

TOWNSHIP COMMITTEE MEETING – AUGUST 28, 2017

Mayor Brantley called the meeting to order at 6:00 p.m. and requested the Clerk to call the roll. The following members were present: Robert Lane, Jr., Nicholas Williams and Mayor Michael Brantley. Absent: Carol Rizzo. (Kevin B. McMillan arrived during the open session of the workshop meeting)

Also present at the dais were Richard J. Cuttrell, Municipal Clerk; Vito D. Gadaleta, Business Administrator; and Gene Anthony, Township Attorney.

Mayor Brantley 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 on January 5, 2017 and The Coaster on January 12, 2017, 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 reviewed a draft ordinance regulating the use of public parks and municipal facilities. Mr. Anthony stated that the ordinance amends existing language for the parks and adds language for facilities such as the Municipal Building, marina and library. The Township cannot allow for-profit groups or political groups to use municipal facilities. Mr. McMillan arrived. The draft ordinance addresses all of this criteria and provides requirements for filing applications for meeting rooms. The Committee has the ability to charge for the use of facilities. The Committee will discuss further and make a decision on fees. Mr. Anthony will provide fee schedules from other municipalities for review.

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

Mr. Lane 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:

Personnel – Appointment to Senior Citizens Advisory Board
Contract negotiations/Potential litigation – Fabio Court
Personnel – Recommendation for Driver vacancy

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

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

The Committee reviewed a recommendation for appointment to the Senior Citizen Advisory Board and for hiring to a vacant Driver position in Public Works. The Committee took action on both items by resolution during the regular business portion of the meeting.

The Committee returned to the Meeting Room for the regular portion of the meeting.

Mayor Brantley called the meeting to order and requested the Clerk to call the roll. The following members were present: Robert Lane, Jr., Kevin B. McMillan, Nicholas Williams and Mayor

Michael Brantley. Absent Carol Rizzo.

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 Brantley 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 on January 5, 2017 and The Coaster on January 12, 2017, 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.

Dawn Thompson, Recreation Director, was present along with members of the Neptune Township Sailing Team. The team presented the Mayor's Trophy for winning the annual regatta held on the Shark River. Cindy Nelson was also recognized for her sponsorship of the team.

APPROVAL OF MINUTES

Mr. Lane, offered a motion, seconded by Mr. Williams, to approve the minutes of the meeting held on August 14th. All were in favor.

COMMENTS FROM THE DAIS

Mr. McMillan stated that he attended the sailing regatta on Shark River on August 25th. It was great to see the comradery between the kids and various towns that participated.

Mr. Lane attended Ocean Grove Homeowners Association meeting sponsored by the Starving Artist. The Lions Club Night for Sight will be held on September 30th at Jumping Brook Country Club. The Club recently installed a new bench at Veterans Park. Ajee Wilson recently set the American record in the 800m run and finished second at the world championship in Monaco. There will be an event at Neptune High School on September 9th to rename the track in her honor.

Mr. Williams stated that he and Mr. Gadaleta are meeting with the sewer and housing authorities, fire districts and Board Education to discuss ideas on provide services more efficiently as part of the State's Best Practices Survey.

PUBLIC COMMENTS ON RESOLUTIONS

The Mayor requested public comments on resolutions on this agenda. There were no comments.

ORDINANCE NO. 17-33 - ADOPTED

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

ORDINANCE NO. 17-33

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING RESIDENT ONLY HANDICAPPED PARKING ZONES ON ABBOTT AVENUE AND MAIN AVENUE AND REMOVING A RESIDENT ONLY HANDICAPPED PARKING ZONE ON MT. TABOR WAY

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

ORDINANCE NO. 17-34 - ADOPTED

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

ORDINANCE NO. 17-34

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE TO ADD A PARKING TIME LIMITATION ZONE TO A PORTION OF SEVENTH 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: Lane, aye; McMillan, aye; Williams, aye; and Brantley, aye.

ORDINANCE NO. 17-35 - TABLED

Mr. Williams offered a motion, moved and seconded by Mr. Lane, that this Ordinance be tabled indefinitely.

ORDINANCE NO. 17-35

BOND ORDINANCE PROVIDING FOR THE SOUTH RIVERSIDE DRIVE FLOOD MITIGATION PROJECT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,200,000 THEREFOR (INCLUSIVE OF A \$835,529.25 FEMA GRANT) AND AUTHORIZING THE ISSUANCE OF \$346,245.75 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 17-36 - ADOPTED

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

ORDINANCE NO. 17-36

BOND ORDINANCE PROVIDING FOR ACQUISITION OF GREEN ACRES PROPERTY LOCATED ON SOUTH RIVERSIDE DRIVE, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,280,000 THEREFOR (INCLUDING \$960,000 NJDEP GREEN ACRES AND \$127,500 MONMOUTH CONSERVATION FUND GRANTS) AND AUTHORIZING THE ISSUANCE OF \$192,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

Dorothy Argyros, 2100 Rutherford asked why this property was being acquired. Mr. Gadaleta stated that it is last piece of vacant developable property along the Shark River. It has approval for nine homes in the flood zone. The Township is purchasing so it remains as open space.

