

TOWNSHIP COMMITTEE WORKSHOP MEETING – SEPTEMBER 26, 2016 – 6:00 P.M.

Mayor McMillan calls the workshop meeting to order at 6:00 p.m. and asks the Clerk to call the roll:

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
Dr. Michael Brantley	_____
Robert Lane, Jr.	_____
Carol Rizzo	_____
Nicholas Williams	_____
Kevin B. McMillan	_____

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

Mayor McMillan announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press 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.

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Discussion – Parking restrictions on Ocean Avenue for street sweeping.
2. Discussion – Resolution supporting nursing profession (resolution on regular meeting agenda for consideration)
3. Discussion – Seaview Island townhouses.
4. Review Committee calendars/update on outstanding issues and capital items.
- Various on-going capital improvement projects.

Res. # 16-410 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____

Vote: Brantley, _____; Lane, _____; Rizzo, _____; Williams, _____; McMillan, _____.

TOWNSHIP COMMITTEE MEETING – SEPTEMBER 26, 2016 – 7:00 P.M.

Mayor McMillan calls the meeting to order and asks the Clerk to call the roll:

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
Dr. Michael Brantley	_____
Robert Lane, Jr.	_____
Carol Rizzo	_____
Nicholas Williams	_____
Kevin B. McMillan	_____

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

Silent Prayer and Flag Salute

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

Mayor McMillan announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press 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

Motion offered by _____, seconded by _____, to approve the minutes of the meeting held on August 22nd. (Mr. Lane not eligible to vote)

RECOGNITION OF RETIRING TOWNSHIP EMPLOYEES

The Mayor and Committee will recognize Lionel Hernandez who retired from the Public Works Department after 26 years of service and Ernestine Fisher who retired from the Police Department after 29 years of service.

PROCLAMATION

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

COMMENTS FROM THE DAIS

Comments from the Dais regarding business on this agenda or any reports on recent events in their respective departments.

PUBLIC COMMENTS ON RESOLUTIONS

Public comments regarding resolutions presented on this agenda only. The public will be permitted one visit to the microphone with a limit of five minutes.

ORDINANCES

For each ordinance with a public hearing, the public is permitted one visit to the microphone with a limit of five minutes.

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” - Final Reading

Explanatory Statement: This ordinance clarifies the regulations concerning the parking of a vehicle in residential areas that is unregistered, uninspected or in a state of major disassembly or repair. The ordinance are rescinds redundant language in the Police Regulations Chapter.

Public Hearing:

Offered by: _____ Seconded by: _____
Vote: Brantley, _____; Lane, _____; Rizzo, _____; Williams, _____; McMillan, _____.

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” - Final Reading

Explanatory Statement: This ordinance designates the enforcement responsibility in matters involving a violation of the provisions, or not obtaining, a Certificate of Appropriateness to the Zoning Officer and further amends the penalty provisions of such a violation.

Public Hearing:

Offered by: _____ Seconded by: _____
Vote: Brantley, _____; Lane, _____; Rizzo, _____; Williams, _____; McMillan, _____.

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 - Final Reading

Explanatory Statement: This ordinance authorizes an appropriation of \$500,000, including a grant in the amount of \$264,194, for Improvements to Brighton Avenue, Lakewood Road and adjoining roadways, including, but not be limited to, reconstruction and repaving of roadways, drainage improvements, curbing improvements, ADA accessibility improvements and other related improvements.

Public Hearing:

Offered by: _____ Seconded by: _____
Vote: Brantley, _____; Lane, _____; Rizzo, _____; Williams, _____; McMillan, _____.

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 - Final Reading

Explanatory Statement: This ordinance authorizes a Deed Restriction for recreation/conservation purposes on 1825 West Lake Avenue (former Chidnese property) solely to the NJEDA. The restriction is a requirement for grant funding for the site received by the Township through the Hazardous Discharge Site Remediation Fund.

