

TOWNSHIP COMMITTEE MEETING – SEPTEMBER 12, 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:

Richard Williams provided a status report on behalf of the Ocean Grove Parking Task Force. He stated that the Task Force met twice and has engaged in very constructive conversation. The Traffic Engineer and Township Planner were in attendance and there are no specific recommendations as of yet. Joyce Klein was appointed as the Chairperson and the Secretary of the group. Committeeman Nicholas Williams stated that some information was were given to the Traffic Engineer and he will look them over. At the next meeting, the Task Force will start to discuss some specific suggestions and provide them to the Engineer.

Mr. Gadaleta announced that there will be a topping out event at the hospital on September 15th to mark the placing of the last steel beam at the HOPE Tower. Also, a parade for Olympian Ajee' Wilson and Neptune Day will both be held on September 17th.

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:

- Litigation – Hovsons v. Board of Adjustment
- Litigation – El Properties v. Board of Adjustment
- Potential Litigation – Amendment precious metals ordinance
- Personnel – Recommendation for Customer Service Representative in Code/Construction
- Potential Litigation – Ocean Grove ground rent and transfer fees

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. Anthony discussed an amendment to the precious metals ordinance. There was a recent U.S. Supreme Court decision about registration logs. The Court ruled that the police cannot demand to see such logs without a subpoena or warrant. The Committee already amended the hotel registration log ordinance to reflect this change and Mr. Anthony recommends the same for the

precious metals ordinance. Mr. Bascom stated that there is a national database where transactions are recorded by dealers. He asked if reviewing that database would be affected. Mr. Anthony stated that the ordinance amendment would only apply to reviewing the logs at the actual location of the dealer and would not affect viewing the database.

Mr. Bascom stated that Neptune City is interested in Shared Services Agreement for EMS services during daytime hours. He recommended entering an agreement for the 4th quarter of this year and then evaluating the results. If the Agreement is successful, a five year agreement can be done starting 1/1/2017. Ms. Rizzo asked for assurances that this will not result in an additional cost to the Neptune Township taxpayers.

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. 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.

OATH OF OFFICE – ROBERT LANE, JR.

State Assemblyman Eric J. Houghtaling administered the Oath of Office to Robert Lane, Jr. who was appointed to the Neptune Township Committee on August 29, 2016. Mr. Lane will complete the balance of a three year term that expires on December 31, 2016. Mr. Lane shared a brief history of his family in Neptune which traces back to the 1800s.

APPROVAL OF MINUTES

Ms. Rizzo offered a motion, seconded by Dr. Brantley, to approve the minutes of the meetings held on July 25th, July 27th, August 8th, and August 29th. All were in favor (except Mr. Lane who was ineligible to vote on this motion).

PRESENTATION – MAYOR'S TROPHY REGATTA

The Mayor presented the Mayor's Trophy Cup to the Neptune Township junior sailors who were victorious over five other towns in the annual Mayor's Trophy Regatta held on Shark River Bay. Dawn Thompson, Recreation Director, introduced the winning Neptune Township team: Sarah Yevchak, Morgan Heidel, Adam Yevchak, Caroline Dillon, and Cassandra Ferguson.

PRESENTATION – RANDY BISHOP

State Assemblyman Eric J. Houghtaling and the members of the Township Committee made presentations to former Township Committeeman Randy Bishop in appreciation of his service as a member of the Neptune Township Committee from January 1, 2005 to August 22, 2016 and as Mayor of Neptune Township in 2008 and 2012. The Assemblyman and Mayor each expressed gratitude to Mr. Bishop for commitment and dedication as a public official.

REPORT OF THE CLERK

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

Senior Beacon for September.

A letter from Richard Twidle complimenting the effort of the Public Works Department in handling trash and recycling issues.

COMMENTS FROM THE DAIS

Mr. Lane stated that he was impressed with the Township's preparation for the storm threat over Labor Day weekend and was thankful that it did not hit. He announced that he will be taking over as liaison for the Senior Center, Code & Construction and Tourism Departments. He expressed his thanks for the opportunity to serve as a member of the Township Committee and added that he loves Neptune.

