

TOWNSHIP COMMITTEE MEETING – OCTOBER 24, 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: Dr. Michael Brantley, Robert Lane, Jr., 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.

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:

Joyce Klein, Chairperson, Ocean Grove Parking Task Force, stated that the group has made nice progress on identifying new parking spaces on public streets and perhaps other sources. The group continues discussion on other issues/ideas and expects to meet the December 31<sup>st</sup> deadline to provide recommendations, test solutions and long term solutions. Ms. Rizzo added that she is getting some numbers together on costs and Mr. Williams stated that the group is making definite progress.

Mr. Bascom reviewed the Best Practices Survey which is required by the State Department of Community Affairs. The Township scored in excess in 80% which means no loss in state aid. The Township can achieve additional points through the new employee contracts that are in negotiations and conducting a meeting with representatives of the various authorities and districts created by the Township. Mr. Bascom reviewed each question on the survey. He noted that one point was lost because the annual audit was filed late, which will be addressed for next year. The Committee agreed that a meeting should be scheduled with the authorities and fire districts. In response to Ms. Rizzo's request for more pre-qualification of bidders, Mr. Bascom stated that he would review the public contracts regulations with her. The Committee and administration believes that the Township will achieve additional points on the survey moving forward.

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

Ms. Rizzo offered the following resolution, moved and seconded by Mr. Williams, 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 – Update on contracts for bargaining units
- Potential Litigation – Amendments to abandoned property ordinance
- Contract negotiations – North Channel Redevelopment Zone
- Personnel – Recommendation for Senior Center Director
- Personnel – Recommendation for Drivers in Public Works
- Real estate negotiations– Execute letter of intent to purchase Real Property known as Block 5305, Lot 1, Located at South Riverside Drive

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: Brantley, aye; Lane, aye; Rizzo, aye;

Williams, aye; and McMillan, aye.

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

Mr. Bascom provided a summary of on-going negotiations with the various collective bargaining units.

Mr. Anthony recommended changes to the abandoned property ordinance including amending the definition of vacant and taking out the provision to name the Township as additional insured.

Mr. Anthony stated that a firm has submitted items to the Redevelopment Sub-Committee, but financials have not been received. The matter is still in the deliberative mode.

The Committee was introduced to Brian Butch who was recommended for the position of Senior Center Director. The Committee took action to hire Mr. Butch during the regular meeting.

Mr. Gadaleta stated that a Letter of Intent to purchase the property on South Riverside Drive (Block 5305, Lot 1) for open space is needed. This will give the Township notice and time to decide on purchase in the event another purchaser is interested. Appraisals of the property are being obtained. Action was taken to approve the Letter of Intent at the regular meeting.

Joshua Tirado and Joseph Accera were recommended for the position of Driver in Public Works.

Dr. Brantley asked that the Committee members begin to consider their goals for 2017.

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: Dr. Michael Brantley, Robert Lane, Jr., 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.

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](http://www.neptunetownship.org).

#### APPROVAL OF MINUTES

Dr. Brantley offered a motion, seconded by Mr. Williams, to approve the minutes of the meetings held on September 26<sup>th</sup> and October 6<sup>th</sup>. All were in favor.

#### PROCLAMATION - CURFEW

The Mayor announced a proclamation extending curfew hours for minors on October 30<sup>th</sup> and October 31<sup>st</sup>. All persons under the age of 18 must be off public streets and places between 9:00pm and 4:00am unless accompanied by an adult.

#### PRESENTATION – JOHN BONNEY, LIBRARY DIRECTOR & ZETA PHI BETA SORORITY

The Mayor will present the Mayor's Ball check to John Bonney, Library Director and additional proceeds to Zeta Phi Beta Sorority. Mr. Bonney and members of the Sorority expressed appreciation for their support of the Ball.

#### REPORT OF THE CLERK

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

Senior Beacon for October

Marina Utility report for September.

### COMMENTS FROM THE DAIS

Mr. Lane stated that he ran the 5km race to benefit research to find a cure for pancreatic cancer. It was a nice day and over \$40,000 was raised for the Lustgarten Foundation. He attended the Neptune High School homecoming and voted on the awards for the floats. Chappy Williams, a long time member of the Recreation Committee passed away. He played Santa Claus several times and he will be missed.

Ms. Rizzo stated that the homecoming floats were great. On October 19<sup>th</sup>, she attended a meeting with Winding Ridge homeowners. \$19 million has been received to keep the development as affordable housing and 63 of the 99 current residents have been recertified as affordable eligible. She is also looking at lending programs to help with home ownership. The Economic Development Corporation met and discussed goals and objectives. Finally, she announced the Monmouth County Housing Resources Fair in the Highlands on October 25<sup>th</sup>.

Nick Williams, stated he had the Ocean Grove Task Force Parking Committee Meeting and Ms. Rizzo and he were the only two that attended. He also attended the Sports Hall of Fame Dinner and people came in from all over the country to be honored at this ceremony. The stories they had to tell since they've graduated were incredible. He attended the homecoming parade and the football game along with Dr. Brantley, Carol and Bob. They gave out an award and it was a beautiful day and Neptune did win the game but unfortunately they were beaten this weekend.

Dr. Brantley stated that he attended the Neptune Athletic Hall of Fame awards. He did not realize the number of tremendous athletes that went to Neptune High School and the extent of their national impact. It was great to hear about all of these quality individuals. The Homecoming parade was very nice and the weather was great. On October 16<sup>th</sup>, he attended the 115<sup>th</sup> anniversary of Mt. Pisgah Baptist Temple in Asbury Park. He participated at the church as a youngster.

Mayor McMillan thanked the Township Committee members for filling in for him at the parade while he was away on vacation. He attended the Ocean Grove Homeowners meeting this past Saturday and he thought that they did a great job. He also attended the Ordination of Bart Cooke who is the Director of the Housing Authority. He also had the opportunity to meet with the Mayor's Youth Cabinet. He met with the High School Principal Ms. Joseph this morning to welcome her.

### PUBLIC COMMENTS ON RESOLUTIONS

Jack Bredin, 94 ½ Heck Avenue, commented on Resolutions #16-451 & 452. He stated he agreed with Resolution #16-451 and felt that Resolution# 16-452 was the same as 451. He questioned whether there has been an engineering inspection of the bridges and an engineering estimate of cost. He also questioned whether there were matching funds for any percentage that Neptune would be responsible for. He also questioned the cost before restoration was complete. He suggested what he felt the resolution should state. As far as sharing the cost with Asbury Park. He felt everyone should pay their fair share.

Mr. Gadaleta explained the applications.

Dorothy Argyros, 2100 Rutherford Avenue, stated she was curious about Resolution's #16-446, 16-442 and 16-454 and requested answers regarding them.

Mr. Gadaleta stated 16-442 was awarding a contract for engineering consultants from our pool of engineers to design roadway improvements in conjunction with the community development block grant that the Township received for improvements to Tenth Avenue between Atkins and 35. He went on to state that 16-446 has to do with the parcel of land that's located on S. Riverside Drive. It's one of the last remaining open space parcels along the river that has a potential to be developed with new housing within the Township. Shortly after Sandy the Township was approached by the State with an offer to apply for blue acres funding to purchase this property and

leave it as open space and flood storage should there be potential future flooding in the Shark River Hills section. We are now continuing to move forward in applying for Green Acres funding through the State to try to acquire the property. Mr. Bascom stated the FEMA Grant amount of \$469,000 that they are requesting is ten percent match that we typically have to provide after disasters. The disaster assistance we received is based on our category a & category b expenses. This is the additional percent that the State is providing to us.

Mrs. Argyros also questioned the purpose of the lien as mentioned in Resolution # 16-440. She questioned whether the property owner forgot to mow their lawn.

Mr. Cuttrell stated there were property maintenance issues.

Mrs. Argyros requested that wording be placed in the resolution for future reference.

#### ORDINANCE NO. 16-37 - ADOPTED

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

##### ORDINANCE NO. 16-37

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-7.8 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY REMOVING PARKING PROHIBITIONS DURING CERTAIN HOURS ON OCEAN AVENUE

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

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

#### ORDINANCE NO. 16-38 - ADOPTED

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

##### ORDINANCE NO. 16-38

AN ORDINANCE TO AMEND AND SUPPLEMENT VOLUME I, CHAPTER IV, SECTION 4-29 OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED DEALERS OF PRECIOUS METALS AND JEWELRY

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

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

#### ORDINANCE NO. 16-39 - APPROVED

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

##### ORDINANCE NO. 16-39

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

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

Mr. Cuttrell stated that the public hearing on Ordinance 16-39 will be held on Monday,

November 28th.

CONSENT AGENDA

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

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

WHEREAS, the Code Enforcement Supervisor 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 Code Enforcement Supervisor 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>
4204/9	3614 Highway 33	1,730.00
2301/82	3 N. Chaphagan Drive	250.00
2503/4	723 Doris Terrace	741.00
2407/4	913 Ruth Drive	748.50
3903/12	3501 Route 66	556.00
412/18	511 Atkins Avenue	500.00

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

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY GREATER NEW JERSEY ANNUAL CONFERENCE OF THE UNITED METHODIST CHURCH IN CONNECTION WITH THE UNITED METHODIST CHURCH CONFERENCE CENTER ON JUMPING BROOK ROAD

WHEREAS, on October 9, 2014, Greater New Jersey Annual Conference of the United Methodist Church filed performance bond 1149987, written by Selective Insurance Company of America in the amount of \$791,640.00, guaranteeing site improvements at the United Methodist Church Conference Center at 205 Jumping Brook Road (former Block 1500, Lot 33); and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of October 14, 2016 and said performance bond can be released contingent upon posting a two year maintenance bond in the amount of \$131,940.00; and,

WHEREAS, Greater New Jersey Annual Conference of the United Methodist Church has filed a Maintenance Bond in the amount of \$131,940.00 written by Selective Insurance Company of America guaranteeing said site improvements for a period of two years,

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 the performance bond is authorized to be released; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee in the amount of \$88,089.31 and inspection fee escrow in the amount of \$35,000.00 deposited with the Township be and is hereby authorized to be refunded (\$1,000.00 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 TOWNSHIP ENGINEERING CONSULTANT TO PERFORM ENGINEERING SERVICES FOR 10<sup>TH</sup> AVENUE ADA AND ACCESSIBILITY IMPROVEMENTS

WHEREAS, the Township of Neptune has received a Community Development Block Grant ADA and accessibility improvements on 10<sup>th</sup> Avenue 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, multiple engineering consultants have submitted a proposal for this work and the Township Engineer recommends that the consultant with the lowest cost be awarded the work; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 16-27, 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 CME Associates to perform the services as stated herein as Township Engineering Consultant at an amount not to exceed \$37,500.00, said proposal on file in the Township Engineering Department; 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.

ACCEPT THE RESIGNATION OF IZAMEEK HARRIS AS A DRIVER IN THE ROADS DEPARTMENT

WHEREAS, the Township Committee has received a letter from Izameek Harris resigning as a driver in the Roads Department effective October 31, 2016,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Izameek Harris as a Driver in the Roads Department is hereby accepted effective the end of the business day on October 31, 2016; and,

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

RESCIND EMPLOYMENT AUTHORIZATION OF A SPECIAL LAW ENFORCEMENT OFFICER ON A PART-TIME BASIS

WHEREAS, on September 26, 2016, the Township Committee adopted Resolution #16-417 which authorized the employment of a Special Law Enforcement Officer – Class II in the Police Department on a part-time hourly basis and,

WHEREAS, Samuel Seldor has indicated that he is no longer interested in employment; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Resolution #16-417, dated September 26, 2016, be and is hereby amended to rescind the employment Samuel Seldor as a part-time Special Law Enforcement Officer – Class II; 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 Human Resources Director

AWARD FAÇADE IMPROVEMENT LOAN/GRANT TO TONY'S CUSTOM, 1118 SEVENTH AVENUE

WHEREAS, the Township Committee created a Façade Improvement Loan/Grant Program by adoption of Ordinance 00-3; and,

WHEREAS, on October 12, 2016, the Façade Review Committee approved an application filed by Tony's Custom, 1118 Seventh Avenue, Neptune for a \$5,000 grant and \$5,000 loan; and,

WHEREAS, the Township Committee desires to authorize the award of said loan/grant as approved by the Façade Review Committee; and,

WHEREAS, funds will be provided from the U.D.A.G. Reciprocal Loan Account 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 award of \$5,000/grant and \$5,000/loan be and is hereby approved under the Façade Improvement Loan/Grant Program for the business known as Tony's Custom, 1118 Seventh Avenue, pursuant to the application approved by the Façade Review Committee on October 12, 2016; and,

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Chief Financial Officer, EDC Secretary and Grants Coordinator.

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

AUTHORIZE MAYOR AND TOWNSHIP CLERK TO EXECUTE LETTER OF INTENT TO PURCHASE REAL PROPERTY KNOWN AS BLOCK 5305, LOT 1

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

WHEREAS, Township has interest in acquiring open space located at South Riverside Drive known as Block 5305, Lot 1; and,

WHEREAS, Township in cooperation with Monmouth County Conservation Foundation has begun the appraisal process and will make application for Green Acres and other grant funding to affect said acquisition; and,

WHEREAS, property owner, Shark River Hills Estates, has agreed to accept from Township a Letter of Intent to Purchase Real Property;

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Township Clerk are hereby authorized and directed to execute Letter of Intent to Purchase Real Property for the property known as Block 5305, Lot 1, South Riverside Drive.

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

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

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF DIRECTOR OF SENIOR CENTER AND SENIOR SERVICES

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

WHEREAS, due to the retirement of Rosemary Gray, there is a vacancy in the position of Director of Senior Center and Senior Services; 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 Senior Citizens Programs 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 Brian T. Butch for the position of Director of Senior Center and Senior Services, 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 November 1, 2016, at an initial annual salary of \$72,000.00, with consideration of increase to \$75,000 after six months upon performance evaluation; and,

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

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

#### AUTHORIZE RENEWAL FOR MUNICIPAL SOFTWARE APPLICATIONS AND SUPPORT

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

WHEREAS, on March 19, 2015, the Purchasing Agent solicited quotes for the purchase of Municipal software applications for data collection and processing in the Construction, Code and Land Use department; and ,

WHEREAS, said quote was awarded with an annual renewal fee; and,

WHEREAS, the cost of said item is less than the bid threshold but exceeds, \$17,500 and therefore must be awarded by Resolution of the governing body; and,

WHEREAS, said quotes were reviewed by the Purchasing Agent who have recommended that the low quote be accepted in accordance with the Open Public Contracts La; and,

WHEREAS, funds will be provided in the appropriations entitled \_\_\_\_\_, known as Account No. \_\_\_\_\_, 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 renewal of the municipal software applications for data collection, processing and support in the Construction, Code and Land Use departments be and is hereby authorized through Jungle Lasers, LLC pursuant to their quote of \$19,300; and,

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

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

#### AUTHORIZE THE PURCHASE OF A MOBILE COLUMN LIFT THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

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

WHEREAS, the Purchasing Agent has recommended the purchase of a mobile column lift for the Department of Public Works 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, Stertil-Koni, USA has been awarded New Jersey State Contract No. A80126 for this equipment; and,

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

WHEREAS, the cost of the equipment shall not exceed \$65,281.02; and,

WHEREAS, funds for this purpose are available from Ordinance No. 16-27 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 a mobile column lift through New Jersey Cooperative Purchasing Program Contract No. A80126 be and is hereby authorized at an amount not to exceed \$65,281.02; and,

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

The resolution was adopted on the following vote: Brantley, aye; Lane, 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 Mr. Lane, that it be adopted:

WHEREAS, there are vacancies 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 their recommendations; 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 Joshua Tirado and Joseph Acerra 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 November 1, 2016, at an annual salary of \$28,560.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Public Works Director, Chief Financial Officer, Assistant C.F.O., AFSCME Local #2792, and Human Resources Director.

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

SUPPORT FOR SUBMISSION OF APPLICATION FOR NEW JERSEY DEPARTMENT OF TRANSPORTATION ALTERNATIVES PROGRAM (JUMPING BROOK ROAD)

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

WHEREAS, the Township of Neptune is applying for grant funding for construction of on-road and off-road facilities for pedestrians, bicyclists and other non-motorized forms of transportation along Jumping Brook Road beginning at State Highway Rt. 33 and ending at State Highway Rt. 66; and,

WHEREAS, the proposed project, "Safety, Accessibility and Mobility Improvements to the Jumping Brook Corridor," will be surface transportation-oriented and provide safe accommodations through the design and construction of signage, sidewalks, crosswalks, striping, landscape medians and bike lanes along Jumping Brook Road;

WHEREAS, the project will connect residential areas, community centers, businesses, schools, shopping, recreation areas, a golf course and transit destinations;

WHEREAS, the project will help to continue and improve the promotion and encouragement of pedestrian, bicycle mobility and safety and thus reduce vehicular traffic; and,

WHEREAS, maintenance of the roadway and improvements constructed in the right-of-way will be assumed by the Township of Neptune;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby supports the submission of a grant application for the Transportation Alternatives Program within the State of New Jersey Department of Transportation and authorizes the Mayor and

the Municipal Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

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

SUPPORT FOR SUBMISSION OF APPLICATION FOR NEW JERSEY DEPARTMENT OF TRANSPORTATION ALTERNATIVES PROGRAM (WESLEY LAKE COMMISSION APPLICATION FOR FOOTBRIDGES)

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

WHEREAS, the Wesley Lake Commission is applying for funding to conduct restoration of the historic footbridges connecting Asbury Park and Neptune over Wesley Lake; and

WHEREAS, the City of Asbury Park and Township of Neptune jointly administer and maintain Wesley Lake via the Agreement of Charter forming the Wesley Lake Commission; and

WHEREAS, the project will help to continue and improve the promotion and encouragement of pedestrian and bicycle access and safety for all residents and visitors; and

WHEREAS, the project will promote commerce in the two adjoining municipalities by improving the pedestrian connection to the commercial centers of both towns, and

WHEREAS, the project will reduce traffic and parking congestion in both towns by encouraging walking and bicycling among the two municipalities, including residential, commercial, recreational and transit destinations, and

WHEREAS, the project will bolster the cultural heritage of both towns through the preservation of an iconic local landmark, and

WHEREAS, maintenance of the bridges, once restored, will be assumed jointly by Asbury Park and Neptune in accordance with the Agreement of Charter of the Wesley Lake Commission, a bi-town commission formed by Asbury Park and Neptune, with the exception of (1) local ordinances that place maintenance responsibility with each individual property owner, and (2) public property that is solely located on the landward side of Asbury Park or Neptune, respectively; and

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that it hereby supports the submission of a grant application for the Transportation Alternatives Program within the State of New Jersey Department of Transportation and authorizes the Mayor and Township Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

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

APPOINT MEMBER TO THE TOWNSHIP OF NEPTUNE SEWERAGE AUTHORITY

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

WHEREAS, due to the untimely passing of James Williams, a vacancy exists on the Neptune Township Sewerage Authority,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Alonzo Wright be and is hereby appointed to the Neptune Sewerage Authority for an unexpired five year term expiring January 31, 2020; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township of Neptune Sewerage Authority.

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

APPLY FOR A GRANT FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

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

WHEREAS, The Township of Neptune desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$469,588.48 to carry out a project to provide funding for some or all of the FEMA Public Assistance (PA); and

NOW, THEREFORE, BE IT RESOLVED, that the Township of Neptune does hereby authorize the application for such a grant; and, recognizes and accepts that the Department may offer a lesser or greater amount and therefore upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Neptune and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Neptune hereby agrees to match 10% of the total project in compliance with the match requirements of the agreement.

BE IT FURTHER RESOLVED, that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

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

AWARD BID FOR SUNSHINE VILLAGE PARK IMPROVEMENTS

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

WHEREAS, on October 21, 2016, the Township Engineer received bids for the award of a contract for Sunshine Village Park Improvements; and,

WHEREAS, said bids were reviewed by the Township Engineer who has recommended that the bid be awarded to the lowest bid submitted by All Surface Asphalt Paving, Inc.; and,

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

WHEREAS, funds for this purpose will be provided in Ordinance No. 15-40 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a contract be awarded to All Surface Asphalt Paving, Inc. on their lowest responsible base bid of \$158,000.00 for Sunshine Village Park Improvements, subject to review of the bid documents by the Township Attorney; and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

Mr. Williams offered the following resolution, moved and seconded by Dr. Brantley, 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	\$3,425,038.62
GRANT FUND	19,276.88

TRUST FUND	33,712.69
GENERAL CAPITAL FUND	116,583.00
SEWER OPERATING FUND	17,457.09
SEWER CAPITAL FUND	71,834.46
MARINA OPERATING FUND	1064.12
MARINA CAPITAL FUND	28,264.06
LIBRARY TRUST	564.05
BILL LIST TOTAL	\$3,713,794.97

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: Brantley, aye; Lane, aye; Rizzo, aye; Williams, aye; and McMillan, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Brian Butch introduced himself as the new Director of Senior Services. He stated that he is excited to be here in the Neptune community and thanked the Committee for their confidence in him.

Patrick Dougherty, Cedarcrest Drive, spoke regarding capitalism and the hospital making profits.

Mr. Anthony stated they filed a complaint to get some discovery to determine whether there were any parts in our hospital which are more of a profit making operation than a non profit because Morristown found that in the case of their hospital they were renting out offices and making a profit. So we are trying to find out if our hospital is doing the same thing and if it is those parts should lose their exemptions.

Randy Thompson, Help Not Handcuffs, stated he was present with a number of advocates and wanted to discuss the young woman that died on August 17<sup>th</sup> while in Neptune's Police Department's custody. They felt her death should be a priority because she died while in custody. He stated she was arrested for possession and died two hours later. He urged them to take action.

Mayor McMillan thanked him for bringing this to their attention but stated it was still under investigation and read a prepared statement.

Mr. Thompson stated they were talking about policies and the forces that are in place. He asked them to take some kind of action.

Jack Bredin, 94 1/2 Heck Avenue, stated before there were sewers systems waste water would go directly into rivers, streams and oceans and as things got more congested they determined new developments would have a basin that would collect water and treat the contaminated water on the streets. He questioned who was authorized to change the name of Wesley Lake and a deed restriction should be needed.

Kevin Walker, Seaview Island, stated that he heard the North Channel was being resurrected and a developer is being considered. The Mayor stated that developers came in to meet with the Redevelopment Subcommittee, but there is no information to share. At this point, discussions are all conceptual.

Joan Venezia, 107 Mt. Hermon Way, asked about the schedule of Committee meetings for the balance of the year. Mr. Cuttrell stated that the November 14<sup>th</sup> meeting has been cancelled and the Committee will be meeting on November 28<sup>th</sup>, December 12<sup>th</sup> and December 22<sup>nd</sup>. She asked for an update on the North End. Mr. Anthony stated that another partner is being discussed and there is no update on the signing of the agreement with the Camp Meeting Association.

Gail Oliver, Neptune City, stated that skateboarders continue to use Midtown Commons

Park. She has been coming to meetings for four years to talk about the damage being done to the park. She witnessed 8 skateboarders there on October 20<sup>th</sup>. She also contacted Public Works because she saw bottles and cans and paint is peeling. She also stated that she felt that cameras should be over there.

Michael Fornino, 120 Fulham Place, discussed the construction that was going on in front of his home. He questioned what type of investigation went into hiring these companies because they are cutting main lines and it could be dangerous situations.

Mr. Gadaleta stated what the requirements are when going out to bid and what's done when they receive them.

Mr. Fornino also discussed the conditions of the roads on West Lake Avenue. He also stated he felt that it was unethical to go after the hospital just because the hospital in Morristown was being sued.

Mr. Gadaleta stated they did meet with Meridian management.

Kathy Arlt, Abbott Avenue, asked whether anyone had any questions regarding the certified local government program. She stated since they have not made a decision about it they may not have any questions.

Ms. Rizzo stated she has a meeting set up to discuss it.

Dorothy Argyros, 2100 Rutherford Avenue, stated they were passive about the passing of the young lady who died in the jail and they were passive with Phil Seidle. She felt they were on the side of the police and they are not interested and they have not been interested in months. She also stated there was an athlete who was angry and would not stand for the star spangled banner so he went down on his knee. A football team was cancelled for the season because they went down on their knees. She liked when they protested and took a stand.

Kennedy Buckley, Ocean Grove, asked if a skate park is being planned. The Mayor stated that it is, but the Committee needs to come up with a location.

Dianna Harris, Willow Drive, requested an update regarding the lights on West Lake Avenue.

Mr. Gadaleta stated they received two sample lights from two different manufacturers and they decided on the one that looks more like the ones on Springwood Avenue in Asbury Park and they hope to go out to bid very shortly.

Ms. Harris also discussed the trench on West Lake Avenue. She stated that area was in desperate need of being repaved. She also stated it would help if the police would stop if they saw someone in the park after hours. There's skateboarders and drug transactions. She also questioned the money from the Waverly that was suppose to be used for rehabilitation. She asked whether it was received and if so how was it used.

Mr. Gadaleta stated some of the money has been received and deposited into the COAH account here at the Township and projects have not begun.

Pastor Lee, Mt. Carmel Baptist Church, requested signage regarding littering because there is a lot of liter in front of his church. He also requested receptacal along the corridor.

Mr. Gadaleta stated he was not proud it has taken so long to get receptacals out there. He notified public works to come up some type that will go out there.

Pastor Lee requested to have something temporary until something could be put in place.

Mr. Gadaleta assured him that before the week was out he would have something temporary.

Pastor Lee also requested a sign stating no cab stand parking because the cab drivers are sleeping in the cabs.

Mr. Gadaleta stated they would have to look at that with the Police Department.

Mr. Williams questioned whether they could make it as a no stopping or standing zone.

Mr. Bascom stated that would have to be for all vehicles.

Pastor Lee stated he did not want this to affect the people that attended his church.

Mr. Bascom stated they would look into it.

Derek Bloom, Trinity Episcopal Church, stated he would be doing a lot of social justice work and hope to establish a relationship with the Committee. He stated his concerns regarding Katie Lee who passed away while in police custody.

Raymond Ross, Seaview Circle, stated that the large Township owned lot on Seaview Island has a deed restriction that it must remain for recreation and open space. Mr. Gadaleta stated that the Township was aware of the restriction.

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

Richard J. Cuttrell,  
Municipal Clerk