

TOWNSHIP COMMITTEE MEETING – DECEMBER 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:

The Committee discussed their goals and objectives for 2017. Mr. Lane cited the expansion of Code and Construction and to make the department more user friendly, expand Senior Center hours to attract more visitors, use Veterans Memorial Park for a service on Veterans Day, look at promoting more tourism outside of Ocean Grove, and look at the criteria for renaming Township parks in honor of someone.

Ms. Rizzo stated her goals as raise total assessed value in the Township at the same level that property taxes rise to reduce, or maintain, the mil rate in future years, make it convenient and easy to do business with the Township and provide the ability to pay fees via the internet, development of an economic plan to attract businesses and jobs which will increase home values, and reimagine the redevelopment of Midtown and Bradley Park.

Mr. Williams stated that he wants the Committee on the same agenda and communicate goals with administrative staff, get interested parties to look at the redevelopment zones block by block, more opportunities in recreation and looking at the idea of a community center, continue to look at hiring others to perform administrative tasks in the Police Department to allow more officers to be on the road, and look at the recommendations of the Ocean Grove Parking Task Force and take appropriate action.

Dr. Brantley stated that he has been giving tours of our redevelopment zones to interested parties. He stated a need to examine the redevelopment plans and change or tweak where necessary, make the Township more desirable to increase property values, make recreation an educational experience by collaborating with the Board of Education and Superintendent of Schools, improve customer relations and streamline processes in municipal government, and review and revise the economic development plan.

The Mayor thanked all for their input. He encouraged the Committee to look at each process in their respective departments, develop an implementation plan for improving processes, and set up methods to measure success. He expressed a desire to keep residents informed through things like the Report It application, partner with Bayshore Anglers to run a fishing trip for veterans, and initiate a team workshop with the Board of Education, Poseidon, and the Youth Cabinet to discuss education.

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:

Potential Litigation – Jumping Brook ballfields  
Contract negotiations – Property and casualty insurance  
Contract negotiations – Public Relations consultant  
Personnel – Recommendations for hiring of police officers  
Legal Opinion – Revocable License Agreement  
Contract negotiations – Shared Services Agreement with Neptune City for EMS.  
Contract negotiations – Bargaining unit/employment contracts.

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.

Members of the Committee met independently with candidates for police officer positions. There will be seven individuals considered for hire at the December 22<sup>nd</sup> meeting.

Mr. Anthony discussed a request from a resident (Greco) to expand an existing Revocable License Agreement to include a pool that is partially in a Township owned detention basin on the property. In the past, license agreements have not been approved for permanent structures. The Committee indicated that they would not be willing to approve an expansion of the existing agreement.

Mr. Bascom stated that Neptune City is interested in continuing the Shared Services Agreement for EMS. The agreement does not require additional staff by the Township and results in \$3,000 to \$5,000 in revenue per month. A resolution will to approve will be on the December 22<sup>nd</sup> meeting.

The Committee indicated a desire to table introduction of Ordinance No. 16-45 citing the need to allow for more discussion on the changes to the Historic Preservation Guidelines.

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; and Gene Anthony, Township Attorney.

After a moment of Silent Prayer and the Flag Salute, the Mayor asked the Clerk to indicate the fire exits.

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

Mayor McMillan announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press and The Coaster on January 7, 2016, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at [www.neptunetownship.org](http://www.neptunetownship.org).

#### APPROVAL OF MINUTES

Ms. Rizzo offered a motion, seconded by Mr. Williams, to approve the minutes of the meeting held on November 28th. All were in favor.

#### RECOGNITION OF RETIRING TOWNSHIP EMPLOYEE

The Mayor and Committee recognized Wayne Rode who retired as Director of the Public Works Department after 34 years of service.

## COMMENTS FROM THE DAIS

Mr. Lane stated that he attended a retirement party for Wayne Rode. He expressed thanks to Mr. Rode for his years of services and added that he has a passion for Neptune. Mr. Lane attended the Jewels & Jeans fund raise, the Donuts with Santa event where Capt. Larry Fisher played Santa Claus, the 26<sup>th</sup> annual Ocean Grove Citizens Patrol dinner, the Indian Motorcycle opening on Route 33 and the Ocean Grove nativity and tree lighting where you could feel the true Christmas spirit.

Ms. Rizzo helped to open the new Remax office in Ocean Grove. She announced that World Changers will be coming back with 200 volunteers the week of July 10-15. Residents interested in signing up for home repairs should contact Monique Burger. She thanked Mr. Gadaleta for securing the streetlights for West Lake Avenue that are the same as those installed on Springwood Avenue in Asbury Park. She mourned the passing of Mauro Bacolo who was an Ocean Grove regular and a wonderful person.

Mr. Williams attended a Black History Committee meeting and an event is planned for February. He attended the final Parking Task Force meeting and recommendations will be forthcoming to the Traffic Consultant. The Committee will then review the information. He thanked Joyce Klein for her work as both Chair and Secretary of the Task Force. He extended congratulations to Wayne Rode on his retirement. He attended the Shark River Hills tree lighting sponsored by the Property Owners Association, the Recreation Department Christmas Party, the Ocean Grove Citizens Patrol Christmas Party, and a Ministerial Alliance roundtable with the Police Department. The roundtable was run by Reverend Lee to discuss issues in Neptune and Asbury Park.

Dr. Brantley stated that he was out of the country for a time since the last meeting. He did give a tour of our redevelopment zones to development professional and is looking forward getting redevelopment initiatives started.

The Mayor stated that he sat in on the Parking Task Force Meeting. He went to several dinners and has performed 54 wedding so far this year.

## MAYOR'S YOUTH CABINET

Amanda Pringle, member of the Mayor's Youth Cabinet, addressed the Township Committee. She stated that a friend was struck by a car in front of the High School. There has been accidents in the past. She requested that a crossing guard be placed during the school day to assist students with crossing. Mr. Williams stated that he was a crossing guard and that some cars do not stop. Ms. Pringle was asked to provide a specific time range for the crossing guard and the Committee will then take the appropriate action.

## PUBLIC COMMENTS ON RESOLUTIONS

Dorothy Argyros, 2100 Rutherford Avenue, stated that in reference to the resolution to place liens on property that Bill Doolittle spends his time putting liens on property for minor things like tall grass and it is not right. In regards to the Joint Purchasing Agreement for police items, the need is for more training in defusing situations, not more militarization and target practice. Finally, the resolution to approve collective bargaining contracts, the amount of the raise should be included in the resolution.

Michael Fornino, 120 Fulham Place, asked if the resolution to award the West Lake Avenue streetscape includes removing the gully that runs down the middle of the road. Mr. Gadaleta stated that the roadway will be paved in next Spring. He asked if any member of the Township Committee attended the bargaining unit contract negotiations. He stated that when he was on the Board of Education, he sat in on all negotiations and it is not right that employees are negotiating the contracts. Mr. Williams stated that the Township Committee has the final say in the approval on contracts.

Diana Harris, thanked the Committee for the streetlights on West Lake Avenue that will match the lights installed on the Asbury Park portion of the street. She asked if the streetscape bid award includes everything. Mr. Gadaleta stated that everything that was in the specifications is able to be awarded and it will start in the Spring of 2017.

## ORDINANCE NO. 16-40 - ADOPTED

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

adopted:

ORDINANCE NO. 16-40

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XII, OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY AMENDING SECTION 12-5.2, ENTITLED, "DEFINITIONS RELATIVE TO ABANDONED PROPERTY, ACTIONS CONCERNING REPAIR, CLOSING OR DEMOLITION, AND RELATING TO THIS ORDINANCE" AND SECTION 12-5.8, ENTITLED, "REQUIREMENTS OF OWNERS AND IN SOME CASES LIENHOLDERS OF VACANT PROPERTY" AND SECTION 12-5.9, ENTITLED, "ADMINISTRATION AND SECTION 12-5.12, ENTITLED, "EFFECT ON UNIFORM CONSTRUCTION CODE"

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

Kathy Arlt, Ocean Grove Homeowners Association, stated she didn't have any problems with the amendments and that there were only a couple of points that she wanted to make. She stated Mrs. Argyros stated that the vacant and abandoned property ordinance has been declared unconstitutional. She pointed out that the only bodies that can declare laws or ordinances unconstitutional are federal courts and not municipal court judges. She stated second of all she wanted to point out to the Township Committee that during the year and a half, two years that Ken Buckley and she advocated for the vacant and abandoned ordinance with registration fees. The Neptune Township Committee held many workshop sessions regarding that ordinance and Mr. Doolittle came to at least one of them and possibly more.

Dorothy Argyros, 2100 Rutherford Avenue, stated that a Judge declared this ordinance overly broad and unconstitutional. She does not know how the Township can declare a property abandoned and this is another attempt to milk people for huge penalties.

Mr. Anthony stated he had a couple of comments on the ordinance. He stated he did not prosecute the case in Superior Court but he had the written decision of the Judge and he never held that the ordinance was unconstitutional. He told Mrs. Argyros that he was disappointed in her because she was a former attorney. He stated there was never an unconstitutional decision and what he said was that certain areas needed to be tightened up and that is what they were doing today.

Hank Coakley, Valley Road, asked if the Township systematically go down each street in the Township to determine abandoned and vacant properties. The Mayor stated that much of the information comes from neighbors contacting the Code Department. Mr. Gadaleta stated that we do not have people riding up and down the streets to enforce this particular ordinance, the Police and Public Works Departments traverse each street almost every day.

Nancy Clarke, 47 Embury Avenue, stated that she is in the favor of the ordinance. This ordinance and the placement of liens has helped to maintain the quality of life in the Township.

There being 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. 16-41 - ADOPTED

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

ORDINANCE NO. 16-41

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-7.3 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY AMENDING THE SNOW EMERGENCY SIDE OF CERTAIN STREETS

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. 16-43 - ADOPTED

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

ORDINANCE NO. 16-43

AN ORDINANCE TO AMEND VOLUME I, CHAPTER IV, SECTION 4-30.4 OF THE CODE OF THE TOWNSHIP OF NEPTUNE CREATING RENT CONTROL, PROTECTIVE TENANCY AND RENT LEVELING BOARD

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. 16-44 - ADOPTED

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

ORDINANCE NO. 16-44

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING RESIDENT HANDICAPPED ON-STREET PARKING ZONES ON PITMAN AVENUE AND 7<sup>TH</sup> AVENUE

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

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

ORDINANCE NO. 16-45 - TABLED

Mr. Williams offered a motion, moved and seconded by Ms. Rizzo, to table Ordinance No. 16-45:

ORDINANCE NO. 16-45

AN ORDINANCE AMENDING AND SUPPLEMENTING THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY AMENDING SECTION 508, ENTITLED, "HISTORIC PRESERVATION DESIGN GUIDELINES"

All were in favor.

ORDINANCE NO. 16-46- APPROVED

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

ORDINANCE NO. 16-46

AN ORDINANCE CREATING AND SETTING THE SALARY RANGE FOR NEW JOB TITLES AND AMENDING THE SALARY RANGES FOR ALL OTHER EXISTING JOB TITLES OF THE TOWNSHIP OF NEPTUNE AND REPEALING ALL PARTS OF PREVIOUS ORDINANCES INCONSISTENT HEREWITH

The ordinance was approved on the following vote: Brantley, aye; Lane, aye; Rizzo, aye;

Williams, aye; and McMillan, aye.

ORDINANCE NO. 16-47- APPROVED

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

ORDINANCE NO. 16-47

AN ORDINANCE AMENDING AND SUPPLEMENTING THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY AMENDING SECTION 1010, ENTITLED, "PLOT PLANS AND AS-BUILT SURVEY" AND SECTION 1012, ENTITLED, "ZONING PERMITS"

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

ORDINANCE NO. 16-48- APPROVED

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

ORDINANCE NO. 16-48

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY RECONFIGURING THE STOP INTERSECTION AT NORTH RIVERSIDE DRIVE AND WESTWOOD PLACE

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 16-46, 16-47, and 16-48 will be held on Thursday, December 22nd.

CONSENT AGENDA

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

ACCEPT THE RESIGNATION OF JAMIE LEE WALKLEY AS A PART-TIME PUBLIC SAFETY OFFICER

WHEREAS, the Township Committee has received a letter from Jamie Lee Walkley resigning as a part-time Public Safety Officer in the EMS Department effective December 14, 2016,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Jamie Lee Walkley as a part-time Public Safety Officer in the EMS Department is hereby accepted effective December 14, 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 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,

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
712/1	510 Fisher Place	245.00
3903/12	3501 Route 66	1,486.00

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 THE EXECUTION OF A SUBORDINATION AGREEMENT IN CONNECTION WITH A UDAG MORTGAGE GRANTED TO NEW YORK CONCOURSE, LLC

WHEREAS, the Township of Neptune holds a mortgage dated February 28, 2013 in the amount of \$100,000.00 in connection with an UDAG loan granted to New York Concourse, LLC for the property at 1401 Highway 35, also known as the Headliner; and,

WHEREAS, New York Concourse, LLC has requested that the Township of Neptune subordinate its mortgage in order that New York Concourse, LLC may secure an additional mortgage on the premise; and;

WHEREAS, the Township desires to subordinate its mortgage to allow the business owner to secure additional capital,

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 Subordination Agreement in connection with the UDAG mortgage issued to New York Concourse, LLC as further described herein; and,

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

AUTHORIZE THE TOWNSHIP OF NEPTUNE TO ENTER INTO A JOINT PURCHASING AGREEMENT

WHEREAS *N.J.S.A. 40A:11-11(10)* authorizes contracting units to establish a Joint Purchasing System and to enter into a Joint Purchasing Agreement for its administration; and

WHEREAS the Borough of Neptune City, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Joint Purchasing System for the provision and performance of goods and services; and

WHEREAS, on October 15, 2013 the governing body of the Borough of Neptune City, County of Monmouth, State of New Jersey duly considered participation in a Joint Purchasing System for the provision and performance of goods for Police Department Equipment for Training Purposes, including but not limited to simunations Equipment; and,

WHEREAS, the following towns have agreed to participate in said Joint Purchasing System: Borough of Neptune City and the Borough of Bradley Beach, the Borough of Avon by the Sea, the City of Asbury Park, the Borough of Belmar, the Borough of Spring Lake, the Borough of Spring Lake Heights, the Borough of Sea Girt, the Borough of Manasquan, the Borough of Brielle, the Township of Neptune, and the Township of Wall,

NOW, THEREFORE BE IT RESOLVED, by the Township of Neptune, County of Monmouth, as follows:

**TITLE** - This Resolution shall be known and may be cited as the Joint Purchasing Resolution of the Township of Neptune.

**AUTHORITY** - Pursuant to the provisions of *N.J.S.A. 40A:11-10* the Mayor is hereby authorized to enter into a Joint Purchasing Agreement with the Lead Agency.

**CONTRACTING UNIT** - The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (*N.J.S.A. 40A:11-1 et seq.*) and all other provisions of the revised statutes of the State of New Jersey.

**EFFECTIVE DATE** - This resolution shall take effect immediately upon passage.

**RESCIND BID AWARD AND REJECT ALL BIDS FOR SUNSHINE VILLAGE PARK IMPROVEMENTS**

WHEREAS, on October 24, 2016, the Township Committee adopted Resolution #16-455 which awarded a contract to All Surface Asphalt Paving for Sunshine Village Park Improvements; and,

WHEREAS, subsequent to the bid award, the low bidder notified the Township Engineer that they misinterpreted the bid specifications and pricing was submitted for incorrect materials; and,

WHEREAS, the next two lowest bidders also notified the Township Engineer that their bids contained the same error; and,

WHEREAS, All Surface Asphalt Paving and the next two lowest bidders have requested that their bids be rejected,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Resolution #16-455, which awarded a contract to All Surface Asphalt Paving, Inc. for Sunshine Village Park Improvements, be and is hereby rescinded due to misinterpretation of the bid specifications; and,

BE IT FURTHER RESOLVED, that all bids received on October 21, 2016 for the project be and are hereby rejected due to misinterpretation of the bid specifications and the Township Engineer is authorized to rebid the project; and,

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

**EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF SCHOOL CROSSING GUARD**

WHEREAS, there is a need for additional School Crossing Guards for the 2016-2017 school year; and,

WHEREAS, the position was posted and applicants interviewed, and the Chief of Police and Business Administrator have made their recommendations; and,

WHEREAS, funds for this purpose are available 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 FURTHER RESOLVED, that the Township Committee of the Township of Neptune hereby extends a conditional offer of employment to Derrick Coleman to serve as a School Crossing Guard for the 2016-2017 school year contingent upon favorable results of required pre-employment screening and background check, at an hourly rate of \$14.33; 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.

**AUTHORIZE THE TRANSFER OF 2016 BUDGET APPROPRIATIONS**

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of current year appropriations during the last two months of the fiscal year; and,

WHEREAS, the Chief Financial Officer has recommended that the following appropriation transfers be authorized,

**FROM:**



Group Insurance	3,200.00
Telephone	5,500.00
Natural Gas	40,000.00
Gasoline	175,000.00
Bond Interest	20,000.00
Roads S&W	80,000.00
Health S&W	12,500.00

TO:

Legal O.E.	220,000.00
HPC O.E.	3,000.00
Environmental/Shade Tree O.E.	700.00
Bond Principal	20,000.00
Construction S&W	50,000.00
Senior Center S&W	35,000.00
Court S&W	7,500.00

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, that 2016 Budget Appropriations be transferred as stated herein; and,

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

AWARD BID FOR WEST LAKE AVENUE STREETScape IMPROVEMENTS – PHASE II

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

WHEREAS, on November 22, 2016, the Township Engineer received bids for the award of a contract for West Lake Avenue Streetscape Improvements – Phase II; and,

WHEREAS, said bids were reviewed by the Township Engineer and Consulting Engineer who have recommended that the bid be awarded to the lowest bid submitted by S. Batata 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 Ordinance No. 15-03 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 S. Batata Construction on their lowest responsible bid of \$608,525.00 for the base bid plus Addition Items A, B & C for West Lake Avenue Streetscape Improvements – Phase II; and,

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

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

RECLASSIFY EMPLOYEE TO THE POSITION OF DIRECTOR OF PUBLIC WORKS AND DESIGNATE APPLICABLE STIPEND POSITIONS TO EMPLOYEES CURRENTLY IN THE DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, due to the retirement of Wayne Rode, there is a vacancy in the position of Director of Public Works as of January 1, 2017; and,

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

WHEREAS, the Business Administrator has made a recommendation to reclassify the Assistant Director of Public Works to the position of Director of Public Works and reclassify existing Public Works employees to the stipend positions of Assistant Director of Public Works; Primary Sewer Operator; Secondary Sewer Operator; and Recycling Coordinator; and,

WHEREAS, funds for this purpose will be provided for the first three months of 2017 in the 2017 Temporary Budget and funds for the balance of 2017 will be provided in the Budget for the year 2017, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Mark Balzarano be and is hereby reclassified to the position of Director of Public Works effective January 1, 2017 at an annual salary of \$116,000.00 (includes Secondary Sewer Operator stipend); and,

BE IT FURTHER RESOLVED, that the following stipend positions are designated to the employee indicated effective January 1, 2017 at an annual salary as established by Resolution of the Township Committee for all stipend positions:

Assistant Director of Public Works – John Fritz  
Assistant Director of Public Works – George Reid  
Primary Sewer Operator – Justin Persico  
Secondary Sewer Operator – Mark Balzarano  
Recycling Coordinator – John Fritz

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

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

AUTHORIZE THE EXECUTION OF SUCCESSOR COLLECTIVE BARGAINING AGREEMENTS FOR TOWNSHIP BARGAINING UNITS

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

WHEREAS, the Collective Bargaining Agreements between the Township of Neptune and F.O.P. Local #19, P.B.A. Local #74, AFSCME Local #1844 and AFSCME Local #2792 will expire on December 31, 2016; and,