Ms. Rizzo wished Mr. Bishop well and stated she has weekly meetings with Mike Bascom regarding the budget. On August 25th she met with the residents of School House Square with Derek Griggs, the Housing Authority, Gail Oliver and other members who helped organize it. They tried to address issues that the residents have had. On August 26th she joined Committeeman Williams for the last day of camp with the Housing Authority. On August 27th she attended the Homeowners meeting. On September 6th both she and Committeeman Williams held their Parking Task Force meeting and they selected a Chair who is Joyce Klein.

Mr. Williams stated that he has been a friend of Robert Lane for 15 years. He is passionate, a hard worker, and will be an asset to the Committee. He attended a show presented by kids and sponsored by the Housing Authority. He was Chairperson of the Authority for seven years and during that time he was involved with a Reading Program for student and parents. The show this year singing and performing. He attended the Ocean Grove Task Force meeting and made some headway. The group talked about logistics of parking and will be making suggestions in the near future.

Dr. Brantley extended a welcome to Robert Lane. He stated that Mr. Lane has made a significant contribution in Neptune Township and has a passion for this Township. Dr. Brantley remarked that he was Mayor the last time that the kids won the regatta. He attended the Ocean Grove Flea Market in both a social and business capacity by working at a booth sponsored by the dental office that he works for.

Mayor McMillan extended a welcome to Robert Lane. He attended a Ocean Grove Homeowners Association meeting where various issues were discussed. He presented a proclamation to Mary Brown for her 80th birthday. The Mayor's Ball will be held on September 23rd and the Neptune Library is the benefactor. He recognized five children who participated in the Mayor's Book Club and had a great time. He supported Patriotism Week with the Elks Lodge. He met with Jim Markey of JCP&L which is working on getting a reliability line to enhance our service and power outages. September 17th is Neptune Day and the Township will also be honoring U.S. Olympic Team member Ajee' Wilson with a parade.

PUBLIC COMMENTS ON RESOLUTIONS

Dorothy Argyros, 2100 Rutherford Avenue, stated that the purchase of playground equipment is a good thing and providing for children makes for a better Township. She asked for an explanation on the cancellation of a RCA mortgage. Mr. Cuttrell explained that it was the cancellation of an old mortgage issued for a property rehabilitation paid for by the Wall Township RCA Program. Ms. Argyros asked the Committee to stop placing liens on property for overgrown grass.

The Mayor stated that he visited the Division Street Park with Mr. Williams and they will oversee the improvements being made at that location. Mr. Williams added that Public Works is clearing the lane between the park and the Housing Authority property to allow for easy pedestrian access.

Kathy Arlt, 106 Abbott Avenue commented on Resolution #16-397 and questioned whether the liens were against unoccupied properties.

Mr. Cuttrell stated he was not sure.

Ms. Arlt stated there were a lot of properties with excess vegetation and the Township does nothing. The Township issues violations against them but nothing happens. She stated some people go to court and state they want their excess vegetation and it stays there and some people just do not go to court and don't do anything and the Township cuts it down and places a lien on it.

Mr. Gadaleta stated what happens on these is they go through a process of initial notification and then violations are issued and if they do not get any response within a reasonable time frame and the condition continues to exist then Code Enforcement brings in Public Works who will maintain the property and then a lien is placed on it.

Ms. Arlt stated that doesn't always seem to be the case. Mr. Gadaleta asked her to bring it to his attention after the meeting and he would look into it.

Kennedy Buckley, Broadway commented on Resolution #16-400 and requested additional information on it.

Mr. Anthony responded.

Michael Fornino, 120 Fulham Place commented on Resolution #398 & 399 and questioned why the resignations were presented.

Mr. Bascom was in the process of responding when Mr. Fornino stated he was asking the Committee and he wanted a response from the Committee because they would be voting on it. He stated he felt the Committee should know the answer.

Mr. Williams stated one gentleman was going to work for a police department in the town he group up in and the other one is going to work for the Prosecutors Office in the Town that she group up.

Mr. Fornino questioned the status of Resolution #16-407. He stated he wanted the Committee to tell him because they were voting on it and they should know the answer and not refer it to someone else. He stated if he was elected he would give the answer because he would know the answer.

