

TOWNSHIP COMMITTEE MEETING – JANUARY 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, 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.

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. Gadaleta stated that Leanne Hoffman, Township Engineer provided information on cost of field surfaces for the Monmouth County Open Space Loffredo Fields project. The cost differential between a natural grass surface and a synthetic surface is \$683,000 and future repairs would be more costly than a grass field. Mr. Williams asked if there would be any long term cost benefit to a synthetic surface. Mr. Gadaleta stated that existing site conditions make it more cost effective to stay with a natural surface. The Committee indicated their preference of a natural grass field surface.

At the request of MURC, Mr. Gadaleta provided a map of the Liberty Park which outlined the existing community garden, proposed expansion the garden area, and an area that is current wooded that could be cleared for a recreational purpose. A section of trees would remain the serve as a buffer between the park and adjacent homes. Mr. Bishop asked what type of recreation is contemplated. Mr. Gadaleta stated the possibility of a walking track around the perimeter and garden in the middle. Dr. Brantley requested more specifics on the recreation portion, but was in favor of expanding the garden lease to include the adjacent piece. Mr. Anthony stated that state stature is specific about leases for a community garden, so any lease for the recreation piece would be a separate statute/lease. The Committee indicated agreement to consider an ordinance to expand the lease for the community garden and to clean and level the wooded area.

Mr. Gadaleta stated that PS&S Engineering prepared plans and specifications for the Gables sanitary sewer job. The on-going project in the Gables is utilizing a portion of those plans and the next phase is ready to go out to bid using the remainder of the plans and specs. The issue is that PS&S was not approved for the 2016 engineering pool. If PS&S is allowed to continue to be the Engineer for the next phase, using their plans and specs, the savings versus hiring a new engineering firm would be about \$50,000. Mr. Bascom added that existing plans and specs would only need some fine tuning before going out to bid. The Committee agreed to let PS&S serve as Engineer to complete the project.

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:

- Personnel – Employee reclassifications
- Personnel – EMS Manager
- Contract negotiations – Public Relations Consultant RFPs

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; Williams, aye; and McMillan, aye.

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

Mr. Gadaleta recommended the reclassification of two existing part-time Violations Clerk to full-time status which would change the staffing the Municipal Court from one full-time and two part-time positions to two full-time positions. He recommended the confirmation of Kristina Torres as Acting Senior Center Director. He advised that Joyce Wilder will be reassigned in the same title and salary from Vital Statistics to Police Records.

Mr. Gadaleta stated that proposals were received for the Public Relations Consultant RFP from Millennium Strategies and Parktowne Associates. The proposals were reviewed by the Committee. Mr. Gadaleta stated that Millennium has a lot of experience with government affairs. The goal is get the Township's positive initiatives out to the public to improve awareness. The Committee indicated a resolution should be placed on the next regular meeting to appoint Millennium Strategies. Also, a meeting should be set up between Millennium and two members of the Committee and administrative staff to discuss objectives and ideas moving forward.

Mr. Anthony stated that a resolution to approve a PILOT Agreement with Winding Ridge is on for approval this evening. The Affordable Housing Alliance wants to purchase all 99 units in Winding Ridge to keep them affordable. They are filing an application to the NJ Housing and Mortgage Finance Agency in February for funding to assist in the purchase price of \$24 million. The PILOT will call for a payment of 10% of rental revenues or a minimum of \$100,000. This will save the current residents from eviction and a conversion to market rate condominiums. The 99 units are also part of the Township's COAH application.

(Mr. Bascom left the room.) Mr. Gadaleta recommended William Rosen for the position of EMS Manager. The Committee took action by resolution during the regular meeting. (Mr. Bascom returned.)

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, 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.

