscal agent for the Camp Meeting Association because FEMA is a reimbursement and they did not have the upfront money and we determined that it was to the benefit of the municipality for safety reasons to have the boardwalk in place. The agreement that Mr. Anthony put together was very similar to the agreement they are doing now holds harmless for us all cost associated with it, any over runs, everything we must get back in full in a period of time so there is absolutely no risk or cost to the taxpayer.

Mr. Bredin went on to state there were risk to the taxpayers because they all pay for everything. He stated that boardwalk has been washed away at that section many times and at one time not only was the boardwalk washed away but the restaurant was lifted off of the pilings washed over the boardwalk area and crashed into the hotel that was there and that's the lower section of your boardwalk and none of us want to see it washed away again.

Mr. McMillan questioned what types of enhancements would be made.

Mr. Gadaleta stated this would be newly constructed, proper piling, new decking material, railings and it will be expanded in some areas.

Mr. Bredin stated it was the same elevation.

Mr. Cuttrell stated the biggest change is that they are putting a bulkhead in front of the boardwalk. The problem with boardwalks up and down the shore is that if you allow the ocean to go underneath them in a storm it heaves the boardwalk up. If you put a bulkhead in front it doesn't happen. It washes over the boardwalk which is what happened at the south end.

Mr. Bredin continued to say that they still have not seen the plan and this is an important project that could put people in danger.

Kathy Arlt, 106 Abbott Avenue, stated she was curious to know what Resolution #15-351 was about.

Mr. Cuttrell stated this was about the DWI check points that they do every year.

Mr. Gadaleta stated it was a 2015 Drive Sober or Get Pulled Over drunk driving enforcement grant which provides for overtime for our police officers.

Dorothy Argyros, 2100 Rutherford, commented on Resolution #15-349. She questioned what did special law enforcement officers do and do they carry service weapons off duty and how are they trained.

Mr. Gadaleta stated Special Law Enforcement Officers I and II are trained through the various police academies including our academy in Monmouth County. He explained that Special Law Enforcement Officers I do not carry a service weapon, Special Law Enforcement Officers II do carry a weapon but are only permitted to do so while on duty. That weapon is assigned to them when they are working a shift. Special Law Enforcements Officers II many of them are court officers and jailers within our police department. They manage our prisoners and they oversee law enforcement activities during our court operations. Special Law Enforcements Officers Class I are primarily our traffic officers who go out and enforce our parking and traffic regulations.

Mrs. Argyros stated as far as Resolution #15-365 she commended the Township for it because they gave a reason for it. She also questioned whether the liquor license mentioned in Resolution #15-352 lost its incorporation.

#### ORDINANCE NO. 15-36 - ADOPTED

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

#### ORDINANCE NO. 15-36

BOND ORDINANCE PROVIDING FOR RECONSTRUCTION OF THE SANITARY SEWER SYSTEM, BY THE SEWER UTILITY OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$950,000

BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF  
THE COST THEREOF

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

Dorothy Argyros, 2100 Rutherford Avenue, asked what interest rate will be paid on these bonds. Mr. Gadaleta stated that the rate will be determined when we get the point of borrowing. In the meantime, the Township has been borrowing short term through bond anticipation notes and the last time this was done the interest rate was 0.78%. Ms. Argyros stated that there is no guarantee what the rates will be in the future.

Michael Fornino, 120 Fulham Place, asked if this project covered the entire Gables section. Mr. Gadaleta answered that it continues the project that is currently on-going.

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

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

ORDINANCE NO. 15-37 - ADOPTED

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

ORDINANCE NO. 15-37

BOND ORDINANCE PROVIDING FOR VARIOUS PARKS IMPROVEMENTS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

The Deputy Mayor requested public comments on the above ordinance. There being no comments, he closed the public hearing.

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

ORDINANCE NO. 15-38 - ADOPTED

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

ORDINANCE NO. 15-38

BOND ORDINANCE PROVIDING FOR VARIOUS FACILITIES IMPROVEMENTS (SENIOR CENTER/ MUNICIPAL COMPLEX/PUBLIC WORKS FACILITY/OEM FACILITY), BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$570,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

Dorothy Argyros, 2100 Rutherford Avenue, stated that the same holds true as her comment to Ordinance No. 15-36. Interest rates could go up depending on the overall economy.

Hank Coakley, Valley Road asked how old the building is. Mr. Gadaleta stated that the Municipal Building was built in the early 1970s. The roof needs to be repaired and improvements made to the fire alarm system.

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

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

ORDINANCE NO. 15-39 - APPROVED

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

ORDINANCE NO. 15-39

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VIII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING SECTION 8-11, ENTITLED, "PROHIBITION OF UNREGISTERED VEHICLES IN PARKING YARDS AND PARKING PLACES"

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

ORDINANCE NO. 15-40 - APPROVED

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

ORDINANCE NO. 15-40

BOND ORDINANCE PROVIDING FOR SUNSHINE VILLAGE PARK IMPROVEMENTS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$480,000 THEREFOR (INCLUDING A \$232,000 MONMOUTH COUNTY OPEN SPACE GRANT) AND AUTHORIZING THE ISSUANCE OF \$235,600 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

Mr. Cuttrell stated that the public hearings on Ordinances 15-39 and 15-40 will be held on Monday, September 14<sup>th</sup>.

CONSENT AGENDA

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

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

WHEREAS, in accordance with state regulations, it is required that existing Special Law Enforcement officers be reappointed on an annual basis; and,

WHEREAS, the Chief of Police has made his recommendations on the reappointment of existing Special Law Enforcement Officers; and,

WHEREAS, funds will be provided in the 2015 municipal budget in the appropriation entitled Police S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following individuals be and are hereby reappointed as part-time Special Law Enforcement Officers (SLEO) and to perform such other duties as prescribed by the Chief of Police, for the period September 1, 2015 through August 31, 2016, at an hourly rate as established by prior resolution of the Township Committee:

SLEO Class I – Matthew McDonough, Malcolm Jenkins, Kristen Narciso & Jordan Loidice

SLEO Class II – John Mattia, William Fabian, Matthew Richardson, Darrell Furman, Evan Pollara, Steven Whritenour, Richard Brogley, Tyrell Thompson, Marcus Neal, Jeff Force, Joshua

Jenkins, Christopher Kampf, Robert Zoino and George Corbin

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.

TERMINATE EMPLOYEE

BE IT RESOLVED, by the Township Committee of the Township of Neptune that Russell King be and is hereby terminated from the position of School Crossing Guard effective immediately; 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.

AUTHORIZE AN AMENDMENT TO THE 2015 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE DEPARTMENT OF LAW AND PUBLIC SAFETY 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 2015 in the sum of \$5,000.00 which is now available from the NJDLP&S – Division of Highway Traffic Safety in the amount of \$5,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$5,000.00 is hereby appropriated under the caption of 2015 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown; 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 2015 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown grant in the amount of \$5,000.00; 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.

AUTHORIZE A PERSON TO PERSON TRANSFER OF THE CLUB LIQUOR LICENSE PRESENTLY ISSUED TO SRBYC, INC TO SHARK RIVER BEACH AND YACHT CLUB AT 360 SOUTH RIVERSIDE DRIVE

WHEREAS, Shark River Beach and Yacht Club has applied for a person-to-person transfer of Club Liquor License #1334-31-029-002 which is presently issued to SRBYC, Inc. located at 360 South Riverside Drive; and,

WHEREAS, the application is complete in all respects; and,

WHEREAS, the required Affidavit of the source of funds of said liquor license has been filed by the applicant for the transfer and examined by the members of the Township Committee; and,

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey statutes, the regulations promulgated thereunder as well as the pertinent local ordinances and conditions imposed consistent with Title 33; and,

WHEREAS, all transfer procedures as outlined by state statute and local ordinances have been completed satisfactorily,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the person-to-person transfer of Club Liquor License #1334-31-029-002 as stated herein to Shark River Beach and Yacht Club located at 360 South Riverside Drive effective August 25, 2015; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the New Jersey Division of ABC, the Chief of Police and the Applicant.

ACCEPT THE RESIGNATION OF DANIEL WERNER AS A POLICE OFFICER

WHEREAS, the Township Committee has received a letter from Daniel Werner resigning as a Police Officer in the Police Department effective September 1, 2015,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Daniel Werner as a Police Officer in the Police Department is hereby accepted effective September 1, 2015; and,

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

REJECT ALL BIDS FOR A RESCUE TRAILER AND EQUIPMENT

WHEREAS, on August 5, 2015, the Purchasing Agent received bids for the award of a contract for a rescue trailer and equipment; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that all bids be rejected due to a change in scope of the project specifications pursuant to N.J.S.A. 40A:11-13.2; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the all bids received for a rescue trailer and equipment be and are hereby rejected due to a change in scope of the project specifications; and,

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

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 002

WHEREAS, Samir Abdelmasih is the owner of Neptune Township Taxi Medallion No. 002; and,

WHEREAS, he has notified the Taxi License Coordinator of the intent to sell and transfer ownership of said medallion to Shueib Mohamad, US Way, LLC; and,

WHEREAS, the Taxi License Coordinator has certified that all requirements of transfer have been satisfied,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted for the transfer of Taxi Medallion License No. 002 to Shueib Mohamad, US Way, LLC; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Taxi License Coordinator and Municipal Clerk.

AUTHORIZE TEMPORARY CLOSING OF A PORTION OF EMBURY AVENUE IN CONNECTION WITH ST. PAULS CHURCH VACATION BIBLE SCHOOL

WHEREAS, St. Paul's Church has scheduled a week long Vacation Bible School youth event at the church from Monday, August 24<sup>th</sup> to Friday, August 28<sup>th</sup>, and,

WHEREAS, the Church has requested the temporary closing of Embury Avenue between Pennsylvania Avenue and New York Avenue from 4:30 p.m. to 8:00 p.m. to allow for some activities connected with the event to occur in the roadway; and,

WHEREAS, the affected residents have been notified by the Church and the Police Department has reviewed and approved this closure,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates the temporary closure of Embury Avenue between Pennsylvania Avenue and New York Avenue from 4:30 P.M. to 8:00 P.M. from Monday, August 24<sup>th</sup> through Friday, August 28<sup>th</sup>; and,

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 Police Director.



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

AWARD BID FOR RECONSTRUCTION OF THE OCEAN GROVE BOARDWALK – NORTH END

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

WHEREAS, on August 12, 2015, the Township Consulting Engineer received bids for the award of a contract for the Reconstruction of the Ocean Grove Boardwalk – North End; and,

WHEREAS, said bids were reviewed by the Township Engineer and Consulting Engineer who have recommended that the bid be awarded to the lowest bid submitted by Epic Management, Inc.; 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 Ordinance No. 14-09, as amended by Ordinance No. 14-43, 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 Epic Management, Inc. on their lowest responsible base bid of \$609,200.00 for Reconstruction of the Ocean Grove Boardwalk – North End; 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., Leon S. Avakian, Inc. and Township Engineer.

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

AUTHORIZE THE PURCHASE OF PICK-UP TRUCKS THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

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

WHEREAS, the Township Committee wishes to purchase five Ford pick-up trucks for various municipal departments through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; 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, Winner Ford has been awarded New Jersey State Contract No. A88758 for 2016 Ford F350 4WD pick-up trucks with plow and Contract No, A88757 for 2016 Ford F150 4WD pick-up trucks; and,

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

WHEREAS, the cost to purchase this equipment shall not exceed \$135,000.00 for three 2016 Ford F350 4WD pick-up trucks with plows (\$45,000.00 per truck) and \$56,000.00 for two 2016 Ford F150 4WD pick-up trucks (\$28,000.00 per truck); and,

WHEREAS, funds for this purpose are available from Ordinance No. 15-33 and Clean Communities Program grant funds and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of pick-up trucks through the New Jersey Cooperative Purchasing Program be and is hereby authorized as follows:

Three (3) 2016 Ford F350 4WD pick-up trucks with plows not to exceed \$135,000.00 (\$45,000.00 per truck)

Two (2) 2016 Ford F150 4WD pick-up trucks not to exceed \$56,000.00 (\$28,000.00 per truck)

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

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

AUTHORIZE THE PURCHASE OF A TRAILER MOUNTED VACUUM DEBRIS COLLECTOR THROUGH THE NATIONAL JOINT POWERS ALLIANCE PURCHASING PROGRAM

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

WHEREAS, the Township Committee wishes to authorize the purchase of a ODB trailer mounted vacuum debris collector utilizing pricing through the National Joint Powers Alliance Cooperative Purchasing Program; and,

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

WHEREAS, 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 National Joint Powers Alliance has a nationally recognized cooperative agreement and has awarded Contract No. 060612-ODB to Old Dominion Brush Company, Inc. for this equipment; and,

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

WHEREAS, the cost to purchase this equipment shall not exceed \$49,000.00; and,

WHEREAS, funds for this purpose are available in Ordinance No. 15-33 and from insurance proceeds 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 an ODB trailer mounted vacuum debris collector (Model SCL800TM30) for the Department of Public Works be and is hereby authorized through the National Joint Powers Alliance Purchasing Program at an amount not to exceed \$49,000.00; and,

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

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

AUTHORIZE THE PURCHASE OF A STREET SWEEPER THROUGH THE HOUSTON-GALVESTON AREA COUNCIL PURCHASING PROGRAM

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

WHEREAS, the Township Committee wishes to authorize the purchase of a Global M3 street sweeper 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. SW04-14 to U.S. Municipal for this equipment; and,

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

WHEREAS, the cost to purchase this equipment shall not exceed \$188,000.00; and,

WHEREAS, funds for this purpose are available from Ordinance No. 15-33 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 a Global M3 street sweeper (demo unit) 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 \$188,000.00; 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; Brantley, aye; Houghtaling, aye; and McMillan, aye.

#### AUTHORIZE THE PURCHASE OF A CHASSIS FOR REFUSE PACKER THROUGH THE HOUSTON-GALVESTON AREA COUNCIL PURCHASING PROGRAM

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

WHEREAS, the Township Committee wishes to authorize the purchase of a Mack TerraPro Series LEU 613 Low Entry TRA Chassis for refuse packer 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 Grande Truck Center for this equipment; and,

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

WHEREAS, the cost to purchase this equipment shall not exceed \$145,000.00; and,

WHEREAS, funds for this purpose are available from Ordinance No. 15-33 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 a Mack TerraPro Series LEU 613 Low Entry TRA Chassis for refuse packer 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 \$145,000.00; 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; Brantley, aye; Houghtaling, aye; and McMillan, aye.

#### AWARD BID FOR 25 YARD REFUSE PACKER

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

WHEREAS, on August 19, 2015, the Purchasing Agent received bids for the award of a contract for a 25 yard rear load refuse packer; and,

WHEREAS, said bids were reviewed by the Purchasing Agent and Business Administrator who have recommended that the bid be awarded to the lowest bid submitted by Detachable

Container & Compactor Corporation; 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 Ordinance No. 15-33 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 Detachable Container & Compactor Corporation on their lowest responsible bid of \$83,030.00 for a 2016 Loadmaster Model Excel-25-S rear load refuse packer with snow plow hydraulic system; 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 Director of Public Works.

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

SUPPORT THE PROPOSED IMPROVEMENTS TO NJ ROUTE 66 TO INCLUDE BOTTLENECK REDUCTION, PEDESTRIAN ACCESSIBILITY, ROADWAY IMPROVEMENTS AND DRAINAGE BETWEEN JUMPING BROOK ROAD AND WAYSIDE ROAD IN THE TOWNSHIP OF NEPTUNE, COUNTY OF MONMOUTH

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

WHEREAS, the State of New Jersey, Department of Transportation (NJDOT) has begun the concept phase for improvements to NJ Route 66, to include bottleneck reduction, pedestrian accessibility, drainage and roadway improvements, from Jumping Brook Road to Wayside Road in the Township of Neptune; and,

WHEREAS, this section of NJ Route 66 has experienced a number of vehicular crash incidents; and,

WHEREAS, the proposed plan calls for the construction of a four lane, divided highway with grass median along the entire length of the project; and,

WHEREAS, the proposed plan will serve to enhance traffic flow and both vehicular and pedestrian safety along NJ Route 66; and,

WHEREAS, NJDOT has projected a schedule providing for concept design, engineering and bidding from 2015-2018, and construction activities from 2019-2020; and,

WHEREAS, NJDOT will conduct a public meeting in the Township in the coming months of 2015; and,

WHEREAS, the proposed improvements appear to serve the best interests, health, safety and welfare of the citizens of Neptune Township and Monmouth County;

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

1. The allegations of the preamble are incorporated herein by reference.
2. The Township Committee does hereby support the proposed improvements to NJ Route 66 as set forth in this Resolution and the Township Committee further urges the NJDOT to commence the project and to cause same to be completed with all due speed.
3. A certified copy of this Resolution shall be provided to the New Jersey Department of Transportation, and copies shall be sent to the County of Monmouth, Congressman Christopher Smith, and the 11<sup>th</sup> District Legislative Delegation.

The resolution was adopted on the following vote: Bishop, aye; Brantley, aye, adding that he is very happy and a lot of people worked hard on this issue. On the day of the dedication of the Ocean Grove boardwalk, he was able to speak to Congressman Smith to let him know that this was

a priority to the Township; Houghtaling, aye; and McMillan, aye.

AUTHORIZE THE PAYMENT OF BILLS

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

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

CURRENT FUND	\$12,973,419.47
FEDERAL & STATE GRANT FUND	3,651.50
TRUST OTHER	29,165.85
GENERAL CAPITAL FUND	23,951.40
SEWER OPERATING FUND	12,278.81
SEWER CAPITAL FUND	1,763.16
MARINA OPERATING FUND	3,823.02
MARINA CAPITAL FUND	23,735.00
DOG TRUST	14,954.00
UDAG TRUST	83.19
BILL LIST TOTAL	\$13,086,825.40

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

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Michael Golub stated he ventured to say that very few people on the dais have actually visited the North End and walked that section of the boardwalk over the summer and if they did he could not imagine that they would turn a blind eye and just walked away and left it or allowed the Town to leave it in the condition that it is in. He stated he knew the disrepair due to Sandy but what he did not understand how they could allow loose refuse strewn all over the boardwalk. He stated he overheard a lady say that Asbury Park use to be the eyesore and Ocean Grove was the respite and oasis and now it seems like it's reversed. He stated sometime around Memorial Day somebody should have gone down there and cleaned it up. He stated he took pictures of it with his phone. He felt they deserved to have better representation because it was the gateway to the community and the Township had the influence to have it cleaned.

Mr. Bishop suggested Mr. Cuttrell send a notice to the Camp Meeting regarding it because they could not use public funds to work on private property

Mr. Golub then went on to state that he has not been to a meeting since the unfortunate death of Tammy Seidle. He stated he's spoken to a lot of police officers and they have opened up. He stated he thought the Chief of Police has done a great job during this entire mess. He was not here for a lot of things that led up to it. He felt the rank and file of the Police Department should be given the opportunity to cast a no confidence vote for their Chief if it hasn't been discussed. He also stated the Police Director had a relationship with the past two Chief of Police that this climate or environment or culture of insensitivity to women was allowed to fester because they did not have moral high grounds themselves, they did not have moral authority. He felt that they should consider asking the Police Director for his resignation.

Jack Bredin, 94 ½ Heck Avenue, stated when they said they would take into consideration what he said, obviously they didn't because they voted on it without taking it into consideration. He stated one of the reasons that Dr. Brantley was correct at the other meeting was because he said he thought they should look into all of the redevelopment areas and of course that would include the North End Redevelopment. He stated when you are preparing a plan like that and there are three major areas, one is the pavilion building and repairs being done there are not pursuant to the North End Redevelopment Plan. They are repairing damage done by Sandy. He stated eventually they would have to have a plan for that building and will have to meet certain elevations and they would have to have a plan for whatever is proposed whether it was hotels or condominiums. He stated there was no redeveloper for the North End but they have nominated someone and for them to accept it they should sign a contract if they have not. If they have not The Township was the redeveloper and as the redevelopment entity the Township is responsible for cleaning it up.

Mr. McMillan stated he did not agree with his narration but he had full confidence in Leanne Hoffman's abilities.

Mr. Bredin stated his experience in the past not with this town is that you cannot have confidence in anyone who works for a municipality.

Mr. McMillan stated he did not agree with that.

Mr. Bishop asked Mr. Anthony if they named an area in need of redevelopment would they have to suddenly take over maintenance of that area.

Mr. Anthony stated absolutely not.

Kathy Arlt, stated she understood that they were finally going to talk about having a vacant and abandoned property registration fee. She stated if she had known she would have been here. She stated her recommendation going forward was that they look at the Asbury Park ordinance because 100% of their fees are going to Code Enforcement. She also asked Mr. Anthony if the first batch of summons were still on for Thursday. She asked Mr. Anthony if she could email him and he could better advise her. He stated she could email him and he would tell her what he knew but sometimes they may not be on the calendar but if someone shows up he would have to answer it.

Mr. Bishop addressed his comments to Mr. Anthony and stated they've talked about earmarking of funds and Mr. Anthony stated he did not think that it was possible. Mr. Anthony stated unless there was a statutory provision they could not earmark it but could budget it via policy.

Dorothy Argyros stated she was very intrigued by the Seidle case. She stated this was going to be very expensive because the parents are not available to them. She also questioned whether the four police officers who stood around doing nothing were they charged with anything and if they cannot tell her, where can she find out.

Mr. Anthony informed her that she must contact the Prosecutors Office.

Mrs. Argyros stated she has been talking a long time asking them to do something about the carelessness with which you run the Police Department so that these things happen and has been happening. The taxpayers have to pay for these bad acting cops that do harm to people in ways that we hate. She asked if they were researching liability in this case to see if the taxpayer could be saved from this enormous expense, the enormous settlement or judgement that will be made here in court.

Mr. Anthony stated they are always researching but he could not comment on this particular case because there are already claims outstanding against this particular case.

Mrs. Argyros stated she has been coming here for months asking the Township to place controls on police brutality and abuse in Neptune and to change the culture of insensitivity and to save money for the taxpayers when they have to pay off on the liability for what these guys do. She asked if they were going to do something to control the out of control police.

Mr. Anthony recommended she ask Mike Bascom when he returns but long before the Seidle case actions have been taken to address those issues.

Mrs. Argyros stated she was not talking about accreditation because she was told by attorneys that it doesn't work.

Michael D. Fornino discussed the widening of Route 66 and stated he hoped there would be some investigation to find out if there's any residence snail garter or North Western Spotted owls taking residence in one of the trees along the highway which held up Route 18 for 17 or 18 years. He stated he was concerned about the environment.

Mr. Gadaleta stated the DOT will do their due diligence of the environmental site. He also stated they needed to rethink the Asbury Circle.

Mr. Gadaleta stated they've had ongoing discussion regarding 35 and all of our neighbors have been talking about that and how we can address that. He stated it was an ongoing discussion and Asbury and Ocean Township are involved in that.

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

Richard J. Cuttrel,  
Municipal Clerk