WHEREAS, representatives from each local bargaining unit and the Township of Neptune engaged in negotiations to develop a Successor Collective Bargaining Agreement; and,

WHEREAS, settlement agreements have been reached with all four bargaining units and a Memorandum of Agreement has been endorsed by each respective bargaining unit,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of Successor Collective Bargaining Agreements, copies of which are on file with the Municipal Clerk, which details the terms and conditions of employment for the term January 1, 2017 through December 31, 2020 for the following bargaining units:

F.O.P. Local #19  
P.B.A. Local #74  
AFSCME Local #1844  
AFSCME Local #2792

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Human Resources Director and the President of each of the four bargaining units.

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

AUTHORIZE THE PAYMENT OF BILLS

Dr. Brantley offered the following resolution, moved and seconded by Mr. Lane, 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	\$1,739,305.29
GRANT FUND	32,827.29
TRUST FUND	35,471.70
GENERAL CAPITAL FUND	103,090.45
SEWER OPERATING FUND	1,143,236.34
MARINA OPERATING FUND	96,990.41
MARINA CAPITAL FUND	1,632.50
DOG TRUST	287.40
LIBRARY TRUST	1,320.69
BILL LIST TOTAL	\$3,154,162.07

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, stated he knew they tabled 16-45 but questioned who prepared the document as it states that it was prepared by the Historic Preservation Commission which he was a member of and he was not aware that it was prepared by them. He questioned who prepared it and why. He stated the HPC on a customer friendly basis lately and most people are happy with the HPC. He stated the increase in home values would be hard to achieve if the historic district designation were to be in danger. He stated the Township may underestimate the evaluation that the people pay and increase the Ocean Grove homes so that they can move into an historic district. He stated he had no idea on how you could increase the value of a home.

Randy Thompson questioned whether Ordinance #16-46 had anything to do with the recent death of Katie Lee Thomas and questioned what does this position intend to improve upon.

Mr. Gadaleta stated we currently have special law enforcement officers both one and two that have those job titles and responsibilities within those job titles as wells as some of our regular officers who are assigned to that function and so by creating this position independently it's going to take that responsibility away from our special law enforcement officers and allow them to be utilized in a more sensitive position out on the road.

Mr. Thompson stated he submitted a number of OPRA requests through the Neptune Township Police Department too get a view of the policing practice in Neptune Township. He stated he would like to have a discussion with them regarding it. He stated the response was not able to say who responded and the sex or race of the person. The officer told him that he would go back and revisit it. He stated Asbury Park uses the same system and they are able to separate that out. He felt it was important to know who was being arrested and who was being policed.

Mayor McMillan stated he spoke with a member of the Municipal Alliance and they were willing to meet with him.

George Krenkel, Krenkel's Liquor Store, stated the Township passed 16-22 a while back regarding ABC cards and he spoke to Chief Hunt, Mr. Bascom and Mr. Cuttrell. He stated there was a

problem involved with it because they have a high turnover with help and questioned how could he ask a new employee to pay the requested fees and to come to the Township when they don't have money when they walk in the door. He stated he was also present for other establishments that could not attend tonight. He requested a grace period from when the employees start before having to pay the fees. He also stated he did not like the fact that they could decide who could possibly work for him. He questioned who would pay for their unemployment Neptune Township or him if an employee had to be let go.

Daniel Beaman, 129 Clark Avenue, stated he knew they tabled the ordinance about the HPC. He stated he owned two homes in Ocean Grove and he understood the obstacles of dealing with the HPC. He urged them not to weaken the code.

Jen Shaffer, HPC member, stated she had expertise in issues surrounding preservation. She stated she was an architecture historian and she has a PHD from Columbia University and she taught at the University level for over 30 years. Over a decade ago she volunteered to become a member of the HPC. She spoke against the ordinance that was tabled. She urged them to fill out the CLG application.

Deborah Osepchuk, HPC Chairperson, reiterated the comments made by her colleague and provided information that she felt they were lacking. She requested that the first page that states who it was prepared by be removed from the cover page and be replaced with the names of those people responsible for this document, She stated Dr. Brantley stated he was not aware of all the changes that were taking place.

Dr. Brantley stated it was hard to see what was done and for him to see the old document and the new he could not tell what was changed.

Ms. Osepchuk stated she had a copy with all of the changes marked and she would be willing to give it to him a copy. She stated what she felt was in the guidelines could be dangerous.

Kathy Arlt, OG Homeowners Assn, stated she was following some excellent presentations and elaborated on what she talked about last week which was how she was reasonably sure that the Township Committee would not vote to submit a Certified Local Government application and nothing reinforces this more than the appearance of these guidelines.

Wayne T. Bell, 24 Seaview Avenue commended the Committee for publishing the document that Ms. Osepchuk was referring to by changing the color or underlining the changes because it would make it much easier. He stated he's watched the birth of the historic district and he was sort of amazed. He stated they had the responsibility to ensure that Ocean Grove remains a historic district.

Dorothy Argyros, 2100 Rutherford Avenue, stated the spirit if democracy is not dead in the United States. She stated thousands of Veterans led a march in solidarity with the residents of Standing Rock on November 20<sup>th</sup>. She also read an article about Kolin Kapernick and other athletes who protested by not saluting the American Flag. She stated this showed the lack of democracy in the United States and the Athletes are putting their lives on the line.

Barbara Burns, 4 Ocean Avenue, stated typically when you have a body that needs to amend their regulations you speak to that first. She stated it would be appropriate to speak with the body that is in charge of enforcing the guidelines and to hear the feedback they would get. She stated she would be interested in helping with the regulations.

Jack Bredin, 94 ½ Heck Avenue, stated the pollution in the streets, parking lots and lawns were all being washed into storm drains and then into the lakes and from their into the Atlantic Ocean. He discussed storm water run-off and the fact that they need to be decontaminated before going into the Ocean. He also stated the Committee had no idea how the lakes got changed because there were no resolutions.

Dianna Harris, MURC, stated in the recent weeks there's been a number of gun incidents that have occurred in the midtown community. She questioned what other actions were being taken to put an end to this because it greatly affects the redevelopment in that area. She also questioned whether the Police Department still had a gang task force.

Mr. Williams stated there has been a rash of shootings and they cannot say for sure that it is gang related. He stated there is retaliation going on back and forth. The police are out there and they are investigating and no body see's anything because no one wants to get involved. He stated they did not have a gang force per se but a quality of life team. He went on to state that they were looking at

a lot of different things and they've spoke to the Ministerial Alliance but there are some things he cannot talk about.

Ms. Harris requested an update on the cameras.

Mr. Williams stated they were pretty close to where they want them to go and they will be high definition.

Ms. Harris there was a sheriff sale of the office building on Rt 35.

Mr. Gadaleta stated they were aware but there are interest to purchase it.

Dr. Brantley our efforts will be targeted for quality of life and job training as far as redevelopment in that area. Our plan is to address crime in that manner.

Richard Williams, 1 Abbott Avenue commended everyone for lighting up the internet about what would be discussed this evening. He wanted to know what the Committees goals were because they were absolutely baffled by not acknowledging the CLG.

Ms. Rizzo stated she met with Ms. Clark and Ms. Osepchuk and they discussed this and she stated she wanted to know how the entire town could benefit from CLG and not just Ocean Grove.

Nancy Clarke, 47 Embury Avenue, thanked Ms. Rizzo for meeting with them and she appreciated her investigation. She thanked them for tabling the ordinance tonight and for doing further investigation. She stated a lot of people were working together to help everyone.

Dr. Brantley stated this was not tabled due into the internet being lit up.

Ms. Rizzo stated she wanted all sides to be heard.

Paster Lee, Ministerial Alliance, stated one day he wanted someone to explain to him the duties of the task force. He also mentioned that by creating a training center, businesses or places where people will be employed in the midtown area they should think out of the box that would help eliminate the crime. They need to think differently to interact with public servants.

Dr. Brantley stated they Police Department has really stepped up.

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

Richard J. Cuttrel,  
Municipal Clerk