Public Hearing:

Offered by: _____ Seconded by: _____

Vote: Brantley, _____; Lane, _____; Rizzo, _____; Williams, _____; McMillan, _____.

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 - First Reading

Explanatory Statement: This ordinance amends the Harbor Utility ordinance by removing references to the Harbor Commission, which no longer exists, and prohibiting commercial/party boats at the Marina.

Offered by: _____ Seconded by: _____

Vote: Brantley, _____; Lane, _____; Rizzo, _____; Williams, _____; McMillan, _____.

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 - First Reading

Explanatory Statement: This ordinance authorizes a Deed Restriction for recreation/conservation purposes at 149 South Riverside Drive (Shark River Municipal Marina) solely to the NJEDA. The restriction is a requirement for grant funding for the site received by the Township through the Hazardous Discharge Site Remediation Fund.

Offered by: _____ Seconded by: _____

Vote: Brantley, _____; Lane, _____; Rizzo, _____; Williams, _____; McMillan, _____.

The Public Hearings on Ordinances 16-35 and 16-36 will be held on Thursday, October 6th.

CONSENT AGENDA

Res. # 16-411 – Acknowledge resignation of Robert Lane, Jr. as a member of the Planning Board due to his appointment to the Township Committee.

Res. # 16-412 – 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)

Res. # 16-413 – Authorize remedial action activities at the Shark River Municipal Marina.

Res. # 16-414 – Authorize Shared Service Agreement with the Borough of Neptune City for emergency medical services.

Res. # 16-415 – Place lien on various properties.

Res. # 16-416 – Authorize Neptune Township Zoning Board of Adjustment Attorney to represent Neptune Township in lawsuit.

Res. # 16-417 – Employ Special Law Enforcement Officer in the Police Department on a part-time basis.

Res. # 16-418 – Extend offer of employment for the position of on-call part-time Plumbing Sub-Code Official.

CONSENT AGENDA Offered by:_____ Seconded by:_____

Vote: Brantley, _____; Lane, _____; Rizzo, _____; Williams, _____; McMillan, _____.

Res. # 16-419 – Endorse legislation challenging practices leading to medical debt and seeking reforms limiting such debt.

Offered by:_____ Seconded by:_____

Vote: Brantley, _____; Lane, _____; Rizzo, _____; Williams, _____; McMillan, _____.

Res. # 16-420 – Extend offer of employment for the position of Customer Service Representative in the Code/Construction Department.

Offered by:_____ Seconded by:_____

Vote: Brantley, _____; Lane, _____; Rizzo, _____; Williams, _____; McMillan, _____.

Res. # 16-421– Extend offer of employment for the position of Bookkeeper in the Tax Collection Department.

Offered by:_____ Seconded by:_____

Vote: Brantley, _____; Lane, _____; Rizzo, _____; Williams, _____; McMillan, _____.

Res. # 16-422 – Authorize the payment of bills.

Offered by:_____ Seconded by:_____

Vote: Brantley, _____; Lane, _____; Rizzo, _____; Williams, _____; McMillan, _____.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Members of the public may address any concern relating to the Township. The public will be permitted one visit to the microphone with a limit of five minutes.

ADJOURNMENT

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

WHEREAS, on February 8, 2016, the Neptune Township Committee adopted Ordinance No. 16-04 which repealed the ordinance establishing the Neptune Harbor Commission; and,

WHEREAS, the Township desires to eliminate commercial uses and the leasing of boat slips to charter boats,

THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune, that the Volume I, Chapter XVIII of the Code of the Township of Neptune entitled "Harbor Utility" be and is hereby amended to reflect the elimination of the term "Harbor Commission" and to establish the prohibition of commercial uses at the Municipal Marina as follows:

SECTION 1.

In all instances, the term "approval of the Harbor Commission" or "by resolution of the Harbor Commission" in Chapter XVIII shall be deleted and reference made to convey that such consent, approval or resolution is by the Township Committee.

