

TOWNSHIP COMMITTEE MEETING – SEPTEMBER 26, 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:

Mr. Gadaleta stated that concerns were raised about the parking restrictions for street sweeping on Ocean Avenue. This was also a topic at a Parking Task Force meeting. The Ocean Grove Chamber of Commerce is also asking that the ordinance be reviewed. Mr. Gadaleta recommended elimination of the restrictions and Mr. Cuttrell will draft the necessary ordinance. Ms. Rizzo stated that we always needs to look at the unintended consequences of actions of ordinances and policies.

Ms. Rizzo reviewed a resolution on the agenda regarding medical debt. This has more to do with many people involved with self insurance plans that are faced with medical debt. There are also predatory practices occurring. The resolution recognizes the problem and asks for legislation to address it. The Mayor stated that the issue could be the result of duplicate bills and individuals need to organize their bills and realize that medical bills can be negotiated. This issue is really between the employee and employer and is too much of a moving target for the Committee to address. In addition, hospital mergers do not result in higher costs. There are a lot of contradictions in the proposed resolution and the matter is not in the purview of the Committee. Dr. Brantley stated that this issue is not in the wheelhouse of the Township Committee. Last year, the Committee supported a bill in the legislation that addressed some of these issues. This resolution opens the Committee for questions and this is not our issue. The State Legislature needs to do the research and propose a bill that the Committee can support. Ms. Rizzo stated that she still thinks there are predatory practices occurring in this industry but is willing to look at the resolution again and make it more towards supporting state legislation. Dr. Brantley reiterated that we need to avoid this type of debate because it needs to be address by federal and state government. Mr. Anthony stated that the Committee needs to reach a conclusion on this and submit language to him for a new resolution.

Mr. Gadaleta stated that the Seaview Island Townhouse Association is interested doing a street lighting upgrade within their complex and has asked the Township to install the same lighting on the municipal streets in the area. The new lights will be LED and will result in lower electricity costs. They have offered to purchase the light fixtures if the Township would pay for installation. The Association would then be responsible for maintenance of the lights. Mr. Anthony stated that an agreement is needed with the Association to cover a number of services including lighting, roads, garbage collection, and snow removal. Mr. Gadaleta stated there is a need to implement Condo Association agreement with various complexes in the Township.

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

Dr. Brantley offered the following resolution, moved and seconded by Ms. Rizzo, 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 – Recommendations for hiring of SLEO II, Customer Service Representative and Bookkeeper

Personnel – Creation of positions of full-time Jailer and Agent in the Police Department
Real Estate negotiations – Blue Acres acquisition

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.

The Committee reviewed recommendations for the hiring of Special Law Enforcement Officer, Customer Service Representative and Bookkeeper and took action by resolution during the regular portion of the meeting.

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.

APPROVAL OF MINUTES

Mr. Williams offered a motion, seconded by Ms. Rizzo, to approve the minutes of the meeting held on August 22nd. All were in favor (except Mr. Lane who was ineligible to vote on this motion).

RECOGNITION OF RETIRING TOWNSHIP EMPLOYEE

The Mayor and Committee recognized Lionel Hernandez with a plaque. Mr. Hernandez retired from the Public Works Department after 26 years of service.

PROCLAMATION

The Mayor proclaimed October 10th as "Put the Brakes on Fatalities Day" in the Township of Neptune.

COMMENTS FROM THE DAIS

Mr. Lane stated that he met with each department that he will oversee to introduce himself get to know the employees. He attended Neptune Day and welcomed Ajee Wilson. It is a great accomplishment to make it to the Olympics. He discussed tourism with the County and will attend a meeting to discuss plans for 2017. He attended Prepare-a-thon and was impressed with how prepared the Township is for anything. He had the pleasure to give out a lot of prizes at the event.

Ms. Rizzo, stated that she attended an EDC meeting. Movement of the West Lake Avenue development was discussed as well as getting Interfaith Neighbors involved. She attended the Topping Out Ceremony of the HOPE Tower. Neptune Day was a great day and she had the opportunity to talk to Ajee Wilson who is an incredibly talented woman and full of integrity. The Parking Task Force met and work continues. The Mayor's Ball was a great event that supported the library. Finally, she attended a meeting of the Ocean Grove Homeowners Association where there was a debate among County Freeholders and candidates as well as discussion and an update on the Ocean Grove ground rent issue.

Mr. Williams stated that as a result of the bombing in Seaside Heights, the police department did a sweep of garbage cans and closely monitored Neptune Day. Ajee Wilson stayed for two hours at Neptune Day and took pictures with the children. He attended Prepare-a-thon where attendance was less than the first year because there were many other things going on that evening including Back-to-School night. He appreciated the collaboration among multiple agencies. He attended the Ocean Grove Parking Task Force meeting and various ideas are being looked at. Finally, the Mayor's Ball was phenomenal and \$20,000 was raised for the library.

Dr. Brantley, stated that he attended Neptune Day. Last year he was supposed to be in the dunk tank but got the flu, this year there was no tank, so it is not meant to be. Ajee Wilson did a phenomenal job and she will be back for the next Olympic games. He attended a Wesley Lake Commission meeting and they are looking at a joint grant that could help the lake quite a bit. He will provide specifics later. He attended the Mayor's Ball where the Mayor took the opportunity to recognize people for what they do for Neptune. He added that the Ball Committee did a great job.

The Mayor thanked the Mayor's Ball Committee for a great night. It was great to recognize people for their contributions to Neptune Township. He attended the 60th anniversary lunch for the Hamilton First Aid Squad. He was in Washington DC where he was honored by his fraternity at the National Black Caucus. He attended Prepare-a-thon and got a chance to see and meet with various agencies. He did a couple of weddings and had the opportunity to visit some of the parks. He stated they were planning enhancements to various parks. He had the opportunity to visit Bradley Park and also Liberty Park and to talk to some of the kids to let them know they would be getting new equipment and to take care of it.

ENDORSE LEGISLATION CHALLENGING PRACTICES LEADING TO MEDICAL DEBT AND SEEKING REFORMS LIMITING SUCH DEBT – TABLED

Dr. Brantley offered a motion, seconded by Ms. Rizzo, to table a resolution to "Endorse legislation challenging practices leading to medical debt and seeking reforms limiting such debt". All were in favor.

PUBLIC COMMENTS ON RESOLUTIONS

Kathy Arlt, Ocean Grove requested to see the lien sheet with the big lien. She also requested someone explain to her what the lawsuit was about that was mentioned in Resolution #16-416

Mr. Anthony stated that this where there was an attempt by the property owner to have property rezoned and the Board of Adjustment refused to rezone it and now they are claiming that decision was arbitrary and capricious. He stated the exact property location was in the resolution.

Dorothy Argyros, 2100 Rutherford Avenue, commented on Resolution #16-412 and 413. She stated she wondered if this was related to the ordinance in which we are giving up commercial use of the marina. She questioned whether there was a connection between the two.

Mayor McMillan stated there wasn't a connection and 16-412 was to accept the grant and 16-413 was to award the grant to the contractor.

Mrs. Argyros stated she was confused with the wording saying we would get "awarded up to" and questioned why would they say that. She questioned whether we could get less and why would we purchase dirty property. It was her understanding as an attorney that the owner had to clean up the property before the new owner could take title. She stated the Township was going around buying people's dirty property. She went on to state that she was going to praise them for the resolution that was tabled. She questioned the status of cutting into the exemption that Jersey Shore University receives.

Mr. Anthony informed her that that the matter involving Jersey Shore University was still in litigation and it was in the discovery stage. He stated there were at least 30 other lawsuits throughout the state and it might be consolidated.

Michael Fornino, 120 Fulham Place, questioned whether the Committee was reading resolutions, more specifically Resolution#16-414 because they were not reading them before.

Mayor McMillan stated that was not true.

Mr. Fornino questioned what was being shared.

Mr. Williams stated they were sharing services because they were now answering calls and billing them as we bill Neptune residents. It is from now until December and if they like it they will offer us a contract for five years.

Mr. Fornino stated as far as Resolution #419 which they tabled. He stated he's been in the business of collections for many years and he stated he wished they had done some research on this. He urged them to look up Public Law 109 which was signed by Jimmy Carter in 1977. He suggested they know what they were doing before they do anything.

ORDINANCE NO. 16-31 - ADOPTED

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

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

Dorothy Argyros, 2100 Rutherford Avenue, this was connected to people who did not have the money to pay expensive auto repair shops.

The Committee informed her that this did not pertain to this ordinance.

Mr. Anthony explained that this would make clarifications between two ordinance.

There being no further comments, the Mayor 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. 16-32 - ADOPTED

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

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

Kathy Arlt, Ocean Grove Homeowners, stated she was concerned that people in Ocean Grove call the Historic Preservation when they see things that are not approved or they run into certain residents into the street and tell them. She questioned whether the residents who were

informed of the complaints should call the Zoning Officer.

Mr. Anthony stated the procedure was no different than it ever was. The Zoning Officer is notified by someone if he did not notice himself and he would then enforce it.

Ms. Arlt stated this calls for personal service so she assumed the Sheriff would knock on their door and issue a summons. She questioned whether this was normal.

Mr. Anthony stated that has always been the case.

Ms. Arlt went on to discuss a complaint that Mr. Buckley gave to Mr. Waterman regarding 69 Webb Avenue.

Kennedy Buckley, Broadway, stated that as a test he emailed the Zoning Officer regarding a violation and he took action immediately.

Walter Kazmarik, 131 Broadway, discussed the problems he's experienced with the HPC and Code Enforcement along with the fees that were accessed to him in trying to bring his home to code. He felt he has been slapped around and raked across the coals and the Township Committee does nothing.

Jack Bredin, 94 ½ Heck Avenue, stated that he adopts as is comments everything that the last person said with the exception of the phrase "religious fanatics".

Dorothy Argyros, 2100 Rutherford Avenue, asked who settles disputes. Mr. Anthony stated that the Township has the authority and the HPC is advisory. The appeal process is through the Board of Adjustment.

Richard Inkeles, Hawthorne Street, stated that Mr. Kazmarik was never told he could go before the Board of Adjustment to appeal and the Township Committee stood by and did nothing to help him.

There being no further comments, the Mayor 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. 16-33 - ADOPTED

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

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 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. 16-34 - ADOPTED

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

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

Dorothy Argyros, 2100 Rutherford Avenue, asked if this is for clean-up at the site, where is the site, and why the Township continually purchases contaminated property. She said that the seller is supposed to perform the clean-up. Mr. Gadaleta stated that this is for remediation of soil at the back of Midtown Commons Park. Mr. Bascom stated that since this is in a redevelopment area, the Township is eligible for funding from the NJDEP for remediation.

There being no further comments, the Mayor 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. 16-35 - APPROVED

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

ORDINANCE NO. 16-35

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XVIII OF THE
CODE OF THE TOWNSHIP OF NEPTUNE BY REMOVING
REFERENCES TO THE HARBOR COMMISSION AND
PROHIBITING COMMERCIAL BOATS AT THE MUNICIPAL
MARINA

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

ORDINANCE NO. 16-36 - APPROVED

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

ORDINANCE NO. 16-36

AN ORDINANCE TO AUTHORIZE A DECLARATION OF DEED
RESTRICTION FOR RECREATION/CONSERVATION FOR BLOCK
5306, LOT 10; BLOCK 5316, LOT 7; BLOCK 5317, LOT 5; AND
BLOCK 5322, LOTS 1, 2 & 3, ALSO KNOWN AS 149 SOUTH
RIVERSIDE DRIVE, 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 16-35 and 16-36 will be held on Thursday, October 6th.

CONSENT AGENDA

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

ACKNOWLEDGE RESIGNATION OF ROBERT LANE, JR. AS A MEMBER OF THE PLANNING
BOARD DUE TO HIS APPOINTMENT TO THE TOWNSHIP COMMITTEE

WHEREAS, on August 29, 2016, Robert Lane, Jr. was appointed to fill a vacancy on the Neptune Township Committee; and,

WHEREAS, at the time of said appointment, Robert Lane, Jr. was serving as a Class IV member of the Planning Board; and,

WHEREAS, in accordance with Local Land Use Law, governing body members are not permitted to serve as a Class IV member on the Planning Board,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Robert Lane, Jr. as a member of the Planning Board, due to his appointment as a member of the Township Committee, is hereby acknowledged effective August 29, 2016; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Administrative Officer to the Planning Board.

ACCEPT A GRANT FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION (SHARK RIVER MUNICIPAL MARINA – REMEDIAL AND ACTION)

WHEREAS, the Township of Neptune has applied for and has been awarded a grant in the amount of up to \$169,435.00 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority for Remedial Action of the Shark River Municipal Marina,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the above referenced grant is hereby accepted and the Mayor is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Township of Neptune; and,

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority, the Chief Financial Officer, Business Administrator and Administrative Assistant to the C.F.O.

AUTHORIZE REMEDIAL ACTION ACTIVITIES AT THE SHARK RIVER MUNICIPAL MARINA

WHEREAS, Dynamic Earth prepared and submitted an application to the Hazardous Discharge Site Remediation Fund for funding to perform remedial action activities at the Shark River Municipal Marina; and,

WHEREAS, this work is consistent with the Licensed Site Remediation Professional Program established by the Site Remediation Reform Act; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 16-29, which includes a grant from the Hazardous Discharge Site Remediation Fund in the amount of \$169,435.00, 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 Dynamic Earth to perform remedial action activities at the Shark River Municipal Marina at an amount not to exceed \$225,912.50; and,

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

AUTHORIZE SHARED SERVICE AGREEMENT WITH THE BOROUGH OF NEPTUNE CITY FOR EMERGENCY MEDICAL SERVICES

WHEREAS, the *Uniform Shared Services and Consolidation Act* (N.J.S.A. 40A:65-1 through 40A:65-35) authorizes local units of this State to enter into a contract with any other local unit or units for the joint provision within their several jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; and,

WHEREAS, the Borough of Neptune City ("Borough") and the Township of Neptune, through the Neptune Township Emergency Medical Services, ("Neptune Township Emergency Medical Services") have identified an area where working together through Shared Services will result in a positive outcome for both the Borough and the Neptune Township Emergency Medical Services; and

WHEREAS, the Borough and Neptune Township Emergency Medical Services have agreed that the Neptune Township Emergency Medical Services will serve as the primary 9-1-1 Emergency Medical Services for the Borough in accordance with the participation plan previously

submitted by the Borough; and

WHEREAS, the Neptune Township Emergency Medical Services will provide primary 9-1-1 Emergency Medical Services to the Borough by providing a Basic Life Support Ambulance, when available, in accordance with the Borough's participation plan; and,

WHEREAS, the system will meet the technical requirements and operational standards set forth in N.J.A.C. 8:40; and,

WHEREAS, the Neptune Township Emergency Medical Services will provide direct emergency medical services ("EMS") for the Borough; and,

WHEREAS, the Borough shall authorize and permit the Neptune Township Emergency Medical Services to bill those requesting EMS services in a manner substantially similar to the manner in which system users pay for such services within Neptune Township, pursuant to a rate schedule adopted annually by the Township Committee of the Township of Neptune and in accordance with ordinances, regulations, and laws governing the billing of EMS services; and,

WHEREAS, the term of this agreement will be retroactive to September 14, 2016 and ending at 6:00 p.m. on December 31, 2016 and this agreement may be renegotiated prior to renewal,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey that the Mayor and Clerk are hereby authorized and directed to enter into a Shared Services Agreement ("Agreement") with the Borough of Neptune City with respect to the provision of Emergency Medical Services pursuant to the terms and conditions set forth in the Agreement. A copy of the Agreement shall be open for public inspection at the Office of the Municipal Clerk; and,

BE IT FURTHER RESOLVED, that the terms of this Agreement shall take effect upon the adoption of appropriate Resolutions and execution of the Agreement by the parties thereto; and,

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

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,

BLOCK/LOT	ADDRESS	AMOUNT
712/1	510 Fisher Place	8,143.00
605/15	213 Myrtle Avenue	250.00
305/8	1127 Heck Avenue	250.00
605/10	237 Myrtle Avenue	250.00
503/26	1223 Embury Avenue	250.00
503/24	1209 Embury Avenue	250.00
504/16	45 Ridge Avenue	250.00

BE IT FURTHER RESOLVED, that a copy of this resolution along with the Code

Enforcement Supervisor's report be forwarded to the Tax Collector.

AUTHORIZE NEPTUNE TOWNSHIP ZONING BOARD OF ADJUSTMENT ATTORNEY TO
REPRESENT NEPTUNE TOWNSHIP IN LAWSUIT

WHEREAS, E. I. Properties, Inc., filed a Complaint in Lieu of Prerogative Writs in the Superior Court of New Jersey, Law Division, Monmouth County, under Docket No. MON-L-3009-16 on August 3, 2016 against the Township of Neptune and the Township of Neptune Zoning Board of Adjustment, involving a decision of the Zoning Board of Adjustment based on an ordinance adopted by Neptune Township; and

WHEREAS, the Zoning Board of Adjustment Attorney, Monica Kowalski, Esq., will be defending the aforesaid lawsuit on behalf of the Neptune Township Zoning Board of Adjustment, and it would be most efficient and economical to allow the Zoning Board Attorney to also represent the Township of Neptune as an individual Defendant in the same action.

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, hereby authorizes Monica Kowalski, Esq., the attorney for the Neptune Township Zoning Board of Adjustment, and the attorney who is representing the Zoning Board of Adjustment in the lawsuit of E.I. Properties, Inc. v. The Township of Neptune and the Township of Neptune Zoning Board of Adjustment, to also represent the Township of Neptune, who is named as a separate Defendant in this matter.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Attorney, Board of Adjustment Attorney, and Administrative Assistant to the Board of Adjustment.

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 II in the Police Department on a part-time hourly basis; and,

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

WHEREAS, the Chief of Police and Police Director have made 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 Samuel Seldor be and is hereby employed as a part-time Special Law Enforcement Officer - Class II, 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 27, 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 Director.

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF ON-CALL PART-TIME PLUMBING
SUB-CODE OFFICIAL

WHEREAS, due to vacation time and work load, it is necessary to authorize an on-call temporary employee to serve as Plumbing Sub-Code Official in his absence to ensure uninterrupted processing of construction permits; and,

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

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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby extends an offer of employment to Brian Gilbert for the position of on-call part-time Plumbing Sub-Code Officer, in the absence of the appointed Township Plumbing Sub-Code Official, pending favorable results of the required physical, effective October 3, 2016, at an hourly rate of \$39.00, and,

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

The resolutions of the Consent Agenda were adopted on the following vote: Brantley, aye, adding that he is sad to lose Rob Lane as a member of the Planning Board; Lane, aye; Rizzo, aye; Williams, aye; and McMillan, aye.

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF CUSTOMER SERVICE REPRESENTATIVE IN THE CODE/CONSTRUCTION DEPARTMENT

Ms. Rizzo offered the following resolution, moved and seconded by Dr. Brantley, 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 an offer of employment is hereby extended to Kevin Diaz for the position of 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 October 3, 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, aye; Williams, aye; and McMillan, aye.

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF BOOKKEEPER IN THE TAX COLLECTION DEPARTMENT

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

WHEREAS, there is a vacancy in the position of Bookkeeper in the Tax Collection Department; and,

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

WHEREAS, the Human Resources Department and Tax Collector have made their recommendation; and,

WHEREAS, funds will be provided in the 2016 municipal budget in the appropriation entitled Revenue Administration 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 Tynisha Lonon for the position of Bookkeeper in the Tax Collection 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 October 3, 2016, at an annual salary of \$25,500.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector, Deputy Tax Collector, Assistant C.F.O., AFSCME Local #1844, and Human Resources 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

Ms. Rizzo offered the following resolution, moved and seconded by Mr. Williams, 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	\$1,140,607.42
FEDERAL & STATE GRANT FUND	32,707.75
TRUST FUND	24,771.27
GENERAL CAPITAL FUND	24,348.75
SEWER OPERATING FUND	1,232,442.52
SEWER CAPITAL FUND	3,377.05
MARINA OPERATING FUND	2,596.11
DOG TRUST	464.40
UDAG TRUST	5,000.00
 BILL LIST TOTAL	 \$2,466,315.27

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

John Bonney, Library Director, 308 Birch Drive, on behalf of the Library and the Library Trustees he thanked the Mayor and Committee for their donation and stated what the Library would invest the money in.

Ms. Rizzo thanked the Mayor for naming the Library as the Beneficiary and commended John Bonney for doing such a great job.

Kennedy Buckley, Broadway discussed street sweeping along Ocean Avenue and stated people were parking their vehicle there all summer long and nothing was being done. He stated he hasn't heard anything about the original intent of the ordinance.

Ms. Rizzo stated the extent of it was that there were three vehicles and it seemed like a lot to put people through especially for the innkeeper and this is their time to make whatever money they need to make in order to survive.

Mr. Buckley stated he wanted the Township to enforce their ordinances especially the enforcement of the snow ordinances.

Laura Langley, 1903 Bradford Avenue, stated that her 11 year old son walks to the Middle School. There is a need for pedestrian crossing buttons on all four sides of the traffic signal at West Lake and Neptune Blvd. Mr. Gadaleta asked Lt. Michael Zarro to look into the matter. She felt the insurance for this was excessive.

Mr. Gadaleta asked her to see him after the meeting.

Hilary Kavtaradze, 114 Highland Avenue, read a letter in reference to irrevocable license agreements for minor encroachments. She stated she purchased a home and a previous owner did

not disclose the encroachment and she was trying to make things right. She felt the insurance for this was excessive. She requested the Committee review the insurance coverage for this and have it meet the required standards.

Mr. Anthony stated the Township can always reduce the amount of coverage. He stated if it is own municipal property the Township was equally responsible for what could occur.

Rev. Edmund Lee, Sr. thanked Dr. Brantley and Ms. Rizzo for coming to his church and listening to what some of his members had to say about what was going on in their community. He thanked Mr. Gadaleta for the Clean Communities and questioned how they could get lighting done.

Mr. Gadaleta stated they were in the process of going back out to bid for the West Lake Project and included in that project were some of the items he just mentioned. It would have progressed but bids came in twice over the number of dollars we had available to fund it. He continued to explain what has transpired.

Hank Coakley, Valley Road, stated that Gully Road was in need of a yellow center stripe. In places where there is a stripe it is faded and in other there is no stripe at all. He added that this is mainly in Wall Township and he has contacted them, but nothing has been done. Mr. Gadaleta will look into the matter.

Pastor Paul Brown, stated that he is a member of the Planning Board and there are a lot of new members. He recommended that Randy Bishop be appointed since he is no longer a member of the Township Committee and has experience on the Board.

Sharon Davis, 4 Surrey Lane, stated that everyone should be aware that Pastor Brown has been elevated to Bishop.

Jack Bredin, 94 ½ Heck Avenue, recommended they donate the sound system to the Historical Society. He listed the Boards the Committee members were affiliated with as far as the zoning member process. He stated local zoning was consistent with municipal land use law. He when into debt to define light air and open space.

Dorothy Argyros, 2100 Rutherford Avenue, stated she was friends with a former Asbury Park Press reporter and he questioned what happened because not that many residents were at the meetings. She read what she considered were problems that should be addressed to have more public participation.

Rich Inkeles, Hawthorne Street, stated he had to wait 15 minutes to read the bill list. He felt that there should be extra copies readily accessible to the public.

Mr. Cuttrell stated his previous concerns were addressed and that this was a new one.

Mr. Inkeles questioned whether the Township had a paving program in place.

Mr. Gadaleta stated we do have a capital pavement improvement in place.

Mr. Inkeles questioned whether it was active.

Mr. Gadaleta stated it was active and they were going out to bid for it.

Mr. Inkeles stated he could not remember the last time his area was paved. He stated he had grass growing through the streets and he would appreciate if someone come out to take a look at it.

Randy Thompson, Help Not Handcuffs, provided the Committee with an update of Katie Lee Thompson who died in police custody. He stated they were in constant contact with the family and he conveyed a message from the family in that they did not want this to happen to another family. He wanted this to be elevated to a priority. He stated he wanted to meet with the Committee.

Kathy Arlt, Ocean Grove Homeowner's Association, stated she gave out information in May regarding the CLG and she did not believe that anyone ever looked at it because if they had when Mr. Haney came to a meeting to discuss a completely different program which he described as worthless he was correct because it was not the CLG program. It was the State Tribal and Local Plans and Grant Plan Fund which is administered by the National Park Service and is not administered by SHIPPO. She suggested they go on line and look up CLG and the National Park Service to see what it could be used for or go back to what she gave them four months ago. She

stated it was shocking to her that the Township Committee has not shown any curiosity as to what they've addressed.

Nancy Clarke, 47 Embury Avenue, stated a car has been parked in front of her home for close to six months and the woman was gently reminded by Lt. Zarro and the neighbors helped her move her car. She also thanked Mr. Gadaleta and someone named Tiffany in your office as well. She thanked Carol Rizzo who met with her privately. She also urged them to ask Deb Osepchuk to come to a meeting to discuss the CLG.

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

Richard J. Cuttrell,
Municipal Clerk