

TOWNSHIP COMMITTEE MEETING – APRIL 25, 2016

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, Carol Rizzo, Nicholas Williams and Mayor Kevin B. McMillan.

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

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 7, 2016, 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. Bascom reviewed the 2015 Annual Report of the Police Department which was distributed on April 22nd and will be released to the public via the Township web site on April 26th. He noted a 12.5% decrease in crime and a large increase in the amount of officer training. Forty policies were revised and the Department responded to over 34,000 calls. The Department received 1,750,000 views on various social media which was featured on multiple occasions on major media outlets. The Committee members all expressed their thanks and appreciation to the Department for their efforts. The Mayor inquired about e-commerce safe zones to which Mr. Bascom responded that locations have been identified and implementation is near.

Chief Hunt, Sgt. Michael Zarro, Leanne Hoffmann and George Reid were present to discuss the Township's Traffic Calming Plan. Sgt. Zarro indicated that speed data, complaints, ticket frequency and school zones factor into the decision on where to place speed humps. A location starts with a temporary speed hump which is then converted to permanent if the desired results are achieved. There are eight locations transitioning to permanent humps. Sgt. Zarro distributed examples of traffic speed information generated by the temporary electronic speed signs. Ms. Hoffmann stated that the decision to transition from a temporary to permanent speed hump is made in consultation with the traffic consultant and the nearby residents. It is a team approach between Police, Engineering and Public Works. Mr. Reid stated that there are 20 permanent speed humps, 8 transitioning from temporary to permanent and 5 new temporary humps being installed. The cost of a speed hump is about \$6,000. Chief Hunt stated that seven Special Law Enforcement Officers are graduating on May 13th and will be assisting with traffic enforcement.

Ms. Hoffmann stated that the intersection of Jumping Brook and West Jumping Brook prevents southbound traffic on Jumping Brook Road from speeding on to West Jumping Brook. Also, the Township has applied for a Block Grant for ADA improvements on 10th Avenue which would include intersection bump outs. The Township continues to seek funding for improvements on Jumping Brook Road which would include a narrowing of the asphalt width, a bike path and sidewalks. Sgt. Zarro stated that 29 tickets have been issued to trucks exceeding the four ton limit on Jumping Brook Road. NJDOT is working on signs on Route 33 and Route 66 to alert trucks not to turn on to Jumping Brook Road.

Mr. Bishop recommended the creation of a two hour parking limit zone on the south side

of 6th Avenue between Memorial Drive and the start of the residential area to the east of Atkins Avenue.

Dr. Brantley announced that Bishop Martin Luther Johnson, Reverend Aaron Gibson are being recognized by different organizations over the next month. In addition, he (Dr. Brantley) has been chosen as a Distinguished Community Leader by the National Council of Negro Women. Mr. Gadaleta will place the information regarding Dr. Brantley's recognition on the Township web site.

Mr. Gadaleta stated that he will be meeting with the NJ Department of Transportation on the Hamilton Commons drainage issue.

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:

Contract negotiations – Representative from County Tax Board to discuss ADP contract
Personnel – Vacancies on Rent Leveling Board and Planning Board
Personnel – Police promotions
Potential Litigation – VFW Club Liquor License
Personnel – Recommendation to hire Driver in DPW

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; Rizzo, aye; Williams, aye; and McMillan, aye.

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

Jefferson Nurse was recommended for appointment to the Rent Leveling Board and action was taken by resolution during the regular meeting.

John Bonney was recommended for appointment to the Planning Board as the Class II

member with Robert Lane being reclassified from the Class II position to a vacant Class IV position.

Mr. Bascom reviewed the interview procedure for promotions to Sergeant and Lieutenants in the Police Department. The State Chief's Association will administer a test for candidates for promotion to the rank of Sergeant. For Sergeants and Lieutenants, current higher ranked officers interview candidates, followed by an interview and review of the officer's record by the Chief and Police Director. The Committee was presented with recommendations for the promotion of three Patrolman to the rank of Sergeant and one Sergeant to the rank of Lieutenant.

Thomas Goode was recommended for hire to the position of Driver in the Public Works Department and action was taken by resolution during the regular meeting.

Mr. Gadaleta will be meeting with representatives of the prospective purchaser of the Schoolhouse Square.

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

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, Carol Rizzo, Nicholas Williams and Mayor Kevin B. McMillan.

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 Mayor asked the Clerk to indicate the fire exits.

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

Mayor 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 7, 2016, 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.

COMMENTS FROM THE DAIS

Ms. Rizzo stated that she attended an Economic Development Corporation meeting. They are waiting on development plans for West Lake Avenue. She attended a meeting with State Assembly Speaker Prieto at the invitation of Assemblypersons Houghtaling and Downey. She made some recommendations including looking at the tax levy cap, which makes it difficult for towns to regenerate surplus, and the denial of energy tax receipts to municipalities which has resulted in much less revenue to municipalities.

Mr. Williams stated that he attended an IBEW seminar about the Apprenticeship Program and about 75 young adults were in attendance. He also attended the Liberty Park

clean-up and planting and the Good News Foundation civic seminar on voting and registering to vote. He also met with Public Works Supervisors and with the Police Department on police promotions. Finally, he attended a ribbon cutting for the Grand Tavern on 6th Avenue.

Mr. Bishop attended a meeting on the St. Jude walk with Mr. Williams, a meeting on World Changers (30 to 40 students will be coming this year), meeting on Seaview Island regarding the dredging which will resume on July 1st, dedication of the United Methodist Conference Center, Pride workshop regarding communicating with legislators, Liberty Park clean-up with MURC, Good News Foundation civic workshop, Phase II dredging meeting, and the Grand Tavern ribbon cutting. He thanked everyone for their support on his award from Habitat for Humanity.

Dr. Brantley attended the Roundtable discussion with Assembly Speaker Prieto along with Ms. Rizzo. He complimented Ms. Rizzo on a good job in bringing several issues to the Speaker's attention. He attended the Liberty Park clean-up and planting. He was honored to perform two weddings, one of which had many participants.

Mayor McMillan led the Mayor's Youth Cabinet on a trip to New York City on April 16th where he sat on a National Action Network panel with other mayors for a discussion on many topics. The students then visited a number of places in New York. The next visit is to the Metropolitan Transportation Authority to take a look at how that operation works.

PUBLIC COMMENTS ON RESOLUTIONS

Michael Fornino, 120 Fulham Place, questioned the purpose of limiting medical plan choices as mentioned in Resolution #16-211.

Mr. Bascom stated they are required by the State Health Benefits program to offer at least one plan in each of the five categories that are offered on the state health benefits program. We had only offered three categories prior to this year, so this year we have to add two more but it gives our employees more options to get lower-cost plans so the two plans that were added to the program this year are lower-cost higher deductible plans.

Mr. Fornino stated that was not how it reads.

Mr. Cuttrell stated that was a standard State resolution.

Mr. Fornino commented on Resolution #16-212 and questioned whether they were going to get something that they would or would not use.

Mr. Bascom stated they've been in the program for years but now it requires a resolution. He stated they did not acquire things that they did not need and they did not have a lot sitting around and they use what they buy and. The program that spurred this resolution is an offering of brand new carry sacs for our police officers to carry their equipment in.

Dorothy Argyros, 2100 Rutherford Avenue, stated she was also interested in that resolution. She stated the New Yorker had a satire article about the heavy defense war military equipment that is being given by the federal government to little police departments all over the country. She questioned whether the Township was getting anything like this.

Mayor McMillan stated he did not think so and he believed she was referring to when Ferguson had all of that military equipment.

Mrs. Argyros questioned what were they getting.

Mr. Bascom stated this particular resolution is on because they have brand new back packs and carry packs for our police officers to carry their gear in. They will not cost the Township anything. The Township will receive a hundred of them and each one of our police officers will receive one. They are continuing to look for 6x6 trucks and dump trucks for flood response, for snow removal and salting and sanding the roads.

Mrs. Argyros referred to Resolution #16-208 and asked why were they placing liens on properties and what were the property owners doing that would threaten the entire planet.

Mr. Cuttrell stated it was for property maintenance and explained what they were.

ORDINANCE NO. 16-13 - ADOPTED

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

ORDINANCE NO. 16-13

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A RESIDENT HANDICAPPED ON-STREET PARKING ZONE ON WEBB AVENUE

Mayor McMillan 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; Rizzo, aye; Williams, aye, and McMillan, aye.

ORDINANCE NO. 16-14 - ADOPTED

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

ORDINANCE NO. 16-14

AN ORDINANCE TO AMEND VOLUME I, CHAPTER II, OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING SECTION 2-7.4 TO ESTABLISH A SELF-INSURANCE FUND FOR GROUP HEALTH BENEFITS PURSUANT TO REGULATIONS ESTABLISHED BY THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

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

Dorothy Argyros, 2100 Rutherford Avenue, asked how much this is costing the taxpayers. Mr. Bascom stated that this will recover \$212,000 in insurance costs; therefore, there is no cost to the taxpayer.

Michael Fornino, 120 Fulham Place, asked if this involved a major medical plan. Mr. Bascom stated that the Township's prescription program was self-insured through a third party with an insurance policy covering any amount in excess of a threshold amount. This allows us to recover money that was spent in excess of the threshold amount.

There being further comments, the Mayor closed the public hearing.

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

ORDINANCE NO. 16-15 - APPROVED

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

ORDINANCE NO. 16-15

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A RESIDENT HANDICAPPED ON-STREET PARKING ZONE ON CENTRAL AVENUE

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

ORDINANCE NO. 16-16 - APPROVED

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

ORDINANCE NO. 16-16

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-9 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY DESIGNATING INSKIP AVENUE AS A ONE-WAY STREET

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

Mr. Cuttrell stated that the public hearings on Ordinances 16-15 and 16-16 will be held on Monday, May 9th.

CONSENT AGENDA

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

AMEND RESOLUTION #16-42 APPOINTING GOVERNING BODY SUBCOMMITTEES

WHEREAS, the governing body of the Township of Neptune is desirous to appoint 2016 Subcommittees with representatives from the governing body participating with said Subcommittees as liaisons to the various departments and activities of the Township of Neptune for the benefit of the governing body and the Township of Neptune; and

WHEREAS, this Resolution shall amend Resolution #16-42; approved on January 1, 2016; and

WHEREAS, Committeepersons appointed to said Subcommittees shall serve in an advisory capacity and report back to the governing body as a liaison to report on departmental activities and make recommendations for improvements as stated more fully below; and

WHEREAS, each Subcommittee, to the extent limited by State Statute and Law, may also serve as a screening committee for personnel matters that need to be decided by the entire governing body.

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorizes the following Subcommittees and confirms appointments to the same for the year 2016:

A. Code, Construction, Senior Center, Tourism and MURC

Committeeperson J. Randy Bishop, Chairperson
Committeeperson Carol Rizzo (Code & Construction)
Committeeperson Nicholas Williams (Senior Center)
Mayor Kevin McMillan (Tourism)
Senior Center Director
Code Enforcement Supervisor
Construction Official
Business Administrator

B. Engineering, Land Use, Health and Welfare

Deputy Mayor Dr. Michael Brantley, Chairperson
Committeeperson J. Randy Bishop (Engineering & Land Use)
Mayor Kevin McMillan (Health & Welfare)
Land Use Administrator
Township Engineer
Zoning Officer
Registrar of Vital Statistics
Business Administrator

C. Finance, Economic Development, Library and MURC

Committeeperson Carol Rizzo, Chairperson

Mayor Kevin McMillan (Finance & Economic Development)
Committeeperson Nicholas Williams (Library)
Chief Financial Officer
Library Director
Economic Development Coordinator
Business Administrator

- D. Administration, Recreation, and Community Development
Mayor Kevin McMillan, Chairperson
Deputy Mayor Michael Brantley (Administration)
Committeeperson Nicholas Williams (Recreation)
Committeeperson Carol Rizzo (Community Development)
Recreation Director
Community Projects Coordinator
Municipal Clerk
Chief Financial Officer
Human Resources Director
Business Administrator

- E. Court, Public Safety and Public Works

Committeeperson Nicholas Williams, Chairperson
Mayor Kevin McMillan (Court and Public Safety)
Deputy Mayor Michael Brantley (Public Works)
Police Chief or other Police Department designee
Police Director
Director of Public Works
Court Administrator
OEM Coordinator
EMS Manager
Business Administrator

BE IT FURTHER RESOLVED, that the duties and powers of the Committeepersons on Subcommittees shall be as follows:

1. All Committeepersons on Subcommittees shall be subject to N.J.S.A. 40A:63-1 *et seq.*, as amended.
 2. Committeepersons on Subcommittees shall investigate any activity relevant to the Committeeperson's Subcommittee.
 3. Committeepersons shall participate and report back to the governing body on all interviews, hiring and promotion and discipline actions of department heads or members of management under the jurisdiction of the Subcommittee.
 4. Committeepersons shall participate, assist in formulation and report to the governing body on all policies, budgets, proposed rules and regulations relevant to the Subcommittee and departments under the jurisdiction of the Subcommittee.
 5. Committeepersons shall serve as liaison for communications between the departments under the jurisdiction of the Subcommittees and the governing body.
- All actions of Committeepersons are subject not only to N.J.S.A. 40A:63-1, but all other

NJ Statutes, ordinances and contracts of the Township of Neptune.

AUTHORIZE ASSIGNMENT OF TWO SPECIAL LAW ENFORCEMENT OFFICERS TO OCEAN GROVE CAMP MEETING ASSOCIATION PROPERTY

WHEREAS, the Ocean Grove Camp Meeting Association has requested the use of two (2) Special Law Enforcement Officers for eight hours a day from May 15, 2016 to October 15, 2016 to patrol the boardwalk, beach, auditorium/tent colony and surrounding area presently owned by the Camp Meeting Association for the purpose of enforcing NJ state statutes and municipal ordinances; and,

WHEREAS, the Township has agreed to assign two (2) officers for this purpose; and,

WHEREAS, the Ocean Grove Camp Meeting Association will reimburse the Township at a rate of \$20.40 per hour for these officers,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the assignment of two (2) Township of Neptune Special Law Enforcement Officers for eight hours a day from May 15, 2016 to October 15, 2016 at a rate of \$20.40 per hour (total cost of \$49,430) paid for by the Ocean Grove Camp Meeting Association for the purpose of patrolling Camp Meeting Association property to enforce applicable NJ state statutes and municipal ordinances; and,

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

APPROVE REMOVAL OF CHARLES WOOLFOLK FROM THE RENT LEVELING BOARD DUE TO ABSENTEEISM PURSUANT TO N.J.S.A. 40A:9-12.1

WHEREAS, N.J.S.A. 40A:9-12.1 establishes the basis for an office of any person appointed as being deemed vacant; and

WHEREAS, N.J.S.A. 40A:9-12.1(g) establishes that in any case where a member of a board fails to attend and participate at meetings of a public body for a period of eight consecutive weeks, or for four consecutive regular meetings, whichever shall be of a longer duration, the appointing authority may officially remove said member, construe the position as vacant, and fill the position or office for the unexpired term of said member, pursuant to N.J.S.A. 40A:9-12.1(h); and

WHEREAS, Charles Woolfolk has missed four consecutive Rent Leveling Board meetings from November, 2015 through April, 2016,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the governing body hereby finds the position held by Charles Woolfolk on the Neptune Township Rent Leveling Board vacant pursuant to N.J.S.A. 40A:9-12.1, as a result of the Township Committee's official action in removing Charles Woolfolk from the Rent Leveling Board for failure to attend four or more consecutive meetings from November, 2015 through April, 2016 in accordance with N.J.S.A. 40A:9-12.1(g), effective with the adoption of this resolution, and shall separately, after the adoption of this resolution, fill the aforesaid position for the unexpired term in the manner prescribed by law; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Rent Leveling Board Secretary.

APPOINT NEW MEMBER AND REDESIGNATE CURRENT ALTERNATE MEMBERS TO THE RENT LEVELING BOARD

WHEREAS, due to the removal of Charles Woolfolk, there is a vacancy on the Rent Leveling Board; and,

WHEREAS, the Township Committee desires to re-designate alternate members and fill the vacant position,

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

1. Catherine McAphee (current Alternate #1 member) be and is hereby appointed as a regular member of the Rent Leveling Board to an unexpired one year term expiring December 31, 2016.

2. Jeff Klein (current Alternate #2 member) be and is hereby appointed as the Alternate #1 member of the Rent Leveling Board to an unexpired one year term expiring December 31, 2016.

3. Jefferson Nurse be and is hereby appointed as the Alternate #2 member of the Rent Leveling Board to an unexpired one year term expiring December 31, 2016.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Secretary to the Rent Leveling Board.

AUTHORIZE A PLACE-TO-PLACE TRANSFER (EXPANSION OF PREMISES) OF THE LIQUOR LICENSE ISSUED TO SAKER SHOP RITES, INC. T/A SHOP RITE

WHEREAS, an application has been filed for a place-to-place transfer (Expansion of Premises) of Plenary Retail Consumption License 1334-32-014-011, for purposes of expanding the premises under license wherein the sale, service, and storage of alcoholic beverages are authorized;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby approves, effective April 25, 2016, the expansion of the aforesaid Plenary Retail Consumption licensed premises located at 2200 Highway 66, Neptune, New Jersey, to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution by forwarded to the Applicant the Division of A.B.C.

AUTHORIZE A REDUCTION IN THE PERFORMANCE GUARANTEE FILED BY HERITAGE AT NEPTUNE, LLC FOR SITE IMPROVEMENTS AT HERITAGE ESTATES AT HOGANS WAY

(WAYSIDE ROAD)

WHEREAS, on July 15, 2015, the Township accepted performance bond 35901 in the amount of \$596,160.00 filed by Heritage at Neptune, LLC written by The Service Insurance Company guaranteeing site improvements at Heritage Estates at Hogans Way, 508 Wayside Road (Block 2702, Lot 25); and,

WHEREAS, at the request of the Developer, the Township Engineer has inspected the site improvements and has recommended a reduction in the performance guarantee as permitted under the Municipal Land Use Law; and,

WHEREAS, the Developer will be notified to post a Change Rider reducing the amount of the performance bond from \$596,160.00 to \$194,351.00 and the Municipal Clerk will accept said Rider when posted; and,

WHEREAS, the cash portion of the performance guarantee will also be reduced by a proportionate amount,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a reduction in the Performance Guarantee for Heritage Estates at Hogans Way, 508 Wayside Road (Block 2702, Lot 25) be and is hereby approved to the amount of \$194,351.00 and the Change Rider submitted to affect said reduction is hereby accepted; and,

BE IT FURTHER RESOLVED, that the proportionate amount of cash portion of the performance guarantee in the amount of \$44,645.00 shall be refunded to the Developer; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Township Engineer and the Developer.

PLACE LIEN ON VARIOUS PROPERTIES

WHEREAS, Ordinance #843 of the Township of Neptune states that where a violation or condition exists on any property in the Township of Neptune that is of such a nature as to constitute an immediate threat to life, health, safety and the well being of residents in this township unless abated without delay, the Director of Code Enforcement may abate the violation or condition immediately or order the owner, operator or occupant to correct the violation or condition within a three-day period; and

WHEREAS, the Director of Code Enforcement determined that the condition of the properties listed below constituted such a threat; and,

WHEREAS, the Director of Code Enforcement has notified the Township Committee of the Township of Neptune that the owners of said property have failed to correct the condition/violation as ordered; and

WHEREAS, the Director of Code Enforcement has had the condition corrected in accordance with Article IV, Section 6.2 (a) of Ordinance #843 at a total cost as indicated below,

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 properties; and,

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
609/7	1701 Stratford Avenue	\$ 846.00
708/13	1313 Monroe Avenue	353.00

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

AUTHORIZE TOWNSHIP ENGINEERING CONSULTANT TO PERFORM ENGINEERING SERVICES FOR SUNSHINE VILLAGE FIELDS TRACK PROJECT

WHEREAS, the Township of Neptune expects to receive a Monmouth County Open Space Grant for improvements to the track around the perimeter of Sunshine Village Fields and is desirous to undertake said project; and,

WHEREAS, it is necessary for a Township Engineer Consultant, from the approved list of 2016 Engineering Consultants appointed via Request for Proposals, to perform professional engineering services including preparation of design, plans, specifications, permitting, and construction administration in connection with this project; and,

WHEREAS, The Township Engineer has solicited quotes and recommends that a contract be awarded to Maser Consulting based on their lowest cost proposal for this work; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 15-40, 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 Maser Consulting to perform the services as stated herein as Township Engineering Consultant at an amount not to exceed \$42,850.00, said proposal on file in the Office of the Municipal Clerk; and,

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

AUTHORIZE TEMPORARY NO PARKING ON CERTAIN STREETS IN CONNECTION WITH OCEAN GROVE CAMP MEETING ASSOCIATION EVENTS

WHEREAS, the Ocean Grove Camp Meeting Association has numerous events scheduled during the late Spring and Summer that will require temporary no parking restrictions for pedestrian safety and access by large buses; and,

WHEREAS, the Police Department has reviewed and approved this action,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the posting of temporary no parking at the following locations during the dates and times indicated:

Auditorium Events

Date & Time: June 23rd - 11:00 p.m. to June 24th - 11:00 p.m.
 July 9th - 11:00 p.m. to July 10th - 11:00 p.m.
 August 5th - 11:00 p.m. to August 6th - 11:00 p.m.

August 12th – 11:00 p.m. to August 13th – 11:00 p.m.
August 19th – 11:00 p.m. to August 20th – 11:00 p.m.

Location: Northside of McClintock Street between Pilgrim Pathway and Central Avenue

Annual Choir Festival

Date: July 10th

Time: 5:00 pm to 10:00 p.m.

Locations: Southside of westbound Ocean Pathway from Ocean Avenue to Central Avenue and Westside of Central Avenue between the Ocean Pathways.

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 Ocean Grove Camp Meeting Association.

LIMIT THE NUMBER OF MEDICAL PLANS OFFERED TO EMPLOYEES UNDER THE STATE HEALTH BENEFITS PROGRAM

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following State Health Benefits Program medical plans will NOT be offered to Township employees:

Category 1:

Aetna Freedom 10, Aetna Freedom 15, Aetna HMO and Horizon HMO

Category 2:

Aetna Freedom 1525 and Aetna Freedom 2030

Category 3:

Aetna Liberty Plan

Category 4:

Aetna Freedom 2035

Category 5:

Aetna Value HD 4000, Aetna Value HD 1500 and NJ Direct HD4000

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Human Resources Director.

AUTHORIZE PARTICIPATION IN DEPARTMENT OF DEFENSE SURPLUS PROPERTY PROGRAM THROUGH THE NJ OFFICE OF EMERGENCY MANAGEMENT

WHEREAS, federal law permits the Department of Defense to transfer to federal and state agencies personal property of the Department that it determines is suitable for use by agencies in law enforcement activities; and,

WHEREAS, this program is generally known as the “1033 program,” that allows local law enforcement agencies to obtain, at little or no cost surplus federal property; and

WHEREAS, on March 16, 2015, Governor Christie signed Senate Bill No. 2364 (P.L.

2015, c.23), which now establishes, in the absence of federal requirements, a system of local oversight over local law enforcement agencies that participate in and acquire equipment through the 1033 program; and,

WHEREAS, pursuant to N.J.S.A. 40A:5-30.2a, municipal governing bodies must now authorize participation in the 1033 program by a "resolution adopted by a majority of the full membership of the governing body of a local unit prior to transmittal of any such application to the State Coordinator of the program; and,

WHEREAS, the Township of Neptune has submitted an application and has been accepted to participate in the 1033 Program,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes participation in the United States Department of Defense Surplus Property Program (1033 Program) as managed by the New Jersey Office of Emergency Management; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief of Police and Emergency Management Coordinator.

PLACE LIEN ON 400 OVERLOOK DRIVE DUE TO COSTS ASSOCIATED WITH DEMOLITION OF A STRUCTURE

WHEREAS, the Construction Official has determined that the condition of the structure at 400 Overlook Drive is of such a nature as to constitute an immediate threat to life, health, safety and the well being of residents in this township unless demolished; and,

WHEREAS, the Construction Official has ordered the owners of said property to demolish the structure and they have failed to do so; and,

WHEREAS, the Construction has obtained a quote for demolition and the structure has been demolished at a total cost as indicated below,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Tax Collector be and is hereby authorized to place a lien of \$4,500.00 against 400 Overlook Drive for costs associated with the demolition of the fire damaged structure; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Deputy Tax Collector.

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

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

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

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

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

WHEREAS, the Human Resources Director and Business Administrator have made a recommendation; and,

WHEREAS, funds will be provided in the 2016 municipal budget in the appropriation entitled Solid Waste S&W, and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an offer of employment be and is hereby extended to Thomas Goode for the position of Driver in the Department of Public Works, on a probationary basis for a period of not less than 90 days and not exceeding one year, contingent upon favorable results of the required pre-employment testing, effective May 2, 2016, at an annual salary of \$33,600.00 (substantial experience); and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

Dr. Brantley 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	\$7,095,131.85
FEDERAL & STATE GRANT FUND	256,785.91
TRUST FUND	34,161.26
GENERAL CAPITAL FUND	7,753.06
SEWER OPERATING FUND	5,479.65
SEWER CAPITAL FUND	9,736.41
MARINA OPERATING FUND	4,292.35
MARINA CAPITAL FUND	112,412.55
DOG TRUST	37.80
LIBRARY TRUST	1,137.70

BILL LIST TOTAL

\$7,526,928.54

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; Rizzo, aye; Williams, aye; and McMillan, aye, except abstain on the reimbursement check payable to himself.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Sandra Sollee, Farmingdale, commented on the ADP program and the fact that her taxes are high and have not had any improvements in over sixty years. She stated she did not feel that think would be a good idea and Code Enforcement thinks her home should be rehabbed.

Mayor McMillan stated he thought that she needed to speak with Mr. Haney.

Ms. Sollee questioned whether they had inspectors on the road on the weekends.

Mr. Gadaletta confirmed that they do.

Ms. Sollee discussed snow removal and the fact that she had to leave her home in Howell to have her property shoveled.

Tom Polk, 210 Schooner, stated that something needs to be done about Neptune schools. The school expenditure per student is about \$21,000. The average teacher makes \$68,000 and the scores are low. About 78% of students graduate, only 58% of students are proficient in math and 50% are proficient in reading. He wants to figure out what the town can do to people who neglect their children and what can we do to motivate kids to learn. The schools rank high in sports, administration and facilities, but very low in college readiness and academics. Dr. Brantley suggested that Mr. Polk arrange for a meeting with the Superintendent and/or the Board President. Mr. Polk stated that he met with the Assistant Superintendent. Mr. Bishop reminded Mr. Polk that the Township does not have control of the School District budget. Ms. Rizzo stated that the answer is not to cut the budget. It is a complex matter and jobs are needed. She is looking at the situation from an economic perspective. Dr. Brantley stated that residents should educate themselves on the issues before attempting to identify the cause of problems and potential solutions.

Dorothy Argyros, 2100 Rutherford Avenue, stated that the Assessment Demonstration Program is a fraud on the taxpayer. Senator Kean and Assemblyman Rible both think the program should be suspended. She asked that the Township opt-out and urged the Committee to adopt the formatted resolution to do so. There are a lot of conflicts of interest and crookedness being investigated by the Prosecutor. She stated if they ever wanted her vote ever again they should opt out.

Mayor McMillan stated the thought process was to follow the legal advice of their counsel as far as opting out of the plan and only the State's Steering Committee has that authorization. The Steering Committee has not met to make the decision yet and if they decide

you can't opt out then you're going to have to opt in again. More importantly once we opt out we're in breach of contract and we're going to have to go out again and get another contract.

Mr. Anthony answered stated the legal issue was still the legal issue no matter what you consider the merits of the program. The County may say you can opt out but they do not have the authorization to allow you to opt out.

Hank Coakley, Valley Road, stated that the Committee was too long in Executive Session this evening. He thinks it's a shame Neptune schools no longer teach cursive writing. Also, there were two recent Asbury Park Press articles that were inaccurate. First, there was an article that listed the ways that individuals can go to school for free and left out ROTC. Secondly, the information regarding the multiple dwelling law was inaccurate particularly regarding pest infestation.

Jack Bredin, 94 ½ Heck Avenue, stated that Wesley Lake used to be an estuary with salt water flowing in and fresh water flowing out. He proposed reopening the east end of the lake to return to an open flow of water in and out and a study should be commissioned to look into this concept. Dr. Brantley suggested a conversation with Mark Balzarano and the Wesley Lake Engineer.

Barbara Burns, 4 Ocean Avenue, asked for a timeframe on the Ocean Grove Homeowners Association parking proposal. The Committee indicated that it needs to be a stand alone item of discussion at an upcoming workshop. The Committee agreed to discuss the matter on at the regularly scheduled June 13th meeting and asked Mr. Cuttrell to advertise the meeting for a 5:00 p.m. starting time.

Michael Fornino, 120 Fulham Place, stated it was troublesome that people look at things from their perspective and don't look at the big picture of this assessment. He stated to him the concept was valid and according to the newspaper a couple of people thought they could take advantage of a situation. He stated when property values go up taxes go down. He stated as a school board member he saw things that made no sense and the problem was with the parents because they are not parenting.

Dr. Brantley stated his assessment of the assessment is what happens when you have knowledge about something. It is obvious he has knowledge about it. He stated he agreed with Mr. Fornino about the kids learning but not entirely. He agreed the parents were a small problem but to make statements with a lack of complete knowledge and make a broad statement is wrong. He stated Mr. Fornino needed to get more education as to what the problems are and once you get that your attitude will change.

Kathy Arlt, Ocean Grove Homeowners Association, stated she was sorry not to see anyone on Saturday at the Homeowner's Association meeting. They had two representatives from the State Historic Preservation office which outlined the history of the certified local government program, the application process and benefits of participating in the program. She stated she had handouts. The big thing they learned on Saturday was the controversy as to what they have to do and the position of Neptune as far as she knew was that they had to have a separate zoning ordinance for Ocean Grove. They asked the representatives of Shippo and they gave them a blank look so that is not a requirement. She stated she believed the difference of opinion between them and Neptune may have happened when a person from Shippo came here once and said it would be nice if perhaps you had a separate zoning Ordinance because it makes it easier for the National Park Service to review your application

but it is not a requirement to be approved for the certified local government program. She went on to state that the second thing that they learned was that members of the Historic Preservation Commission has been working on this application for years. They believed that it had been filed at some point in time and they have been trying to communicate with Shippo because they're not understanding why their questions have not been answered and the reason they have not been answered is because Shippo is a good bureaucracy and they are not going to answer individual questions about individual parts of an application until they have the entire application in front of them. She talked to the representatives after the meeting and they were very forthcoming and she asked them whether there was a down side to applying and having your application turned down. They said no and that they would work with them. She stated tomorrow night she would be attending the Historic Preservation Commission meeting to put together a Committee of Historic Preservation Commission members and Homeowner Association members to actually prepare the application. They do not need help from the Committee to do this but someone from the Township will have to sign off on it. She invited Mr. Haney to come on Sunday but he did not show up. She stated she was not sure who the Land Use Coordinator was.

Mayor McMillan stated it mentioned something about a budget and questioned whether they would have to allocate funds.

Mr. Bishop stated the first thing they needed to do was to have Leanne reach out or have Jeanne Beahm reach out to Shippo and in writing he wants an answer that says yes it needs to be pulled out or it doesn't.

Ms. Arlt questioned what had to be pulled out.

Mr. Bishop stated that it is a separate ordinance because they keep putting the money in the budget to do so.

Ms. Arlt stated there needs to be a separate ordinance creating the Historic Preservation Commission and have the application filled out.

Mr. Bishop stated he wanted someone from Shippo to tell him in writing what has to be done.

Ms. Arlt stated she could not promise him that he would get that.

Kennedy Buckley, 65 Broadway, questioned whether any of the money has been spent that has been allocated to separate the ordinances.

Mr. Bascom stated yes and in prior years it has been used for Planning.

Mr. Bishop stated they would put money in there so that they could spend it on pulling out the budget. It is not a line item that says create separate ordinances for Ocean Grove. We looked at it and got estimates when it wasn't done and we weren't doing that it was still in our planning budget and allowed us to do other things with it in the budget.

Mr. Buckley questioned for how many years.

Mr. Bishop stated for at least six years that he was liaison he made sure that there was discussion of money's in there should they be moving toward that. He stated they did it with the

last masterplan.

Mr. Buckley stated for six years money has been allocated to pull the ordinances out of the main ordinances and you have nothing to show for it.

Mr. Bishop stated they have actually of been writing under the masterplan and the enabling ordinances. He stated they have not written all of the enabling ordinances under the masterplan either and they put money in there for that.

Mr. Buckley questioned whether it was false to put money in the budget year after year for a project that you don't do.

Mr. Bishop stated they put money aside stating they would use it if they got to it. We have other planning services that we can spend the money on.

Mr. Bascom stated it was not spent every year, some years it was cancelled out and in some years it's been used for planning services relative to the HPC and other years for planning services relative to land use in general

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

Richard J. Cuttrel,
Municipal Clerk