SECTION 2

18-2.2 "Definitions." Is hereby amended as follows:

The Definitions of "*Charter boat*", "*Cruise or excursion boat*", and "*Party Boat*" are hereby eliminated.

SECTION 3

18-2.7(b) "Signs." Is hereby amended to read as follows:

b. No watercraft shall exhibit signs which advertise any product or service.

SECTION 4

18-3.1 "Docking Rates." Is hereby amended as follows:

Subsection f entitled "Commercial Boat Leases" is hereby deleted in its entirety.

Subsection g is hereby amended to read as follows:

g. Assignment of Existing Lease. Assignment of boat lease is prohibited.

Subsection h is hereby amended to read as follows:

h. Subleasing of Slips. Subleasing of boat slip is prohibited.

SECTION 5

18-3.3 "Prohibited Uses." Is hereby amended as follows:

Subsection g. is added as follows:

g. Any and all commercial uses as defined as any boat or vessel carrying passengers for hire or for commercial purposes by prearranged appointment or reservation for fishing or any other purpose.

SECTION 6

18-3.5 "Restrictions on Commercial Uses", is hereby eliminated in its entirety.

SECTION 7

18-3.6 "Prohibited Activities Applicable to All Boats." Is hereby amended as follows:

Subsection i. is hereby deleted in its entirety

Subsection l. is hereby amended to remove the phrase "or the commercial basin"

SECTION 8

All ordinances or parts of ordinances of the Township of Neptune, in conflict or inconsistent with this ordinance, are hereby repealed, but only, however, to the extent of such conflict or inconsistency; it being the legislative intent that all other ordinances, or parts of ordinances, now existing and in effect, unless the same be in conflict or inconsistent with any of the provisions of this ordinance, shall remain in full force and effect.

SECTION 9

The sections of this ordinance pertaining to the elimination of references to the Harbor Commission shall become effective immediately upon its adoption and publication according to law. The sections of this ordinance pertaining to the prohibition of commercial uses at the Municipal Marina shall be effective December 1, 2016.

APPROVED ON FIRST READING:

APPROVED, PASSED AND ADOPTED:

ATTEST:

Richard J. Cuttrell,
Municipal Clerk

Kevin B. McMillan,
Mayor

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

WHEREAS, the Township is the owner in fee simple of certain real property and the improvements thereon located in the Township of Neptune and County of Monmouth, State of New Jersey designated as Lot 10, Block 5306 (formerly Block 475, Lots 28-35), Lot 7, Block 5316 (formerly Block 474, Lots 24-31), Lot 5, Block 5317 (formerly Block 471, Lots 24-33) Lots 1, 2, 3, Block 5322 (formerly Block 402, Lots 13-17) of the official Tax Map of the Township of Neptune, commonly known as 149 South Riverside Drive (Shark River Municipal Marina), hereinafter referred to as the "Property"; and

WHEREAS, the soils of the Property have been contaminated by discharges of hazardous substances within the meaning of the New Jersey Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 (the "Spill Act"), and

WHEREAS, Declarant represents that remediation of the contamination is estimated to cost at least \$225,912.50; and

WHEREAS, the New Jersey Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-1.1 et seq. (the "Remediation Act"), authorizes New Jersey Economic Development Authority (EDA) to award a municipality with a grant from the Hazardous Discharge Site Remediation Fund (the "HDSRF Grant") pursuant to the Remediation Act of up to 75% of the costs of the remedial action for a project involving the redevelopment of contaminated property for recreation and conservation purposes, provided that the use of the property for recreation and conservation purposes is included in the comprehensive plan for the development or redevelopment of the contaminated property, and provided that use of the property is preserved for recreation and conservation purposes by conveyance of a deed restriction, which shall be recorded and indexed with the deed in the registry of deeds for the county in which the Property is located; and