Mayor McMillan stated they refer it to the professionals because they are familiar with the bid process.

Joan Venezia, 107 Mt. Hermon Way, commented on Resolution #16-400 and questioned whether progress would be main soon.

Mr. Anthony stated they went before one of the boards for development of the property they got approval for their application and he had to draw up a developer's agreement and they just signed the agreement and it's being approved by the Township.

ORDINANCE NO. 16-30 - ADOPTED

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

ORDINANCE NO. 16-30

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING RESIDENT ONLY HANDICAPPED PARKING ZONES ON HECK AVENUE AND SEAVIEW 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, abstain; Rizzo, aye; Williams, aye; and McMillan, aye.

ORDINANCE NO. 16-31 - APPROVED

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

ORDINANCE NO. 16-31

AN ORDINANCE TO AMEND VOLUME I, CHAPTER III OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED, "POLICE

REGULATIONS” AND VOLUME I, CHAPTER XII, ENTITLED,
“PROPERTY MAINTENANCE”

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

ORDINANCE NO. 16-32 - APPROVED

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

ORDINANCE NO. 16-32

AN ORDINANCE AMENDING AND SUPPLEMENTING THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY AMENDING SECTION 605, ENTITLED, “POWERS AND RESPONSIBILITIES OF THE HISTORIC PRESERVATION COMMISSION”, SECTION 913, ENTITLED, “PENALTY; CERTIFICATE OF APPROPRIATENESS” AND SECTION 1105, ENTITLED, “PENALTIES”

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

ORDINANCE NO. 16-33 - APPROVED

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

ORDINANCE NO. 16-33

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO BRIGHTON AVENUE, LAKEWOOD ROAD AND ADJOINING ROADWAYS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$500,000 THEREFOR (INCLUDING A \$264,194 NEW JERSEY TRANSPORTATION TRUST FUND GRANT) AND AUTHORIZING THE ISSUANCE OF \$235,806 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 16-34 - APPROVED

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

ORDINANCE NO. 16-34

AN ORDINANCE TO AUTHORIZE A DECLARATION OF DEED RESTRICTION FOR RECREATION/CONSERVATION FOR BLOCK 615, LOT 5, ALSO KNOWN AS 1825 WEST LAKE AVENUE, TO THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

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 hearings on Ordinances 16-31 through 16-34 will be held on Monday, September 26th.

CONSENT AGENDA

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

ACCEPT A CORRECTIVE ACTION PLAN IN CONNECTION WITH THE 2015 AUDIT

RECOMMENDATIONS

WHEREAS, the Township Committee previously accepted the 2015 Township of Neptune audit by resolution; and,

WHEREAS, the Chief Financial Officer has reviewed the comments and recommendations portion of said audit and submitted a Corrective Action Plan to the Township Committee,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Corrective Action Plan of the 2015 Township of Neptune Audit be and is hereby accepted and is authorized for submission to the Division of Local Government Services; and,

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

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>
609/7	1701 Stratford Avenue	1,661.00
2511/5	707 West Lawn Place	830.00
3102/4	3514 Highway 33	270.00

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 THE RESIGNATION OF CHRISTOPHER WILSON AS A POLICE OFFICER

WHEREAS, the Township Committee has received a letter from Christopher Wilson resigning as a Police Officer in the Police Department effective August 31, 2016,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Christopher Wilson as a Police Officer in the Police Department is hereby accepted effective August 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 Chief of Police.

ACCEPT THE RESIGNATION OF AMANDA ESPINOSA AS A POLICE OFFICER

WHEREAS, the Township Committee has received a letter from Amanda Espinosa resigning as a Police Officer in the Police Department effective September 8, 2016,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Amanda Espinosa as a Police Officer in the Police Department is hereby accepted effective September 8, 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 Chief of Police.

AUTHORIZE DEVELOPER'S AGREEMENT WITH JACK ANCONA, LLC -WARRINGTON HOTEL; BLOCK 103, LOT 4; BLOCK 103, LOT 10; PORTION OF BLOCK 101, LOT 2; 22 LAKE AVENUE

WHEREAS, Jack Ancona, LLC, a/k/a the Warrington Hotel, applied for and was granted Preliminary and Final Site plan Approval with conditional use and bulk variance approvals previously granted, seeking to build and locate an Innkeeper's Suite in the basement; and

WHEREAS, the present Ordinance prohibits dwelling units below grade, as well as additional exceptions, waivers, variances, interpretations and other approvals related to the filed plans, and the Developer was granted approval by the Zoning Board of Adjustment of Neptune Township; and

WHEREAS, Jack Ancona, LLC, a/k/a the Warrington Hotel has agreed to enter into a Developer's Agreement with the Township of Neptune to guarantee the faithful performance of the obligations and representations associated with the application before the Zoning Board of Adjustment of Neptune Township; and

WHEREAS, it is in the best interest of the citizens of the Township of Neptune to enter into this Developer's Agreement with Jack Ancona, LLC, a/k/a the Warrington Hotel, to ensure the proper compliance and guaranteed performance of items and improvements made on said parcel.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the Mayor and Clerk are hereby authorized to execute the aforesaid Developer's Agreement with Jack Ancona, LLC, a/k/a the Warrington Hotel, a copy of which is on file in the Office of the Municipal Clerk, for compliance with the Zoning Board of Adjustment of Neptune Township's Resolution No. ZBA 14-20, and representations upon submission and approval of all conditions arising from the aforesaid Resolution, and return the same to the Township Attorney for recording in the Clerk's office of Monmouth County; and

BE IT FURTHER RESOLVED, that this resolution along with a copy of the executed Developer's Agreement be forwarded to the Township Attorney.

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

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

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

WHEREAS, the Chief of Police and Police Director has made a recommendation; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Brad Dougherty be and is hereby employed as a part-time Special Law Enforcement Officer - Class I, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, effective September 13, 2016, at an hourly rate as established by prior resolution of the Township Committee; and,

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

AMEND THE SALARY OF MICHAEL SCHNURR DUE TO AWARD OF PROFESSIONAL CERTIFICATION

WHEREAS, the Township Committee continues to encourage its employees to attend classes and seminars and obtain certifications in their respective field of study; and,

WHEREAS, the Township Committee awards an additional \$1,000 in annual compensation to any employee obtaining a certification in an area related to their specific job classification up to a maximum of two certifications; and,

WHEREAS, Michel Schnurr, Accountant, has earned the designation of Certified Tax Collector; and,

WHEREAS, funds for this purpose will be provided in the municipal budget under the appropriation entitled Financial Administration S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Michael Schnurr shall receive an additional \$1,000.00 in annual salary effective September 16, 2016 for receiving the Certified Tax Collector certification; and,

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

AUTHORIZE THE CANCELLATION OF A MORTGAGE IN CONNECTION WITH REGIONAL CONTRIBUTION AGREEMENT PROJECT AT 28 ASH DRIVE

WHEREAS, the Township of Neptune holds a mortgage dated April 27, 1999 in connection with a Regional Contribution Agreement Project at 28 Ash Drive; and,

WHEREAS, six full years has passed since the date of the mortgage and the property remains in the ownership of the borrowers; and;

WHEREAS, the Township desires to cancel said mortgage in accordance with the terms of the mortgage note,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and they are hereby authorized to execute a cancellation of mortgage in connection with the Regional Contribution Agreement Project at 28 Ash Drive; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the RCA Attorney.

AUTHORIZE AN AMENDMENT TO THE 2016 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE UNITED STATES DEPARTMENT OF JUSTICE

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2016 in the sum of \$4,775.00 which is now available from a United States Department of Justice – Bureau of Justice Assistance Grant in the amount of \$4,775.00; and,

BE IT FURTHER RESOLVED that the like sum of \$4,775.00 is hereby appropriated under the caption of 2016 Bulletproof Vest Partnership Grant; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the United States Department of Justice – Bureau of Justice Assistance 2016 Bulletproof Vest Partnership Grant in the amount of \$4,775.00; and,

BE IT FURTHER RESOLVED, that the Clerk forward three certified copies of this resolution to the Chief Financial Officer and one copy to the Assistant C.F.O., and Auditor.

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

AUTHORIZE THE PURCHASE OF PLAYGROUND SURFACING FOR DIVISION STREET PARK AND BERT WILLIS FIELDS THROUGH THE MIDDLESEX REGIONAL EDUCATION SERVICES COMMISSION PURCHASING PROGRAM

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

WHEREAS, the Township Committee wishes to authorize the purchase of playground surfacing for Division Street Park and Bert Willis Fields utilizing pricing through the Middlesex Regional Education Services Commission Cooperative Purchasing Program; and,

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

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

WHEREAS, the Middlesex Regional Education Services Commission Cooperative Purchasing Program is recognized purchasing cooperative (#65MCESCCPS) and has awarded Contract No. 14/15-09 to Whirl Construction for this item; 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 amount of the purchase of this item shall not exceed \$73,226.32 (\$37,718.16 for Division Street Park and \$35,508.16 for Bert Willis Fields); and,

WHEREAS, funds for this purpose are available in Ordinance No. 15-37, 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 playground surfacing for Division Street Park and Bert Willis Fields be and is hereby authorized through Whirl Construction, an approved vendor through the Middlesex Regional Education Services Commission Cooperative Purchasing Program – Contract No. 14/15-09, at an amount not to exceed \$73,226.32; and,

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

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

AUTHORIZE THE PURCHASE OF PLAYGROUND EQUIPMENT FOR DIVISION STREET PARK AND BERT WILLIS FIELDS THROUGH THE MIDDLESEX REGIONAL EDUCATION SERVICES COMMISSION PURCHASING PROGRAM

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

WHEREAS, the Township Committee wishes to authorize the purchase of playground equipment for Division Street Park and Bert Willis Fields utilizing pricing through the Middlesex Regional Education Services Commission Cooperative Purchasing Program; and,

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

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

WHEREAS, the Middlesex Regional Education Services Commission Cooperative Purchasing Program is recognized purchasing cooperative (#65MCESCCPS) and has awarded Contract No. ESCNJ#16/17-13 to MRC, Inc.; 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 amount of the purchase of this item shall not exceed \$72,730.65 (\$52,054.05 for Division Street Park and \$20,676.60 for Bert Willis Fields); and,

WHEREAS, funds for this purpose are available in Ordinance No. 15-37, 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 playground equipment for Division Street Park and Bert Willis Fields be and is hereby authorized through MRC, Inc., an approved vendor through the Middlesex Regional Education Services Commission Cooperative Purchasing Program – Contract No. ESCNJ#16/17-13, at an amount not to exceed \$72,730.65; and,

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

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

AWARD BID FOR GABLES SANITARY SEWER REPLACEMENT PROJECT – PHASE IV

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

WHEREAS, on August 30, 2016, PS&S, Township Engineer Consultant, received bids for the award of a contract for Gables Sanitary Sewer Replacement Project – Phase IV; and,

WHEREAS, said bids were reviewed by the Township Engineer and Consulting Engineer who have recommended that the bid be awarded to the lowest base bid plus Alternate #1 submitted by P&A Construction; 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 Ordinances No. 15-36 and No. 12-14 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 P&A Construction on their lowest responsible base bid plus Alternate #1 bid of \$929,487.80 for Gables Sanitary Sewer Replacement Project – Phase IV; and,

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

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

EMPLOY CUSTOMER SERVICE REPRESENTATIVE IN THE CODE/CONSTRUCTION DEPARTMENT

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

WHEREAS, there is a vacancy in the position of Customer Service Representative in the Code/Construction Department; and,

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

WHEREAS, the Construction Official and Human Resources Director have made their recommendation; and,

WHEREAS, funds will be provided in the 2016 municipal budget in the appropriation entitled Code Enforcement S&W and/or Construction S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Pamela A. Valentine be and is hereby employed as a Customer Service Representative in the Code/Construction Department, on a probationary basis for a period of not less than 90 days and not exceeding one year, pending favorable results of the required physical, effective September 19,

2016, at an annual salary of \$23,460.00; and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

Dr. Brantley offered the following resolution, moved and seconded by Ms. Rizzo, 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	\$3,035,614.70
FEDERAL & STATE GRANT FUND	32,197.48
TRUST FUND	277,421.38
GENERAL CAPITAL FUND	2,471,589.80
SEWER OPERATING FUND	174,850.18
SEWER CAPITAL FUND	4,028.36
MARINA OPERATING FUND	119,107.53
MARINA CAPITAL FUND	925.00
UDAG TRUST	1,000.00
LIBRARY TRUST	3,707.12
BILL LIST TOTAL	\$6,120,441.55

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

Kennedy Buckley, Broadway, questioned wording that was in the ordinance for the HPC and stated he did not understand it.

Mr. Anthony stated the wording he mentioned has been in the ordinance since forever and that is not a change.

Mr. Buckley who would be the teacher.

Mr. Anthony stated it would be the Zoning Officer.

Kathleen Gunther-O'Connell, 35 Embury Avenue, stated when Randi Evangilista collects rent from her tenants at the derelict hotel that she owns. The other property owners live with a property that is in disrepair. She stated both alleys are filled with trash. She stated again another discarded mattress was in the alley and the smell of urine is pervasive and rodents live in open areas of the upper porch. Neptune residents are regularly called to Serenity Inn and the residence are under regular surveillance for suspected drug activity. She stated she was aware of the court deadlines that were approaching. She also stated she was aware of her civic responsibility of addressing the problems that exist. She stated she's asked for help repeatedly and has called

various departments and unsafe conditions still exist. She questioned what were Ms. Evangelista's responsibilities. She continued to list what she felt were violations and the behavior of Ms. Evangelista. She begged the Committee to help them.

Mr. Gadaleta stated they have a court imposed day for her to obtain her building permit and proceed with the work. He stated with the issuance of a building permit there's no specific timeline as to when that work will be started or completed. He stated violations will still need to be addressed. He stated he would address matters with Public Works and he did not know specifics as to Police being called he would have to look into it.

Dorothy Argyros, 2100 Rutherford Avenue, stated the residents all have to pay taxes and the Township gets to decide how it's spent. She stated she did not like it when they spent a lot of tax money to benefit a few people, especially wealthy people. She liked when the money benefitted the kids. She stated they purchased an Olympic sized swimming pool which was a good thing and they've expanded the library and best of all they helped to buy out affordable housing because the Winding Ridge residents were at risk of losing their homes. The Bradley Beach Park was also a bang for the buck. She stated she was asking them to spend a little and get a lot. She asked them to make Loffredo field safe by fixing it and making it safe.

Mayor McMillan stated it was on their radar.

Mr. Gadaleta stated the Township has been spending money over there and in addition they received a Monmouth County Open Space grant for that project and the Township has committed capital funds. The Township Engineer has received proposals from a number of the engineers in our pool and she is working on that report to the governing body. The cost will probably reach a half a million dollars when all is said and done.

Beverly Fey and HPAE Local 5058 representative from Jersey Shore Medical Center thanked the Committee for their support regarding the rising cost in health care.

Kathy Kochel, Neptune, stated her youngest daughter was 18 years and has required medical care for the last two years and it is increasing in severity and today she found out she would need a higher level of care and her insurance does not cover it. She may have to take a second mortgage and empty their retirement funds and they do have medical insurance

Ms. Rizzo stated she thought the affordable care act limited how much she would have to pay.

Mrs. Kochel stated there were exclusions.

Mayor McMillan stated the Township were empathetic to her.

Randy Thompson, Asbury Park, stated he was with a non-profit organization Help Not Handcuffs. He discussed Katie Lee Thomas who lost her life while in custody in the Neptune Township Police Department. He stated he wanted to make an appeal to them to work and collaborate with them. He stated treated people like this will result in this matter. He stated they had to respect the whole human being and why are we forcing an interaction.

Mr. Anthony stated they did not really know the specifics and could not really get involved in it.

Kathy Arlt, 106 Abbott Avenue, stated that realtors tell people when they buy a home in Ocean Grove that they can do anything with the property without mentioning the Historic Preservation Commission. The HPC did 280 applications last year and only two were rejected. They have a small Committee that does tech review every Tuesday. Certified Local Government (CLG) will help HPC inform the public about the process and what they do. The HPC is preserving the character of Ocean Grove and there are currently four properties for sale for over \$1.5 million. There are 1,900 towns across the country are members of CLG. Joining CLG will help the HPC do their job.

Dianna Harris, 17 Willow Drive, stated that the bids for the West Lake Avenue Streetscape project were rejected in April and again in June. She has heard nothing about going out to bid for a third time and is concerned that the Township will lose the grant funding. Mr. Gadaleta stated that the Township is changing the light standard to match those in Asbury Park. As a result, we are working on revised specification to change the lighting and to get the project within budget. The grant funding is not in danger of being lost. Mr. Bascom added that an additional \$100,000 plus tonnage grant monies were being added to the project.

Barbara Burns, 4 Ocean Avenue, questioned whether the Township has requested an opinion regarding the ground rent.

Mr. Anthony stated he has provided an opinion letter to the Township Committee.

Ms. Burns stated there has been no official response from the Camp Meeting. They've stated they are not doing anything now but they will be moving forward with assessing ground rent.

Kimberly Mora, 124 Heck Avenue, stated that the issue of ground rent in Ocean Grove will affect real estate values and will affect everyone in the Township. She asked what the Township is doing to address the issue. Mr. Anthony stated that a property owner can do things that the Township cannot because this is a private agreement. However, the Township can do some things that a property owner cannot and you could do things that we can't do.

Ms. Mora stated there was very little transparency with the Camp Meeting Association.

Ms. Rizzo stated both she and Mr. Bishop attended and they would not tell them anything. She stated they were left at a legal juncture for our legal counsel to advise us.

Robert Banstra, 27 Jumping Brook Road, requested the status of 4 ton vehicles being allowed to drive on his street.

Mr. Bascom stated he thought he forwarded him the information in an email. He stated they asked the Assembly members to push for the signage on the highways.

Mr. Banstra stated he contacted Mr. Houghtaling's office and a letter was suppose to go out and so far it hasn't and he did not understand why. He stated he was trying to find out where this thing was and whether there was a reference number. He stated Mr. Zarro informed him that the signs were fabricated in the Spring. He questioned what part Neptune would play in this.

Mr. Bascom stated they've offered everything. They've gone to the Senator and the Assembly and Lt. Zarro has gone as high up as he can.

Nancy Clarke, 47 Embury Avenue, stated that she is hopeful that an application will be submitted to the state for Certified Local Government. The Historic Preservation Commission helps maintain home values. They make sure the historical aspect is maintained and are always willing to work with people.

Joyce Klein, Ocean Grove, stated that postcards are being sent to Mr. Cuttrell by Ocean Grove residents regarding the parking situation but she did not see this on the Report of the Clerk. Mr. Cuttrell stated that he notified the Committee today that 94 cards have being received and another 12 were received in the mail this afternoon.

Ray DeFaria, 12 New York Avenue, stated he received a brochure that listed homes that were sold ranging in various prices. He stated the land agreement is between the Camp Meeting and the homeowner. He stated Ocean Grove was a cash cow for the Township and the land lease will have a negative impact on the Township.

Joan Venezia, 107 Mt. Hermon Way welcome Mr. Lane to the Township Committee. She stated in October he would be invited to a candidate forum and she would like to learn more about him as that time. She questioned if they've heard anything new about the North End and RSIS.

Mr. Gadaleta confirmed they were moving forward with their RSIS application.

Gail Oliver, Neptune City, welcome Robert Lane and thanked Carol Rizzo for setting up and facilitating the meeting with MURC. She stated she would like to talk to the Mayor after the meeting.

Michael Fornino, 120 Fulham Place, commended Wayne Rode and the Public Works Department for handling a problem with a storm drain. He also commended Cindy Nelson for stepping up to the plate with the kids. He also states nurses were one of the most underpaid professions. He also commended Randy Bishop for his service.

Mr. Gadaleta stated Mr. Fornino contacted him last week regarding a complaint and he assured him that it was being addressed.

Panthea Herr, 430 Lexington Avenue, asked for the address of Belmar Mayor Matt Dougherty's office. This information will be provided after the meeting.

Ms. Rizzo stated that she wants a resolution on the next meeting to support people with medical debt.

Ms. Rizzo offered a motion, seconded by Mr. Lane, to adjourn. All were in favor.

Richard J. Cuttrel,
Municipal Clerk