APPOINT MEMBER TO NEPTUNE TOWNSHIP COMMITTEE

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

WHEREAS, on January 12, 2016, Township Committeeman Eric J. Houghtaling was sworn into office as a member of the New Jersey Assembly, thereby creating a vacancy on the Neptune Township Committee; and,

WHEREAS, in accordance with N.J.S.A. 40A:16-11, the Neptune Township Democratic Municipal Committee has submitted the names of three nominees for the section of a successor to fill the vacancy; and,

WHEREAS, the remaining members of the Township Committee desire to appoint one of the nominees to serve as a member of the Township Committee in accordance with said statute,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Carolyn J. Rizzo be and is hereby appointed to serve as a member of the Neptune Township Committee for the remainder of an unexpired three year term expiring December 31, 2016; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Monmouth County Clerk.

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

Mayor McMillan administered the Oath of Office.

Mr. Cuttrell certified that Carol J. Rizzo is qualified to serve as a member of the Township Committee of the Township of Neptune for the year 2016.

RECOGNITION OF RETIRING TOWNSHIP EMPLOYEE

The Mayor and Committee will recognized Captain Andrew Leather who retired from the Police Department on December 1, 2015 after 27 years of service. Mr. Leather accepted a plaque accompanied by his family.

COMMENTS FROM THE DAIS

Ms. Rizzo stated that it is a thrill and an honor to be here and will do a great job for Neptune. She expressed gratitude and thanks to the District Leaders and the Township Committee members for their support.

Mr. Williams stated that he took office on January 1st and was thrust right into the heat with the blizzard that occurred over the weekend. He learned a lot about the operations of the Township during the storm and thanked the administration, all of the Township departments and the residents who helped out.

Mr. Bishop extended a welcome to Carol Rizzo. He thanked the Public Works Department, fire, police, EMS and the residents who helped each other during the blizzard. He is proud of the Township staff's handling and reaction to the storm.

Dr. Brantley stated that the Township did a tremendous job and he is proud of everyone, including Public Works, the Police Department and OEM. He was kept apprised of the storm with multiple updates each day. There was a great improvement since the last big storm in 2010. He addressed Ms. Rizzo by saying she will be faced with a lot of good and lot of bad and he is proud that she is joining the Committee.

The Mayor commended Ms. Rizzo on her appointment. He thanked the professionals and Township employees for the work during the storm. The Mayor stated that he attended an event At Martin Luther King, Jr. church with Ms. Rizzo for MLK Day on January 18th.

PUBLIC COMMENTS ON RESOLUTIONS

Dorothy Argyros, 2100 Rutherford Avenue, asked how much is being spent on the marina in reference to the Green Acres grant application. Mr. Cuttrell stated that revenue and expense figures for the marina are available in the Municipal Audit. Ms. Argyros stated the marina was purchased from the family of former Mayor Catley to bail him out. Mr. Bascom stated that this resolution is a grant for improvements at the marina. The Township reapplied for additional funds through Green Acres and we are receiving \$400,000 which means a total of \$1 million in grant funds has been received for these improvements. Ms. Argyros stated that the Township is always spending money on the marina. Mr. Bascom replied that this grant will go towards improvements already approved by bond ordinance.

Mr. Anthony advised Ms. Rizzo that it would be appropriate to abstain on voting on any item on which she is not familiar since she was just appointed to the Committee this evening.

ORDINANCE NO. 16-01 - ADOPTED

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

ORDINANCE NO. 16-01

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-11 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ESTABLISHING STOP INTERSECTIONS AT MAYFAIR LANE AND STAMFORD DRIVE AND CHADWELL COURT AND STAMFORD DRIVE

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

Janel Jones, 807 Stamford Drive, stated that she is very pleased with this ordinance and it will help with curb speeding and potential accidents. She asked for the stop intersection at Mayfair and Stamford, but Sgt. Zarro went above and beyond and recommended another stop intersection at Mayfair and Chadwell Court. She thanked the Committee for considering the ordinance and urged passage.

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

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

ORDINANCE NO. 16-02 - APPROVED

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

ORDINANCE NO. 16-02

AN ORDINANCE AUTHORIZING THE EXECUTION OF A SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF NEPTUNE, THE BOROUGH OF TINTON FALLS, DELORIS GEBELE, AND THE TOWNSHIP OF NEPTUNE SEWERAGE AUTHORITY TO PROVIDE SANITARY SEWERAGE SERVICE TO A RESIDENTIAL DWELLING AT 1967 JUMPING BROOK ROAD, IN THE BOROUGH OF TINTON FALLS

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

ORDINANCE NO. 16-03 – APPROVED

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

ORDINANCE NO. 16-03

AN ORDINANCE TO AMEND VOLUME I, CHAPTER II OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY RESCINDING SECTION 2-67 AND THE RESPONSIBLE CONTRACTOR ORDINANCE AND REQUIREMENTS

The ordinance was approved on the following vote: Bishop, aye, adding that the NJ Department of Community Affairs ruled that the Township's responsible contractor ordinance is

inconsistent with the state contractor law. The ordinance is not being repealed because of anything the Committee thinks was done wrong, but rather to comply with the DCA; Brantley, aye; Williams, aye; Rizzo, abstain, and McMillan, aye.

ORDINANCE NO. 16-04 - APPROVED

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

ORDINANCE NO. 16-04

AN ORDINANCE TO AMEND VOLUME I, CHAPTER II, OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY REPEALING SECTION 2-47 ENTITLED "NEPTUNE HARBOR COMMISSION"

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

Mr. Cuttrell stated that the Public Hearings on Ordinances 16-02, 16-03 and 16-04 will be held on Monday, February 8, 2016.

CONSENT AGENDA

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

APPOINT BOND COUNSEL

WHEREAS, the Township of Neptune desires to appoint a Township Bond Counsel through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Township accepted Requests for Proposals for said position on January 21, 2016 and will make a selection from the proposals received; and,

WHEREAS, funds will be provided for the first three months of 2016 in the 2016 Temporary Budget and funds for the balance of 2016 will be provided in the Budget for the year 2016, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a contract to engage the services of Wilentz, Goldman & Spitzer, as Township Bond Counsel for the year 2016, effective January 1, 2016 at the terms as indicated in said contract on file in the Office of the Municipal Clerk; and,

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

AUTHORIZE THE SALE OF VETERANS POPPIES

BE IT RESOLVED, that the Neptune Township American Legion Auxiliary Unit No. 346 and the O'Brien Major Post No. 2639 be and is hereby authorized to sell Veterans Poppies in the Township of Neptune for the month of May at various locations throughout the Township; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Neptune Township American Legion Auxiliary Unit No. 346, O'Brien Major Post No. 2639 and the Neptune Township Police Department.

AUTHORIZE EXECUTION OF CONTRACTS WITH VARIOUS ORGANIZATIONS TO PROVIDE RECREATION PROGRAMS AND SERVICES

WHEREAS, the Neptune Township Recreation Department has relationships with various organizations to organize and provide various recreational activities and programs in the Township of Neptune; and,

WHEREAS, in some instances, the Township of Neptune provides either sponsorship or funding to said organizations to provide these programs; and,

WHEREAS, it is the desire of the Township to renew the annual contracts with these organizations,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute contracts with various organizations and groups that are supported by the Township's Recreation Department and that provide recreational services and programs to Township residents for the year 2016; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Recreation Director, Chief Financial Officer, and Township Attorney.

RECLASSIFY DANIEL VIRTGAYM AS A PERMANENT FULL-TIME DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Daniel Virtgaym was hired as a Driver in the Department of Public Works on February 20, 2015; and,

WHEREAS, he has performed his duties in a satisfactory manner and the Public Works Director has recommended that he be reclassified on a permanent full-time basis,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Daniel Virtgaym be and he is hereby reclassified as a permanent full-time Driver effective immediately; and,

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

RECLASSIFY ALF BERG, III AS A PERMANENT FULL-TIME DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Alf Berg, III was hired as a Driver in the Department of Public Works on August 3, 2015; and,

WHEREAS, he has performed his duties in a satisfactory manner and the Public Works Director has recommended that he be reclassified on a permanent full-time basis,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Alf Berg, III be and he is hereby reclassified as a permanent full-time Driver effective immediately; and,

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

RECLASSIFY EMPLOYEE TO THE POSITION OF ACTING SENIOR CENTER DIRECTOR

WHEREAS, there is a need to reclassify the Deputy Senior Center Director to the position of Acting Senior Center Director due to an anticipated extended absence of the Senior Center Director; and,

WHEREAS, funds will be provided for the first three months of 2016 in the 2016 Temporary Budget and funds for the balance of 2016 will be provided in the Budget for the year 2016, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Kristina Torres be and is hereby reclassified to the position of Acting Senior Center Director at an annual salary of \$65,900.00 for the period in which she serves in this acting capacity, effective January 16, 2016; and,

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

AUTHORIZE THE OCEAN GROVE CAMP MEETING ASSOCIATION'S ANNUAL INDEPENDENCE DAY PARADE

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

1. Permission is hereby granted for Ocean Grove Camp Meeting Association to hold their annual Independence Day Parade on Monday, July 4, 2016.

2. Temporary no parking will be designated from 7:00 A.M. to 1:00 P.M. on July 4, 2016 on the following streets:

Both sides of Whitefield Avenue from Stockton Avenue to Main Avenue
Both sides of westbound Ocean Pathway from Central Avenue to Ocean Avenue
West side of Central Avenue from westbound Ocean Pathway to McClintock Street

3. A contribution in the amount of \$1,000.00 toward expenses incurred in connection with the parade is hereby authorized.

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

5. A copy of this resolution shall be forwarded to the Parade Committee, Ocean Grove Camp Meeting Association, Director of Public Works and the Chief of Police.

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

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

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that permission is hereby granted to conduct the annual Memorial Day Parade, co-sponsored by the Township of Neptune and the Neptune Joint Veterans Association, to be held on Monday, May 30, 2016 and an appropriation of not to exceed \$1,500.00 is authorized for costs associated with the parade; and,

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

AUTHORIZE THE MONMOUTH COUNTY MOSQUITO CONTROL DIVISION TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE TOWNSHIP OF NEPTUNE AS NECESSARY

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county; and,

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the County of Monmouth; and,

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area", the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51) to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and,

WHEREAS, the Township of Neptune is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:

1. the County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies; and,
2. such operations will be performed in compliance with applicable Federal and State regulations; and,
3. the County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Monmouth County Mosquito Control Division.

AUTHORIZE THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT WITH THE CITY OF ASBURY PARK FOR VEHICLE MAINTENANCE

WHEREAS, the Township of Neptune has a contract with Centerra Integrated Services to provide vehicle maintenance to Township vehicles; and,

WHEREAS, the Township of Neptune desires to enter into an Interlocal Service Agreement pursuant to N.J.S.A. 40:8A-1 et seq. with the City of Asbury Park to receive vehicle maintenance services through Centerra Integrated Services at the Township's Public Works Yard; and,

WHEREAS, the City of Asbury Park will agree to pay the Township's contracted hourly rate for service plus \$10.00 per hour for administrative costs,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Interlocal Services Agreement with the City of Asbury Park, for a period of one year with an option to automatically renew in each of the next five years, effective January 1, 2016, which provides that the City of Asbury Park will pay the Township for vehicle maintenance services provided by Centerra Integrated Services; and,

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

REJECT ALL BIDS FOR MUNICIPAL BUILDING BOILER PROJECT

WHEREAS, on December 29, 2015, the Township Engineer received bids for the award of a contract for the replacement of boilers at the Municipal Building; and,

WHEREAS, the bid specifications contained requirements in connection with the Township's responsible contractor ordinance; and,

WHEREAS, the New Jersey Department of Community Affairs notified the Township after the receipt of bids that they are not approving the Township's responsible contractor ordinance; and,

WHEREAS, the Township Committee is in the process of repealing said ordinance and desires that the bids for the boiler project be rebid without the responsible contractor specifications,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the all bids received for the Municipal Building Boiler Project be and are hereby rejected due to the rejection of the Township's responsible contractor ordinance, and the specifications contained therein, by the New Jersey Department of Community Affairs; and,

BE IT FURTHER RESOLVED, that the Township Engineer is hereby authorized to prepare specifications without the Township's responsible contractor requirement and re-advertise for the receipt of bids for this project; and,

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

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY 1318 CORLIES AVENUE, LLC FOR SITE IMPROVEMENTS AT 1318 CORLIES AVENUE

WHEREAS, on November 24, 2014, 1318 Corlies Avenue LLC filed Irrevocable Letter of

Credit IS0258811U, written by Wells Fargo Bank in the amount of \$97,200.00, guaranteeing site improvements at 1318 Corlies Avenue; and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of December 14, 2015 and said performance guarantee can be released; and,

WHEREAS, 1318 Corlies Avenue, LLC has filed an amendment to the posted Letter of Credit reducing the amount to \$16,200.00 to serve as a maintenance guarantee of said site improvements for a period of two years; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Maintenance Guarantee as stated above be and is hereby accepted; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee and inspection fee escrow deposited with the Township be and is hereby authorized to be refunded (with \$500.00 being retained for final inspection at the end of the maintenance period); and,

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

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
5002	10	Penalosa	230 Overlook Dr	2015	1,592.26
1106	13	Dwek	1405 10 th Ave	2015	757.85
4714	10	Brown	301 Durand Rd	2015	1,512.30

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

AUTHORIZE THE PURCHASE OF TWO POLICE VEHICLES THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Township desires to authorize the purchase of two Police Interceptor SUVs (K8A) through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

WHEREAS, Winner Ford has been awarded New Jersey State Contract No. 88728 for this equipment; and,

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

WHEREAS, the cost of the equipment shall not exceed \$25,848.00 each for a total of \$51,696.00; and,

WHEREAS, funds for this purpose are available from Ordinance No. 15-34 and the 2016 municipal budget and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of two Police Interceptor SUVs (K8A) through New Jersey Cooperative Purchasing Program Contract No. 88728 be and is hereby authorized at an amount not to exceed \$51,696.00; and,

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

AUTHORIZE THE PURCHASE OF TWO POLICE SEDANS THROUGH THE CRANFORD COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Township wishes to authorize the purchase of two 2016 Chevrolet Caprice PPV for the Police Department through an authorized vendor under the Cranford Township Cooperative, #47-CPCPS State of New Jersey approved cooperative; 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, Mall Chevrolet has been awarded Cranford Township Cooperative #47-CPCPS, for this vehicle; and,

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

WHEREAS, the cost of these vehicles shall not exceed \$26,557.00 each for a total of \$53,114.00; and,

WHEREAS, funds for this purpose are available through Ordinance No. 15-34 and the 2016 Municipal Budget, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of two 2016 Chevrolet Caprice PPV for the Police Department through the Cranford Cooperative, #47-CPCPS, State of New Jersey approved cooperative, be and is hereby authorized at an amount not to exceed \$53,114.00; and,

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

APPLY FOR A GREEN ACRES PROGRAM GRANT FOR SHARK RIVER MARINA IMPROVEMENTS

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to non-profit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and,

WHEREAS, the Township of Neptune has previously obtained a loan of \$0 and/or a grant of \$600,000 from the State to fund the following project: #1335-10-027 Shark River Marina Improvements; and,

WHEREAS, the State and Township of Neptune intends to increase Green Acres funding by \$400,000; and,

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above named project,

NOW, THEREFORE, the Township Committee of the Township of Neptune resolves that:

1. The Chief Financial Officer of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Shark River Marina Improvements; and,
2. The applicant has its matching share of the project, if a match is required, in the amount of \$660,000.
3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and,
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.

5. This resolution shall take effect immediately.

AUTHORIZE THE PURCHASE OF A FREIGHTLINER TRUCK WITH DUMP BODY THROUGH THE HOUSTON-GALVESTON AREA COUNCIL PURCHASING PROGRAM

WHEREAS, the Township desires to authorize the purchase of a 2017 Freightliner 108SD 70 Truck with dump body through the Houston-Galveston Area Council Purchasing Program; and,

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

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

WHEREAS, the Houston-Galveston Area Council has a nationally recognized cooperative agreement and has awarded Contract No. HT06-14 to Houston Freightliner 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 \$176,215.00; and,

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

THEREFORE, BE IT RESOLVED, by the Township of Neptune Committee of the Township of Neptune that the purchase of a 2017 Freightliner 108SD 70 Truck with dump body for the Public Works Department be and is hereby authorized through the Houston-Galveston Area Council Purchasing Program at an amount not to exceed \$176,215.00; and,

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

AUTHORIZE SUBMISSION OF A NEW JERSEY LIBRARIES CAREER CONNECTIONS GRANT TO THE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

WHEREAS, the Neptune Public Library is desirous to obtain funding under the New Jersey Libraries Career Connections Grant for Uniform Career Guidance and Job Search Assistance Services for the year cycle 2016-2017, in the amount of \$50,000, from the Department of Labor and Workforce Development to provide services to job seekers through the Neptune Public Library; and,

WHEREAS, the Library Director will complete the necessary documentation for submission; and,

WHEREAS, the Neptune Public Library Board of Trustees had adopted Resolution #R3-16, dated January 19, 2016, to authorize submission of the grant application,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the submission of a New Jersey Libraries Career Connections Grant Application to the New Jersey Department of Labor and Workforce Development, in the amount of \$50,000 with no local match, for funding to provide services to job seekers through the Neptune Public Library; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Grant Coordinator, Community Programs Coordinator and Library Director.

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

AUTHORIZE AGREEMENT FOR PAYMENT IN LIEU OF TAXES BETWEEN NEPTUNE TOWNSHIP AND WINDING RIDGE FAMILY VENTURES, LLC FOR THE ACQUISITION, OWNERSHIP, OPERATION, MANAGEMENT AND REHABILITATION OF WINDING RIDGE APARTMENTS

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

WHEREAS, Winding Ridge Family Ventures, LLC, a partnership between the Affordable Housing Alliance of Neptune Township and The Alpert Group (“Sponsor”), proposes purchasing, owning, operating and rehabilitating 99 units of Affordable Housing for families with low and moderate incomes, known as Winding Ridge Apartments, located on a site described as Block 3052, Lot 10, CO1 – C99 shown on the Tax Map of the Township of Neptune, commonly known as being located on Winding Ridge Drive; and

WHEREAS, the Sponsor is financing the purchase and intended rehabilitation of the apartment complex pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.); the Rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq. and all applicable guidelines promulgated thereunder (hereinafter collectively referred to as the “HMFA Requirements”) at an estimated cost of \$24,000,000.00 dollars (\$24 million) through tax exempt bonds issued by the New Jersey Housing and Mortgage Finance Agency (“Agency”)(\$4.4 million), Federal Sandy Funds (\$16 million), as well as through other equity investments (\$7.3 million), which require in such cases that the Agreement be entered into with the municipality for Payment in Lieu of Taxes pursuant to the aforesaid Statute; and

WHEREAS, it is considered in the best interest of the municipality to maintain Winding Ridge Apartments (“Project”) as affordable, as it has been for many years, and to encourage this affordability by having such a purchase pursuant to a PILOT Agreement, which would also provide rehabilitation of the complex for the benefit of all tenants; and

WHEREAS, pursuant to HMFA Requirements, the Mayor and Township Committee of the Township of Neptune hereby determines that there is a need for this rental housing project in the Township of Neptune; and

WHEREAS, the Sponsor has presented to the Mayor and Township Committee, a revenue projection of the Project which sets forth the anticipated revenue to be received by the Sponsor from the operation of the Project as estimated by the Sponsor and the Agency, a copy of which is attached hereto and made a part of as Exhibit “A.”

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that pursuant to N.J.S.A. 55:14K-1 et seq., which requires an Agreement be entered into with the municipality for Payment in Lieu of Taxes pursuant to the aforesaid statute, that the governing body authorizes the Township to enter into an Agreement for Payment in Lieu of Taxes with the Purchaser/Sponsor of the property located at Winding Ridge Drive, also known as Block 3052, lot 10, pursuant to the terms set forth more fully in the Agreement for Payment in Lieu of Taxes (PILOT Agreement) attached hereto and made a part hereof as Exhibit “B.”

BE IT FURTHER RESOLVED, that:

1. The Township Committee of the Township of Neptune finds and determines that the proposed rental project will meet or meets as existing housing need; and
2. The Township Committee of the Township of Neptune does hereby adopt the within Resolution and makes the determination and finding herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Requirements with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall rehabilitate, own and operate the Project; and
3. The Township Committee of the Township of Neptune does hereby adopt the within Resolution with the further intent and purpose that from the date of execution of the Agency mortgage, the proposed Project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Requirements, provided that Payment in Lieu of Taxes for municipal services supplied to the Project are made to the municipality in such amounts and manner set forth in the Agreement for Payment in Lieu of Taxes attached hereto as Exhibit “B;” and
4. The Township Committee of the Township of Neptune hereby authorizes and directs the Mayor of the Township of Neptune to execute on behalf of the municipality, the Agreement for Payment in Lieu of Taxes in substantially the form annexed hereto as Exhibit “B;” and
5. The Township Committee of the Township of Neptune understands and agrees that the revenue projections set forth in Exhibit “A” are estimates, and that the actual Payment in Lieu of Taxes to be paid by the Sponsor to the municipality shall be

determined pursuant to the Agreement for Payment in Lieu of Taxes executed between the Sponsor and the municipality.

BE IT FURTHER RESOLVED, that the Township Committee authorizes the Agreement not to exceed 50 years with Neptune Township, with the understanding that the Township will still receive payments as set forth in the aforesaid PILOT Agreement, and with the understanding that the Sponsor shall purchase and rehabilitate Winding Ridge Apartments for purposes of maintaining the apartments as affordable housing.

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

The resolution was adopted on the following vote: Bishop, aye, adding that he is pleased to keep Winding Ridge affordable; Brantley, aye; Williams, aye; Rizzo, abstain; and McMillan, aye.

EMPLOY EMERGENCY MEDICAL SERVICES MANAGER

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

WHEREAS, by adoption of Ordinance No. 15-29, the Township Committee created the position of Emergency Medical Services Manager; and,

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

WHEREAS, funds will be provided for the first three months of 2016 in the 2016 Temporary Budget and funds for the balance of 2016 will be provided in the Budget for the year 2016, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an offer of employment be and is hereby extended to William Rosen for the position of Emergency Medical Services Manager, on a probationary basis for a period of not less than 90 days and not exceeding one year, pending favorable results of the required pre-employment testing, effective February 1, 2016, at an annual salary of \$69,500.00; and,

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

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

RECLASSIFY TWO EMPLOYEES TO THE POSITION OF FULL-TIME VIOLATIONS CLERK IN THE MUNICIPAL COURT

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

WHEREAS, due to the resignation of Suzanne Morales, there is a vacancy in the position of full-time Violations Clerk in the Municipal Court; and,

WHEREAS, the Municipal Court Administrator also recommends that two existing part-time Violations Clerk positions in the Table of Organization be consolidated into one full-time position; and,

WHEREAS, the resignation and recommendation to consolidate thereby creates two vacancies for full-time Violations Clerk; and,

WHEREAS, the two full-time positions were duly posted and the Court Administrator and Business Administrator have made a recommendation to reclassify two existing part-time Violations Clerks to the two full-time positions; and,

WHEREAS, funds will be provided for the first three months of 2016 in the 2016 Temporary Budget and funds for the balance of 2016 will be provided in the Budget for the year 2016, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Erin Mascarelli and Deanna Owens be and are hereby reclassified to the position of full-time Violations Clerk in the Municipal Court at an annual salary of \$25,500.00 effective January 26, 2016;

and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Municipal Court Administrator, Chief Financial Officer, Assistant C.F.O., and AFSCME Local #1844.

The resolution was adopted on the following vote: Bishop, aye; Brantley, aye; Williams, aye; Rizzo, abstain; 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	\$3,689,709.31
FEDERAL & STATE GRANT FUND	11,016.40
TRUST FUND	18,127.09
GENERAL CAPITAL FUND	205,045.43
SEWER OPERATING FUND	9,230.40
SEWER CAPITAL FUND	1,707.50
MARINA OPERATING FUND	1,349.85
MARINA CAPITAL FUND	2,412.52
UDAG TRUST	250.00
LIBRARY TRUST	7,273.87
BILL LIST TOTAL	\$3,946,122.37

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Michael Golub, 305 Cliffwood Drive, stated that when someone says something was illegally done with the marina and disparages the reputation of someone else, the Committee should say something and give proof that the person is wrong. Mayor Catley was not part of any negotiations or discussions regarding the marina. Mr. Golub stated that there is an environment that exists in the leadership of the Police Department that degrades members by race and/or gender. The rank and file should have a vote of confidence or no confidence in the Police Director. He added that he read about the plan by Asbury Park to use the Neptune Township Sewerage Authority for water treatment. He cautioned the Township about proceeding with this because of concern about TNSA's capacity which would result in a need to expand and Mr. Bascom often leads the Committee down the road of bad ideas. He asked that the historic designation of west Neptune be revisited. He added that the new design of the intersection of Jumping Brook Road and West Jumping Brook Road is terrible and needs to be re-examined.

The Mayor replied that Mr. Golub accused others of making disparaging remarks, but then went on to make disparaging remarks about Mr. Bascom without evidence. Mr. Bishop added that we do what is right for the Township and it is wrong to say that we are shooting out mouths off about something we don't know anything about. Mr. Bascom added that the members of the Police Department can take a vote of no confidence at any time. They do not require the approval of the Township Committee.

Dorothy Argyros, 2100 Rutherford Avenue, distributed an abandoned property ordinance from Hightstown, NJ which she says is the only legal ordinance that she found, as compared to the Township ordinance which is illegal. Mr. Anthony stated that he used the Hightstown ordinance in his research.

Hank Coakley, Valley Road, stated that in reference to Ordinance No. 16-04, the Township Committee owes a big apology to three members of the Harbor Commission; Beverly Fey, Donald Imbriaco and James McNamara. It is a disgrace not to notify people that the Harbor Commission is being disbanded. He added that the marina is financially in the black and is a gem of the Jersey Shore.

Robert Banstra, 27 Jumping Brook Road, asked for a status on enforcement of the weight limit ordinance on Jumping Brook Road. Mr. Bascom stated that the ordinance is not yet in the system of the Administrative Office of the Court so we cannot write tickets until that happens. Mr. Banstra thanked the Committee for the flags on the speed bump signs. He asked if the plows had any issues with the speed humps in the road. Mr. Bascom reported that Public Works had no problems with the speed humps. Mr. Banstra added that the Township did a great job snow plowing. Mr. Bascom stated that a Township staff will be meeting in February to discuss the location of speed humps moving forward. Mr. Banstra stated that the new intersection at Jumping Brook Road and West Jumping Brook Road is safer. He asked for pedestrian crosswalks or stripes at this location. He also asked for digital speed limit signs for southbound Jumping Brook Road.

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

Richard J. Cuttrel,
Municipal Clerk