WHEREAS, subject to the Declarant's compliance with the Remediation Act, and based on Declarant's representations regarding the intended use of the Property for public open space, the New Jersey Department of Environmental Protection ("DEP") has recommended to the EDA that the Declarant be awarded a HDSRF Grant of up to 75% of the costs of the remedial action with respect to the Property because the remedial action would foster public outdoor recreation or conservation; and

WHEREAS, in reliance on DEP's recommendation and subject to, among other things, Declarant entering into this Declaration of Deed Restriction, the EDA has awarded Declarant an HDSRF Grant in the amount of \$169,435; and

WHEREAS, the grant of this Deed Restriction by Declarant will help to ensure that the Property is rehabilitated and reused consistent with the Shark River Municipal Marina Plan; and

WHEREAS, the Declarant, having the authority to do so, intends to enter into this Deed Restriction in order to ensure that the Property is preserved for open space for the benefit of the public,

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune that in consideration of the award of the HDSRF Grant to the Township, and the facts recited above and the terms, conditions and restrictions contained herein, the Township hereby irrevocably grants, bargains, sells, and conveys unto the NJ EDA, a Deed Restriction for Recreation/Conservation for the Shark River Municipal Marina, 149 South Riverside Drive; and,

BE IT FURTHER ORDAINED, that the Mayor and Clerk are hereby authorized to execute a Declaration of Deed Restriction to effectuate said action.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrel,
Municipal Clerk

Kevin B. McMillan,
Mayor

RESOLUTION #16-410 – 9/26/16

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

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.

RESOLUTION #16-411 - 9/26/16

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.

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/26/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-412 - 9/26/16

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.

Date Adopted by Committee: September 26, 2016

(seal)

Attest:

Kevin B. McMillan, Mayor

Richard J. Cuttrell, Clerk

RESOLUTION #16-413 - 9/26/16

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.

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/26/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-414 – 9/26/16

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.

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/26/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-415 - 9/26/16

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>
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.

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/26/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-416 – 9/26/16

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.

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/26/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-417 - 9/26/16

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.

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/26/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-418 - 9/26/16

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.

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/26/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

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

WHEREAS, medical debt is a serious problem facing 43 million Americans, some of whom are Neptune Township residents, that often lead to credit card debt, loan defaults and home foreclosures; and for 1 in 3 Americans difficulty in paying medical bills; and

WHEREAS, surprise medical bills, high deductible insurance plans, large out-of-pocket costs and narrow insurance networks all contribute to medical debt; and

WHEREAS, New Jersey has some of the highest-cost hospitals in the country, and New Jersey employer-based health insurance premiums are the second highest in the United States; and

WHEREAS, the corporatization of health care and mergers among hospitals and health insurance companies are further increasing costs on consumers; and

WHEREAS, Neptune Township residents and patients are facing medical debt due to the billing practices and insufficient insurance coverage of hospitals, physicians and other health care related services; and

WHEREAS, health care providers and hospitals report this debt to credit agencies and often sell the debt to collection agencies; and

WHEREAS, the governing body of the Township of Neptune seeks reform against abusive medical billing practices and the predatory practices of debt collection agencies through State and Federal Legislation.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey hereby request our State and Federal Legislators initiate and support legislation that will address the challenge of present practices leading to medical debt; and

BE IT FURTHER RESOLVED, that the Township of Neptune will support and advocate for policies and laws that improve oversight of the health care industry, limit out-of-network billing practices and surprise billing by hospitals and health providers, and encourage our State and Federal Legislators to pursue legislation that addresses the need to reduce medical debt; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the New Jersey State Senator for the 11th District, Jennifer Beck; Assemblyman, Eric Houghtaling; Assemblywoman, Joann Downey; United States Senator Cory Booker; United States Senator Bob Menendez and Congressman Chris Smith.

RESOLUTION #16-420 - 9/26/16

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

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.

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/26/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-421 - 9/26/16

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

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.

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/26/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-422 – 9/26/16

AUTHORIZE THE PAYMENT OF BILLS

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.

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/26/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK