

TOWNSHIP COMMITTEE MEETING – OCTOBER 8, 2015

Committeeman Randy Bishop 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, and Eric J. Houghtaling. Absent: Mayor Mary Beth Jahn. (Kevin B. McMillan arrived during executive session)

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

Mr. Bishop 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 residents recently have expressed concern about several multiple dwellings in Ocean Grove. Various Township agencies and a State Housing Inspector inspected the Whitefield, Cordova, and Serenity Inn. In addition, a meeting was held with the State regarding the Township assuming the state multiple dwelling inspections with the state remaining as the enforcing agency. There are 356 buildings in Neptune Township that the State currently inspects. The State would pay the Township \$19,000 annually for the Township to perform the inspections which are mostly on a five year cycle. The State does not have the manpower to perform follow-up inspections when deficiencies are cited. Mr. Gadaleta proposed that the Township start this program on January 1st. The Committee agreed that the Township should assume responsibility for these inspections.

The Committee reviewed the recommendation of the Wesley Lake Commission for amendments to the Agreement of Charter of the Wesley Lake Commission and asked that the appropriate ordinance be placed on the next meeting for consideration.

Mr. Bascom forwarded the Best Practices Survey to the Committee after the last meeting. The State issues a Best Practices Survey on an annual basis and the municipality must achieve a level of 80% compliance in order to maintain receipt of 100% state aid. The Township scored 92% with points for such items as interlocal agreements, the Township wide revaluation, Community Rating System, ethics procedure, audits and budgets and compliance with purchasing and financial policies.

Mr. Gadaleta stated that the section in the Township's Flood Hazard Regulations indicates that the façade in buildings that have been raised must be consistent down to 30 inches off the ground. He recommended that the section be amended to indicate types of façade treatments that are not permitted such as stucco and parging. The Committee indicated that the ordinance amendment should be placed on the next meeting for introduction.

Mr. Gadaleta stated that the drainage problem at Inskip and New York Avenues will be addressed in the next several weeks. Also, the replacement modules for the Broadway lights are being delivered. Once received, one will be installed to obtain feedback from the residents.

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

Dr. Brantley offered the following resolution, moved and seconded by Mr. Houghtaling, 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 – Responsible Contractor ordinance
Contract negotiations – Sebastian Villa PILOT agreement.
Contract negotiations – West Lake Avenue Redevelopment RFP

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; and Houghtaling, aye.

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

Mr. Anthony stated that the Sebastian Villa PILOT Agreement needs to be signed by November 3rd for the new owner to meet state deadlines. The Committee will need to accept the application tonight as well as introduce the PILOT ordinance. The Agreement calls for a payment in lieu of taxes of 9% of the gross rents plus 2% in administrative fees, but not less than \$181,000 annually. The new owners will upgrade all units and the remaining affordable units will be exempt from rent control, but rents cannot be raised above the CPI annual increase per state statute. However, the reduction of services portion of rent control would apply.

Mr. Gadaleta reviewed the West Lake Avenue Redevelopment RFP and the Committee instructed him to advertise the RFP.

Mr. Bascom reported that JSUMC has agreed to participate in an Off-Site Improvement Agreement concerning sewer, roadway and cell tower improvements in connection with the new HOPE tower and parking garage.

Mr. Bascom stated that the Police Accreditation exit conference is scheduled for November 2nd.

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; Michael J. Bascom, 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.

APPROVAL OF MINUTES

Mr. Bishop offered a motion, seconded by Dr. Brantley, to approve the minutes of the meeting held on September 28th. All were in favor.

REPORT OF THE CLERK

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

The NJDOT will hold a Public Information Center on proposed improvements to Route 66 at the Neptune Municipal Building on October 21st from 4:00 p.m. to 7:00 p.m.

Tax Collector's monthly statements for July, August and September.

Notice of public hearing on an amendment to the Land Development Ordinance of the Township of Ocean.

COMMENTS FROM THE DAIS

Dr. Michael Brantley stated he was happy with the RFP for the West Lake Avenue Redevelopment. He stated he like the agreement that the Township has. They decided to do something different and that was to do it block by block. He liked the way the RFP was drafted and would like for Mr. Gadaleta to post it to the widest audience possible.

Eric Houghtaling stated he was thankful that they dodged a bullet with those storms last week and that our Township held up very well. He stated they were also very well prepared for anything that did come their way. They lowered the water in Alberta Lake and they lowered the water in Fletcher Lake. The only problem they had was their storm damage on the west side of the Fletcher Lake bulkhead. Perhaps we can get storm damage money to make repairs. He also stated he went to the viewing of Joe Margiosso who used to be the voice of WJLK. He reminded everyone that October was breast cancer month and October 24th was the Run for Pancreatic Cancer which will be held at the new memorial park and October 31st is the Night for Sight by the Lions Club.

Randy Bishop encouraged men to also be concerned as far as breast cancer in men because it is becoming a growing problem in the United States. He commended the Township's Local Emergency Management Planning Committee because he had the opportunity to sit in on the meetings as they prepared for the non-storm Joaquin that gladly went out to sea and also as they prepared for the NorEaster. He stated it was incredible to see how they worked as a team and they also had Neptune City with them and Belmar. They came and sat in on one of our meetings as we discussed our preparedness regarding the storm and he felt that was quite a compliment to them. He stated when everyone was saying Joaquin would hit the coast Mr. Cuttrell kept saying that it would go out to sea.

Deputy Mayor McMillan thanked Administration for being prepared for the storm.

AUTHORIZE REVOCABLE LICENSE AGREEMENT WITH SOUTHPORTE CONDOMINIUM ASSOCIATION - TABLED

Mr. Bishop offered a motion, moved and seconded by Mr. Houghtaling, to table a resolution to "Authorize Revocable License Agreement with Southporte Condominium Association". All were in favor.

PUBLIC COMMENTS ON RESOLUTIONS

Kennedy Buckley, 65 Broadway, commented on Resolution #15-413 which employed a Special Law Enforcement Officer. He stated he hoped that this was for somebody to ticket cars that did not move for the street sweeper. He stated he moved his car from the Northside to the Southside for the street sweeper to sweep and someone parked in front of his home and that area did not get swept. He questioned whether this was a matter where we don't have the law the way they used to have it or do they have to pass another ordinance so they can do it the way they do the snow plowing.

Mr. Gadaleta stated those vehicles that were not moved were ticketed according to our traffic officer, Sgt. Zarro but we do not tow vehicles for street sweeping. He reiterated that they issue summonses but they do not tow.

Mr. Buckley stated they would not get much compliance and he worries about Broadway because those leaves clog up the drains and then there would be flooding again. Again he suggested towing the vehicles because the message came through loud and clear when they did not move their vehicles when it snowed.

Mr. Gadaleta stated they have not towed for street sweeping in the past but it is something they would look at.

Pam Trowburst Reinhardt, a nurse at Jersey Shore University Medical Center, thanked the Committee for their support of Resolution #15-416.

Joan Venezia, 107 Mt. Hermon Way, referred to Resolution #15-415 and questioned where it was and what was it for.

Mr. Gadaleta stated that was the New Jersey American Water Company treatment plan on Old Corlies and this is for their non-payment of the fee for the Township replacing the curb and sidewalk in front of the property.

Ms. Venezia also commented on Resolution #15-417 and questioned what would the two ford trucks be used for.

Mr. Gadaleta stated one of the trucks was a mason dump sized truck which was replacing an older vehicle in the Road Department for snow plowing and other activities and the other one is replacing a utility truck with a crane body on it for the Sewer Department.

Ms. Venezia questioned whether they would be used for the Police Department.

Mr. Gadaleta stated neither of them was for the Police Department.

Dorothy Argyros, 2100 Rutherford Drive, requested an explanation of Resolutions #15-411 & 416.

Mr. Bascom stated Resolution #15-411 stated there was a contract secondary to a bid that was put out in reference to the revaluation. This is for the ongoing maintenance under the Monmouth County Property Revaluation Program that the entire County is a part of. All property will be maintained at 100% value over a period of five years. This is the contract with the company to do a 20% inspection each year for five years.

Dr. Brantley stated there was legislation on staffing of hospitals and the level of nurses that should be in hospitals to protect the patients and give good care and we are in support of that legislation and hope that it is passed.

Richard Inkeles, Hawthorne St., questioned what Resolution #15-410 was for and what were they trying to accomplish.

Mr. Bascom stated they were increasing the capacity of the lake to take run off from the storm drainage system around the midtown area. This will reduce flooding around the senior homes.

Mr. Inkeles questioned whether Neptune City came into Alberta Lake as well.

Mr. Bascom stated a great majority was Neptune.

Mr. Bishop stated the majority of the problem was the flooding with the senior residents at the Housing Authority.

Mr. Inkeles questioned whether they had a cap on this.

Mr. Bascom stated they had a federal grant that was funding 75% of this.

Mr. Inkeles questioned whether they knew the numbers that were involved in this.

Mr. Bascom stated he had the Township Engineers estimate but he did not know the numbers off the top of his head

Michael Golub, Cliffwood Drive, referred to Resolution #15-410 and asked if it was correct that 75% was being paid for by the state and 25% was being paid for by Neptune.

Mr. Bascom stated it was a federal program.

Mr. Golub stated it was a good idea but wondered why it was not done before the new Senior Center was built and with the construction that is going to go on at the previous homes He questioned whether the problem would be exacerbated if it was not addressed.

Mr. Bishop stated it was two different locations and a different storm drain.

Mr. Golub asked if it was correct that Lake Alberta received the storm water from the main campus of the hospital. He also questioned why wasn't the hospital pitching in because they would be benefitting as well.

Mr. Bishop stated because of our storm water management regulations they have to reduce the amount of flow that's coming from the new sections that was in part, part of the Planning Board testimony. He went on to state that the actual flow coming from the new section would be less than what was coming from John Knox.

Mr. Golub asked if they were taking steps to make sure that the storm water was being addressed.

Mr. Bishop confirmed that they were.

Dennis McCarthy, 79 Broadway, spoke regarding Resolution# 15-416 and questioned how did they know that by passing this State law that it wouldn't enable these facilities to decrease their staff.

Dr. Brantley stated this was not about decreasing the staff but about increasing the staff so that there is better healthcare.

Mr. McCarthy stated the resolution did not say that.

Dr. Brantley stated this was not the law it merely states that we are in support of the law.

Pam Reinhardt stated the bill was more extensive and many studies have been gone into this.

AUTHORIZE APPROVAL OF APPLICATION OF SEBASTIAN – NEPTUNE URBAN RENEWAL, LLC, TO NEPTUNE TOWNSHIP TO PROCEED WITH AN URBAN RENEWAL ENTITY PROJECT AT SEBASTIAN VILLAS

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

WHEREAS, Sebastian – Neptune Urban Renewal, LLC is desirous of purchasing and rehabilitating what is known as Sebastian Villa Apartments, a 171 unit elderly apartment community located at 2305 West Bangs Avenue, Neptune Township, New Jersey, and to seek financing pursuant to the Long Term Tax Exemption Statute, N.J.S.A. 40A:20-1; and

WHEREAS, such a financial structure for purchase and rehabilitation requires approval by application by the municipality where the project is located, pursuant to N.J.S.A. 40A:20-8; and

WHEREAS, if approved, Neptune Township and the applicant will enter into a Payment in Lieu of Taxes Agreement, or a Financial Agreement, which will set forth the financial arrangement between Neptune Township and the applicant, and to allow for payment on an annual basis in lieu of taxes to Neptune Township, said agreement of which will be approved by separate resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby acknowledge receipt of an application from Sebastian-Neptune Urban Renewal, LLC, a copy of which is attached hereto as Exhibit "A" pursuant to N.J.S.A. 40A:20-8 and will ultimately, if approved, allow by Ordinance approval of a PILOT or Payment In Lieu of Taxes Financial Agreement with Neptune Township, with the governing body hereby approving of said application in order to encourage the redevelopment and rehabilitation and to allow the continued affordability of housing at Sebastian Villa Apartments, located at 2305 West Bangs Avenue in Neptune Township, New Jersey; and,

BE IT FURTHER RESOLVED, that the Township Attorney is hereby authorized to negotiate and prepare a PILOT Agreement or Financial Agreement with Sebastian-Neptune Renewal, LLC, which shall be presented to the governing body of Neptune Township for approval or disapproval by Ordinance.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Tax Collector, Tax Assessor, Business Administrator and Township Attorney

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

ORDINANCE NO. 15-43 - ADOPTED

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

ORDINANCE NO. 15-43

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XII, OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING TO SECTION 12-5.8, ENTITLED, "REQUIREMENTS OF OWNERS AND IN SOME CASES LIENHOLDERS OF VACANT PROPERTY" AND SECTION 12-5.13, ENTITLED, "VIOLATION AND PENALTIES"

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

Kathy Arlt stated she listened to the tape of the last meeting three times and she could not believe some of the things that were said. She stated the criteria for an abandoned property has nothing to do with maintaining insurance because insurance is a requirement that owners are supposed to get after their properties are declared abandoned. The criteria are that the property needs renovations, that renovations were started and stopped, that there are property taxes due or that it is a public nuisance. She stated they were basing this amendment on an amendment that they past in June. She stated she did not support that amendment because she thought that it was vague and did not think that they needed it. If they really wanted to have an abandoned property ordinance that has the owner requirements and penalties of a vacant property registration ordinance all you had to do was from section 12-5.8 on where the word vacant is used all they had to do was change it to abandoned and they would have been done and she would not be standing here now. She stated they also talked about the Asbury Park's ordinance was flawed and that parts of it were not legal but the definition that she sent them was standard in just about every vacant property registration ordinance in New Jersey. She stated she was in favor of vacant property registrations and dealing with and abandoned properties but you cannot treat those two things the same because it creates a nightmare in terms of enforcement. She went on to state that if you want to have an abandoned property ordinance you have to add in the things from the State. She was concerned that future Committee members might want to amend this ordinance so they should incorporate everything.

Mr. Anthony addressed her concerns and stated the Township follows the criteria for abandonment. He also stated as far as the Asbury Park ordinance it was found flawed and the DCA contacted them and told them that they had to amend it or change it. He stated Asbury's definition was different than the Township's and he got our definition from different ordinances and he's not sure if one was better than the other but that's the one that the Committee chose. In terms of incorporating everything in the statute the Township Committee and the governing body chose not to get into business of taking over property and maybe other governing bodies of Neptune may change their minds and that's their prerogative.

Mr. Bishop stated it was the will of this governing body to allow this to stand at this moment to see what happens and the consequences of what we are doing are. The governing body in the future has every right to amend it and some of them might be there to vote amend it at that point but the decision at this time is to stop tampering with it and let it take effect.

Dorothy Argyros stated if the Township passed this ordinance it would show how legally vulnerable they were and so far they really have not been worried about her pocketbook. She stated she has been attending every meeting of this Committee for years and a couple of months ago she started hearing a massive attack on vacancies and she didn't know much about the issue but she thought the fines and penalties and requirements sounded more like a punishment for cold blooded murder than having a vacant house and she said so. She stated one of the Committeemen talked to her after the meeting and told her that it was alright because there's heavy penalties because we're really going after the foreclosing banks. She stated she was fine with that because they had more money and deeper pockets. She stated she did some research on this and she found out that the trouble with the vacant homes was all over the United States. The banks foreclose and they want top dollar for every home and the law lets them sit and wait until a buyer comes along and give them a lot of money and they are waiting for free because the homeless former owner who is in serious financial trouble has to pay the maintenance, fix ups and fines. She reiterated that the banks were sitting on piles of money and waiting for more and the homeless family does not fair so well. She questioned who was this really aimed at. Today she went to municipal court and she saw ten families that were no richer than her and they were being fined thousands of dollars on top of losing their homes and it made her very upset and very excited. She did not feel it was fair that they were going after ordinary people and not the banks. She stated they were helping the banks at the expense of the citizens.

Mr. Houghtaling stated they were trying to alleviate the Township of abandoned homes and properties.

Mrs. Argyros questioned whether this was their enabling legislation because this was very good and it came down from the State it's Senate Bill # 1229 and it goes after banks. She questioned

again why the Township was not going after the banks and why do they have ten families in municipal court having to pay thousands of dollars that they do not have.

Mr. Anthony stated they were going after the banks and when she arrived there were approximately twelve cases and some of them did not show up and most of the banks they have served and they will be coming up on the docket and sometimes the banks don't show up and they have to issue arrest warrants for them. Several of the people that were involved today were lienholders and not the property owners and some bought these units as investment units and they may never have lived there and yes some people are property owners so we are going after whoever is not maintaining the property and by the way there were no fines of \$3,000 and in some cases there were plea agreements. He stated the maximum penalty was \$2,000 according to the ordinance and no one got that.

Michael Golub stated the Committee was reviewing the language of two different ordinances and the attorney intimated that it was the privilege of the Committee. He questioned whether it was a dramatic difference in language or was it a nuance. He questioned how much influence the Committee had and how much influence did the Township Attorney assert. He also stated that while future committees would have the opportunity to make amendments he would encourage them to look at long term strategies.

Mr. Anthony stated when the Township first asked him to come up with an ordinance he came up with seven different ones and it was up to the Township Committee to choose which one they wanted. There was nothing that was invented for the first time.

Mr. Bishop stated they also went to the head of Code and Construction and talked to them and got their opinion on what was doable, what made sense and what did not. So they got a legal opinion, a professional opinion and they made a decision.

Joan Venezia stated she was in favor of the registration fee but she was confused with the definition of vacant & abandoned. She hoped they would straighten that out before they pass the law. She also questioned how the six month period would be recorded.

Mr. Anthony stated vacancy was never defined in the original ordinance so they amended the ordinance to define vacancy because Mr. Doolittle did not want to get challenged because it did not define vacancy which is the first criteria of abandonment. He went on to state that you could be vacant without reaching abandonment and he thought with all the amendments the ordinance was clear on that and as far as the six months the construction official establishes a list and they go out there and at the end of the six months of each building they either get on the list or they don't and those are maintained by the construction department.

Mr. Bishop stated it's not just in six months that they go back to check it again.

Ms. Venezia asked after the code department maintains the list that they think is vacant do they then go back out after six months and try to enforce it.

Mr. Anthony stated they will continually check on it to make sure that it isn't vacant anymore. He stated it was correct that they could not enforce it until after six months. He stated both vacancy and abandonment requires six months.

Mr. Bishop stated building maintenance code does not stop because you are on this list.

Frank Vitale, 111 Olive Street, stated he was an investor in this town for almost forty years and he has a sincere interest in the town and has taken many boarded up properties and turned them in to some nice places. He was in favor of cleaning up properties but he has a friend that has property that has been labeled as abandoned. He asked Mr. Anthony to tell everyone the Township's insurable interest in a property that makes you want to have them listed as an additional insured on an insurance policy.

Deputy Mayor McMillan stated this was only about the registration.

Mr. Anthony stated he did not think they should be discussing something that is being litigated.

Mr. Vitale questioned where in the enabling legislation that you adopted this from, does it ever make reference to the town or state being able to come in and enter a property. He stated if it was him they would not be able to enter his property unless they had a search warrant. He questioned where did they have the right to enter someone's premises because even in the Boca Maintenance Code it states you have to have probable cause to enter someone's home.

Mr. Anthony stated a number of municipalities have this type of ordinance based on their police powers and right to register and this was taken from another ordinance in which it was provided and supported by case law that this could be done.

Mr. Vitale again questioned how was it possible that they could enter someone's property without their permission without probable cause. He stated it says once you register the property you are granting the Township access to the exterior and interior of the property. He told the Township this needs to be removed and asked the Committee to stop this in its tracks. He questioned the purpose of entering the property.

Mr. Anthony stated he assumed that it was to make sure that the property was being maintained.

Mr. Vitale stated the other problem was the registration fee and questioned what justified \$500 a year for a registration fee.

Mr. Anthony stated that was the basis for a number of other ordinances which are \$500 and every ordinance that has a registration requirement is about \$500. He stated they were following what other towns were doing.

Mr. Vitale questioned what was the \$500 for.

Mr. Anthony stated it was to register the property.

Mr. Vitale stated you could register it for free with the State and you have a license to rent it.

Mr. Bishop stated you are asking Mr. Anthony the questions but they are the ones who were making the decision.

Anthony Benyoa, 22 Embury Avenue, stated there were things on this amendment that was clear that he could not adhere to such as the insurance because the insurance company will not allow him to put the Township as a payee. He urged the Committee to adjust some of the language in the ordinance because he physically cannot do it. He requested they postpone this until further notice.

Mr. Anthony stated insurance had nothing to do with this amendment and this ordinance only talks about registration. He stated he could get the Township's name on the insurance, it's just that it's going to cost him more money.

Mr. Benyoa questioned how he would do it.

Mr. Anthony stated there were many situations where he's seen with vacant properties that insurance carriers covered the property and this particular ordinance which is not before this Committee right now was based on ordinances and statues in other towns where they do it.

Sandra Solly questioned how many of the homes were so bad and theoretically if you can take them for taxes you can sale them at a tax sale.

Mr. Anthony stated he did not know the level of each house.

Ms. Solly questioned the reason they established an abandoned property list and were people advised prior to being placed on the list.

Mr. Anthony stated that was in the ordinance to establish notifying you that you are on the list.

Ms. Solly again stated they do not tell people prior to getting a letter that they are on the abandoned list.

Mr. Anthony stated they tell them they are on the list because after six months it's determined by the construction code official and you have the right to appeal that decision.

Ms. Solly questioned what happens when you appeal and do you get a hearing.

Mr. Anthony stated you are getting a hearing before the construction code official, but it is not a formal hearing like this.

Ms. Solly questioned when that would take place.

Mr. Anthony stated when you appeal.

Ms. Solly stated she wrote a letter and for 4 ½ months she did not get an answer.

Mr. Anthony responded.

Richard Inkeles stated apparently there needs to be a little tweaking here.

Mr. Bishop asked Mr. Anthony to state what the amendment is before us at this time.

Mr. Anthony stated the amendment is for the establishment of a registration fee and it defines it.

Dr. Brantley stated a lot of people are vague about what this law is. They don't seem to be clear about what is going on even though this has been going on for a year. He doesn't know how we can get them to know what this is about.

Mr. Anthony stated there has been public input on this.

Dr. Brantley questioned whether there was someone they could refer them to so that they could get the whole thing explained to them.

Mr. McMillan stated if anyone had any questions they could go see Mr. Gadaleta.

Hank Coakley questioned what type of homes did this ordinance apply to.

Mr. Anthony stated that it would apply to any home.

Jack Bredin, 94 ½ Heck Avenue, explained the appeals process and stated people were getting wrong information. He felt they should be getting the proper appeal process from the building department.

Mr. Anthony stated that was not part of this ordinance.

Mr. Bredin stated he knew it wasn't but if people were to come up and ask questions they should get an answer and not nonsense.

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. 15-44 – TABLED

Mr. Bishop offered to motion, moved and seconded by Dr. Brantley, to table the public hearing and vote to adopt, the following ordinance:

ORDINANCE NO. 15-44

AN ORDINANCE AMENDING VOLUME I, CHAPTER IV, OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED, "BUSINESS AND LICENSING REGULATIONS CONCERNING GRANTING OF REVOCABLE LICENSES"

All were in favor.

ORDINANCE NO. 15-45 - ADOPTED

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

ORDINANCE NO. 15-45

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

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. 15-46 - ADOPTED

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

ORDINANCE NO. 15-46

BOND ORDINANCE PROVIDING FOR SHARK RIVER DREDGING, 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 and they were as follows:

Dorothy Argyros stated she understood from a good source that the cost of this was going to be \$7.6 million dollars and she felt it was kind of futile to point out looking at the whole picture. She stated a whole bunch of them will be paying a lot of money to do a good favor for a relatively few yacht owners.

Billl Burdge, 195 Durand Road, thanked the Committee for getting this done.

Hank Coakley, Valley Road, thanked the Committee for doing this. He stated this would benefit everyone in the Township of Neptune all of the time and it can be used 24/7 unlike the parks, tennis courts, etc. He stated it will help clean the water and the only pollution is from non-migrating geese.

Richard Inkeles questioned why bonding was not being done through the Marina Utility.

Mr. Bascom stated the marina was contributing about \$100,000.00 and the remainder is being supported by general funds.

Mr. Golub stated the Township deserves praise for this.

Tom Polk, 210 Schooner, thanked Mr. Bishop for this ordinance and stated it would benefit the entire community and he could not believe that people are upset when the Committee makes improvements to the Township.

Mr. Bishop stated everyone on the dais supported it including Tom Catley, Jim Manning and many others.

Stephanie Sayer stated she applauded the dredging of the Shark River and also thanked John Dempsey who have given so much of his time to this and the Shark River Clean Up Coalition. She questioned whether any of the money would go towards drainage or run off.

Deputy Mayor McMillan stated it was all for dredging.

Mr. Bishop stated many of the protections that exist in the watershed today because of actions about protecting the watershed in the Category I status of the river have tremendously lessened the amount of run off that you see that went in to fill these channels since the dredging forty years ago. He stated some still make it into the river but it's certainly not the volume that made it before. He stated one of the biggest concerns that people have that this doesn't address in the dredging, is what happens if the river does try and heal itself cause there's silt that's sitting on the bed itself and that will eventually go in and Mike is right you have to look at how do you control it from source and also how do you maintain it from what you have done and that is still an open question but they had to take one step and this is a first and a big step.

Ms. Sayer questioned could they do to make sure that this issue does not stop here.

Deputy Mayor McMillan stated they will be monitoring it.

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. 15-47 - APPROVED

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

be approved:

ORDINANCE NO. 15-47

AN ORDINANCE AUTHORIZING AN AGREEMENT FOR PAYMENT
IN LIEU OF TAXES BETWEEN NEPTUNE TOWNSHIP AND
SEBASTIAN-NEPTUNE URBAN RENEWAL, LLC FOR THE
OWNERSHIP, OPERATION, MANAGEMENT AND
REHABILITATION OF SEBASTIAN VILLA APARTMENTS

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

Mr. Cuttrell stated that the Public Hearing on Ordinance 15-47 will be held on Monday, October 26th.

CONSENT AGENDA

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

AUTHORIZE TOWNSHIP ENGINEERING CONSULTANT TO PERFORM ENGINEERING SERVICES FOR THE LAKE ALBERTA BASIN DRAINAGE PROJECT

WHEREAS, the Township of Neptune received a Flood Mitigation Assistance Grant from the Federal Emergency Management Agency for the Lake Alberta Basin Drainage Project and is desirous to undertake said project; and,

WHEREAS, the project includes desilting of the basin, shoreline enhancements, reconfiguration of the outfall structure and upgrading/installing additional drainage systems to alleviate flooding; and,

WHEREAS, the Township Engineer requested proposals from the approved list of 2015 Engineering Consultants to perform professional engineering services including preparation of design, plans, specifications, permitting, and construction administration in connection with this project; and,

WHEREAS, Leon S. Avakian, Inc. has submitted the lowest cost proposal for this work to the Township Engineer; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 15-07, 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 Leon S. Avakian, Inc. to perform the services as stated herein as Township Engineering Consultant at an amount not to exceed \$97,500.00; 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.

AWARD CONTRACT FOR PROPERTY DATA COLLECTION AND VERIFICATION PROGRAM IN CONNECTION WITH THE MAINTENANCE OF VALUATIONS OF REAL PROPERTIES

WHEREAS, the Monmouth County Board of Taxation ordered a municipal wide revaluation of real property in the Township of Neptune to be completed by October 1, 2014 and to be effective for the 2015 tax year; and,

WHEREAS, the Tax Assessor submitted a Request for Proposal from qualified appraisal companies to perform this revaluation; and,

WHEREAS, the Tax Assessor accepted Requests for Proposals on September 3, 2013 and made a recommendation to accept the proposal submitted by Realty Appraisal Company; and,

WHEREAS, on April 14, 2014, the Township Committee adopted Resolution #14-216 which awarded a contract with Realty Appraisal Company to perform and complete a Township wide revaluation of real property; and,

WHEREAS, included in the Request for Proposal was proposal for a Property Data Collection and Verification Program for the maintenance of the valuations of real properties for a five year period through December 31, 2019; and,

WHEREAS, the Township wishes to award this portion of the contract at this time; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 13-38, 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 with Realty Appraisal Company to perform a Property Data Collection and Verification Program for the maintenance of valuations of real properties for a five year period through December 31, 2019 at a rate of \$21 per parcel, pursuant to Appendix A and Appendix G of the proposal submitted on September 3, 2013, at a total amount not to exceed \$235,000.00; and,

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

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT

WHEREAS, the properties listed below reflect overpayments; and,

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

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

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
3408	5	Cook	4 Squirrel Rd	2015	403.01
3201	18	Lanza	31 Tall Pines Dr	2015	643.99
3201	18	Lanza	31 Tall Pines Dr	2015	1,733.02
1615	18	Warren	108 Walnut St	2015	591.57
3804	10	Harris	4 Milton Ave	2015	12,081.14
3804	10	Harris	4 Milton Ave	2015	1,371.28
5501	148	Shapiro	110 Sea Spray Ln	2015	1,703.96
103	5	Connieann	23 Sea View Ave	2015	1,676.30
614	1	CityWorks	1800-1836 W Lake Ave	2015	8,289.96
3205	16	Gogerty	24 Eldorado Way	2015	135.96
3203	10	Scavone	56 Tall Pines Dr	2015	475.55
287	1	Devlin	126 Stockton Ave	2015	2,313.55
114	20	Carden	15 Bath Ave	2014	3,241.58
4201	1C008	Williams	8 Commons Dr	2015	10.00

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

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

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

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

WHEREAS, the Chief of Police and Police Director have made their recommendations; 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 Owen Rosenthal be and is hereby employed as a part-time Special Law Enforcement Officer - Class II, effective October 9, 2015, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, 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.

AUTHORIZE EMPLOYMENT OF ON-CALL PART-TIME ELECTRICAL INSPECTOR

WHEREAS, due to heavy workload and/or vacation time taken by the appointed Electrical Sub-Code Official, it is necessary to authorize an on-call part-time employee to serve as Electrical Inspector ensure uninterrupted processing of construction permits; and,

WHEREAS, the Construction Official recommends the employment of a licensed individual to serve in this capacity; and,

WHEREAS, funds will be provided in the 2015 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 authorizes the employment of James Kaiser to serve as on-call part-time Electrical Inspector as needed by determination of the Construction Official, at an hourly rate of \$30.00; and,

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

PLACE LIEN ON 625 OLD CORLIES AVENUE

WHEREAS, the Township of Neptune authorized a Contractor to make repairs to broken and cracked sidewalk on Old Corlies Avenue near the County of Monmouth bridge over Jumping Brook; and,

WHEREAS, initially it appeared that the adjoining property owner was the Township of Neptune; however, it was later determined that the property adjoining the sidewalk is Block 3001, Lot 12 which is owned by New Jersey American Water Company (also known 625 Old Corlies Avenue); and,

WHEREAS, in accordance with Township Code, the adjoining property owner is responsible for sidewalk and curbing repair and replacement; and,

WHEREAS, New Jersey American Water Company has been issued an invoice for the cost of repair; however, payment has not been received by the Township,

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
3001/12	625 Old Corlies Avenue	2,610.00

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

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

SUPPORT STATE LEGISLATION ESTABLISHING MINIMUM NURSE STAFFING STANDARDS FOR HOSPITALS AND AMBULATORY SURGERY FACILITIES AND CERTAIN DHS FACILITIES

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

WHEREAS, it is paramount that residents of the Township of Neptune have access to quality health care services; and,

WHEREAS, nurse staffing shortages are a factor in one out of every four unexpected hospital deaths or injuries caused by error and unsafe staffing levels negatively affect retention of nursing staff, lead to greater turnover of nursing staff, and thus undermine continuity and quality of patient care; and,

WHEREAS, multiple peer-reviewed studies of American and European health facilities undertaken over the last decade show a direct link between nurse staffing levels and key patient outcomes. A 2014 study by Dr. Linda Aiken and her colleagues at the University of Pennsylvania showed that a single patient increase in a nurse's workload increased the likelihood of an in-patient death within 30 days of admission by 7 percent, and a 2007 report by Dr. Robert L. Kane showed that mortality risk decreases by 9 percent for intensive care unit (ICU) patients and 16 percent for surgery patients with the increase of 1 full-time employed, registered nurse per patient day; and,

WHEREAS, a 2009 study titled "The Economic Value of Professional Nursing", published in the journal Medical Care, found that adding an additional 133,000 registered nurses to the U.S. hospital workforce would produce medical savings estimated at \$6.1 billion in reduced patient care costs; and,

WHEREAS, current hospital regulations in New Jersey, setting only limited staffing levels, have not been updated since 1987, and do not adequately reflect modern technologies, current standards in patient care, and reduced hospital stays; and,

WHEREAS, legislation (S1183/A647) introduced and currently under consideration by the New Jersey State Legislature would set minimum nurse staffing standards for hospitals and other medical facilities that would increase the quality of health care services at hospitals, ambulatory surgery facilities, and certain facilities under the purview of the State Department of Human Services; and,

WHEREAS, passage of S1183/A647 would require higher nurse-to-patient ratios at hospitals and ambulatory surgery facilities, including Jersey Shore University Medical Center, thus leading to a higher quality of patient care overall,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby urges passage of S1183/A647 and supports establishing minimum registered professional nurse staffing standards for hospitals and ambulatory surgery facilities and certain DHS facilities to increase the quality of patient care at Neptune Township health facilities and those across the State of New Jersey; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to State Senator Jennifer Beck, and State Assemblywomen Mary Pat Angelini and Caroline Casagrande.

The resolution was adopted on the following vote: Bishop, aye; Brantley, aye, adding that standards are needed for our residents and would save \$6.1 billion in medical costs; Houghtaling, aye, adding his thanks to the nurses who are in attendance to support this resolution; and McMillan, aye, adding his thanks to the nurses.

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

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

WHEREAS, the Township Committee wishes to authorize the purchase of a 2016 Ford F550 Dump Truck for the Department of Public Works and a 2016 Ford F550 Utility Truck for the Sewer Utility 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 Chastang Ford 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 cost to purchase this equipment shall not exceed \$83,988.00 for the dump truck and \$69,999.00 for the utility truck; 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 2016 Ford F550 Dump Truck for the Public Works Department be and is hereby authorized through the Houston-Galveston Area Council Purchasing Program via Contract No HT06-14 at an amount not to exceed \$83,988.00; and,

BE IT FURTHER RESOLVED, that the purchase of a 2016 Ford F550 Utility Truck for the Sewer Utility be and is hereby authorized through the Houston-Galveston Area Council Purchasing Program via Contract No HT06-14 at an amount not to exceed \$69,999.00; 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 PAYMENT OF BILLS

Mr. Houghtaling offered the following resolution, moved and seconded by Mr. Bishop, 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	\$446,677.05
FEDERAL & STATE GRANT FUND	24,748.66
TRUST OTHER	74,947.89
GENERAL CAPITAL FUND	10,317.41
SEWER OPERATING FUND	89,117.75
MARINA OPERATING FUND	3,942.97
MARINA CAPITAL FUND	337,553.52
UDAG TRUST	250.00
LIBRARY TRUST	1,025.22
BILL LIST TOTAL	\$988,580.47

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

Kathleen Gunther stated she was appearing on behalf of her daughter Erin O'Connell. She stated for several months Erin and several other residents of Embury Avenue have come before the Township Committee to present concerns regarding Serenity Inn such as suspected drug activity and constant unsavory behavior by residents that requires police intervention, repeated visits by fire prevention and EMS. She stated there was a lot of trash that litters the ally way and construction debris on the porch. She stated the Committee promised to create a task force to oversee all of the residents like this in Ocean Grove. Their immediate concern was the safety and well being of the neighbors impacted by the deplorable conditions. She questioned the status of the task force, has it been created, who are the members, what is the scope of its authority, who is responsible and when can they expect results. She thanked Deputy Mayor McMillan for coming to Embury Avenue to see the conditions at Serenity Inn.

Mr. Gadaleta stated they have established the task force and it is made up of our Code, Construction and Fire Departments in Ocean Grove and it also involves the Monmouth County Health Department and the inspector who is assigned to the Township. He stated shortly after the meeting they did send their people out and on September 30th a notice of violation with many outstanding issues were addressed to the property owner. They have been following up on the conditions to the property and on October 6th the entire task force minus the Health Department visited not only the Serenity Inn but also the Cordova and the Whitfield who are three of our resident hotels in Ocean Grove. Additional violations were cited at that time on all three properties. It is his understanding that the property has been completely cleaned and there is no longer any debris outside and they are continuing to follow up but other properties and they are making it a routine inspection location. Township inspectors will be driving past these three properties as well as others. Earlier tonight at the Workshop Meeting it was discussed both he and Mr. Doolittle met the officials from the States Hotel Motel Agency and they are making recommendations to the governing body to consider the Township becoming the inspection arm for the States Hotel Motel Multiple Dwelling so that the Township could have one of their own employees funded through State fees managing those inspections. He felt the State was not addressing this issue as readily as they should be. The enforcement will be by the State and we will have the follow up.

Ms. Gunther stated there was a lack of management and oversight at Serenity.

Kim Brown stated she was a nurse at Jersey Shore University Medical Center and she wanted to thank the Committee for the resolution this evening and she's noticed that when there are appropriate levels of staffing it makes a difference.

Michael Golub read a prepared statement where he stated he met with the Chief of Police and he thinks he understands his position in the matter of the Police Director. It doesn't say that he agrees but they understand one another. The Chief states that he has a functioning and productive relationship with the Township Committee and Administration. In all honesty they did not discuss and did not mention the basis of that opinion nor did they discuss why he felt the Police Director should step down. He stated he appeared to be very genuine and sincere in stating his own beliefs and explaining the justification for his actions since being elevated to the position of Chief. He's certain that he feels that everything that could have been done was done at the time during the immediate aftermath of Tammy Seidle's horrific execution was either offered or announced to be made available or in fact provided. He stated he disagreed and he felt much of the Town's residents felt the same way. He stated it's been confirmed through interaction that more than a few officers of various ranks that at no time did anyone from the Police Department, Administration or Township Committee publicly come forth and offer words of solace, support, condolences and sympathy because most of you ran for cover in a legal sense and some of you were just in a panic and watched the rest of the crowd. He stated he was in the process of contacting several communities in our nation to see how similar situations were handled and where decisions were rendered and he sure that research will be very revealing. Because of time constraints he did not have time to concentrate on hostility in the workplace, discriminatory activity and negative attitudes directed at individuals specifically due to color and gender although he would assume he would deny any wrong doing on his own part and there were many who knew about the misdeeds of others amongst them. He stated by requested the resignation of the Police Director you would be taking a meaningful step in the right direction.

Deputy McMillan stated he took exception to Mr. Golub's erroneous statements. He stated their kids played with his kids and his wife was their teacher. He stated Mr. Golub did not know what they did and this was not a hearing for him to attack their employees and if he felt something was wrong he could meet with the Business Administrator and express those concerns there because this was not the place for it.

Tom Polk, 210 Schooner stated he was looking for guidance and understanding. He stated he's been attending Board of Education meetings and he has an issue with students who are graduating but are not prepared for the next step. He stated we lack true parental guidance and more money should be spent to get the parents more involved. He stated he wanted the kids to have the same values that he has and urged them to work closely with the Board of Education.

Deputy Mayor McMillan stated for the past several years they have reached out to the Board of Education and they had a Green Team and they had many opportunities to do things with them and he plans on doing something this year and they are trying to do everything that they can.

Russell Harmstead asked if all of the resolutions that were listed under the consent agenda has been passed.

Deputy Mayor McMillan confirmed that they had.

Mr. Harmstead thanked the governing body for getting the Township's money back that was spent to fix the curb.

Jim Granelli, 115 Highland Avenue, stated people are speeding along South Riverside & Park Avenue. He requested that signage go up indicating to stop ahead. He also requested a speed hump on Highland Avenue due to speeding as well. He questioned what was the urgent need for the ordinance that involved the easement.

Mr. Anthony stated they've had problems where there's been encroachment on right aways on conservation easements and retention basins throughout the Town. We could have liability issues and we could lose the property after twenty one years. He stated that's been a problem in many cases and they have to offer options.

Richard Inkeles stated the Committee was not right in allowing a resident to respond with a rebuttal.

Mr. Anthony stated the governing body can limit speech for a reasonable time period and not have a debate going back and forth.

Deputy Mayor McMillan stated the residents comments were incorrect and he did not agree with him.

Jack Bredin 94 ½ Heck Avenue stated Mr. Anthony was an excellent attorney. He went on to state that there was no such thing as the five minute rule and Mary Beth Jahn as the Mayor sets the agenda and that is her general guide line and since Deputy Mayor McMillan is here it is at his discretion. He spoke regarding the Serenity Inn and multiple dwellings. He stated he did not want them to slide back to the way they were before. He went on to state at the Workshop Meeting there was a discussion regarding the proposed amendment to the land use ordinance regarding architectural treatment on elevated structures in the flood zone and the Business Administrator said they met with our Planning Officials and they will send it to the Planning Board for their review. He stated the way that is supposed to work, is if you have an issue in planning you notify the Planning Board because they are the planners and they do the planning and then they will give a report to the Committee and there planning is what becomes the Masterplan of the town. They want to make sure that you do it right and that is why you refer it back to them. He felt they had the whole system backwards and they did not really have a Planning Board but rather a Site Plan Review Board.

Dorothy Argyros stated she did research on police brutality cases and the good news is that these cases are settling for between \$650,000-\$700,000 against municipalities and politicians who do not do right. She also stated that attorneys like money just as well as everyone else and that means that she has a fairly decent file on law firms who offer a free consultation and if the case is suitable they will take it on a contingency basis so as far as there seems to be a feeling that people can't afford to sue that's wrong. She stated she would make copies and hand it out at the next meeting.

Frank Vitale stated he asked before what is the insurable interest the Township has in requiring people to have the Township listed as the additionally insured.

Mr. Anthony stated insurable interest involves if the property is to be demolished and the Town has to demolish it they need to have insurance coverage.

Mr. Vitale stated so none of these properties are scheduled to be demolished.

Mr. Anthony stated no, not at the moment.

Mr. Vitale stated not only at the moment but it was his understanding that he said it's not the intention of the Town.

Mr. Anthony stated it was not the intention of the Town unless they had to.

Mr. Vitale stated the property owner doesn't have to have insurance they can self insure.

Mr. Vitale and Mr. Anthony went back and forth regarding insurable interest.

Joan Venezia, 107 Mt. Hermon Way, stated people were making it sound like the Township was going into private homes but these homes are vacant and they're making it sound like the people are poor. These properties are usually second homes or investment properties and the owners live somewhere and probably live in fine conditions. She also stated the December meeting has been changed but it has been changed on the website. She questioned whether anyone has received information as to who the additional investor is for the North End and if not when will we force the Gannon's to give us that information. She also stated the abandoned list on the website has 67 entities and questioned whether that was correct and update. She stated as far as the comments from the dais in the beginning of the meeting she would like to hear more of what they are responsible for doing instead of report the events they attended or that someone died.

Mr. Anthony stated as far as the North End he spoke to the attorney today and they were trying to give him statements but it was not what they wanted. They will give us all of the investors as well but they are not sure who it is yet.

Mr. Cuttrell stated as far as the property list from this point forward we will put the date by stating updated as of.

Hank Coakley stated with this past storm there has been a tremendous run off down towards South

Riverside Drive especially near the new marina building. He heard the covering was supposed to stop soil. Whoever decided this law he hoped that at their convenience it will be looked into. He went on to state that the Township now has a class a marina and asked Mr. Bascom to give reports on the marina.

Lynn Fremona, South Riverside Drive questioned whether the bank becomes the owner when they forecloses on a property.

Mr. Anthony stated not until they have a deed transfer and there is often a gap period.

Ms. Fremona questioned if the bank was the owner of a property that has a pool and a fence around it and the fence is falling apart is it the banks responsibility to fix it.

Mr. Anthony stated yes if the bank takes over.

Sandra Solly asked for clarification of Ordinance #14-36 because she was confused and questioned whether she was still entitled to a hearing and could she file the affidavit.

Mr. Anthony stated it appeared as they though he did not feel that she was filing an appeal at all because she sent a letter without any documentation and she did not even ask for an appeal.

Ms. Solly stated she did not understand she could file for an appeal but she did send a letter as she was told. She asked if should could still have a hearing and she did not have rights.

Mr. Anthony stated she had rights but she did not exercise it and he saw the letter but it did not appear as an appeal at all.

Mr. Bishop asked if it was possible if they can enumerate for her what the issues are.

Mr. Gadaleta stated yes there were specific perimeters within the ordinance that raises you from the level of vacant to abandoned. He stated he could review that.

Mr. Anthony stated when they were in municipal court he suggested she sit down with Mr. Doolittle.

Mr. Gadaleta stated he would pull and review her file and he will reach out to her and advise her whether she files under vacant or abandoned.

Ms. Solly stated she has not received anything in 4 ½ years and she assumed everything was good.

Kathy Arlt also talked about the list and stated she did not feel that it was correct. She gave the Committee three properties that she wanted to be added to the list. She also spoke regarding incorrect signs. She stated the Warrenton really concerned her and listed the conditions. She felt the Township needed to secure the site.

Mr. Anthony stated we do have a complaint against the Warrenton at the end of the month.

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

Richard J. Cuttrell,
Municipal Clerk