Bill Burdge, 114 Durand Road, stated that it is ridiculous to use Green Acres for this property and the Township will be losing tax revenue. He stated that the Township cannot come to an agreement on a bulkhead and this another bailout for the Oliver Brothers. He asked the Committee to think about this further.

Kira Lang, 135 Clinton Place, stated that saving this property from development will be a benefit to everyone and is a great idea. The addition of plantings on the property will help alleviate flooding.

Denise Summer, 314 Prospect Avenue, stated that she is in favor of protecting the green canopy in Shark River Hills. Houses built in the flood zone require money to protect them. She is in favor of preserving Shark River Hills.

There being no further comments, the Mayor closed the public hearing.

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

ORDINANCE NO. 17-37 - ADOPTED

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

ORDINANCE NO. 17-37

AN ORDINANCE TO AMEND CHAPTER II OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF NEPTUNE, ARTICLE II, SECTION 2-10.1 ENTITLED, "POLICE DEPARTMENT," "DEPARTMENT ESTABLISHED"

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

Nancy Clarke, 47 Embury Avenue, stated that there are no specific qualifications for the third person on the Police Committee. She asked why not have qualifications and expectations that would enable the Committee to know if the expectations were met. She asked if the person will be paid. The Mayor stated that the Committee will pick someone who everyone will be proud of and who will be a good job. Compensation has not been discussed, but the goal is to not pay. Ms. Clarke asked how many hours will be required of this person to serve in this capacity. Mr. Anthony answered as much time as the Township Committee wants.

Dorothy Argyros, 2100 Rutherford Avenue, stated the Committee is clinging to the incestuous agreement between the Committee and the Police Department. The Township is paying billions in lawsuits. The Turner Report represents civilian review but the Township Committee will not release the report and does not want civilian review.

There being no further comments, the Mayor closed the public hearing.

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

ORDINANCE NO. 17-38 - APPROVED

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

ORDINANCE NO. 17-38

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7.7-4 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY DESIGNATING A NO STOPPING OR STANDING ZONE DURING CERTAIN HOURS ON A PORTION OF ELY ROAD

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

Mr. Cuttrell stated that the public hearing on Ordinance 17-38 will be held on Monday, September 11th.

CONSENT AGENDA

Mr. McMillan offered the following resolutions of the Consent Agenda, moved and seconded by Mr. Williams, that they be adopted:

CONFIRM THE RECEIPT OF THE ANNUAL REPORT OF AUDIT FOR THE TOWNSHIP OF NEPTUNE FOR THE YEAR 2016

WHEREAS, N.J.S.A 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and,

WHEREAS, the Annual Report of Audit for the year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and,

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations
Auditors' Opinions

and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations
Auditors' Opinions

as evidenced by the group affidavit form of the governing body; and,

WHEREAS, such resolution of certification shall be adopted by the Governing body no later than forty-five (45) days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and,

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S.52:27BB-52 - " A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune, hereby states that if it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

AUTHORIZE REVOCABLE LICENSE AGREEMENT WITH BRANDON J. NEER AND DANA M. NEER OF CONCOURSE WEST, NEPTUNE TOWNSHIP, BLOCK 5608, LOT 12 (FORMERLY BLOCK 558, LOT 25.11) AND BLOCK 5608, LOT 13 (FORMERLY BLOCK 558, LOT 4.13)

WHEREAS, Brandon J. Neer and Danae M. Neer, with property located at West Concourse, Neptune Township, New Jersey, and more specifically identified as Block 5608, Lot 12, (formerly Block 558, Lot 25.11) and Block 5608, Lot 13 (formerly Block 558, Lot 4.13), on the tax map of the Township of Neptune have requested a Revocable License Agreement be entered into between Neptune Township, and Brandon J. Neer and Danae M. Neer in Neptune Township concerning an encroachment upon a municipal right-of way; and

WHEREAS, Brandon J. Neer and Danae M. Neer are seeking a license to provide and to maintain a certain fence and planter encroachment presently on the municipal right-of-way, which the property owners intend to continue use of, subject to removal should the controlling authority have reasonable cause to believe that such encroachment needs to be removed from the aforesaid municipal right-of-way, and subject to a Revocable License Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee of the Township of Neptune hereby authorizes a Revocable License Agreement with Brandon J. Neer and Danae M. Neer , with property located at West Concourse, Neptune Township, New Jersey, and more specifically identified as Block 5608, Lot 12, (formerly Block 558, Lot 25.11) and Block 5608, Lot 13 (formerly Block 558, Lot 4.13), Neptune Township, New Jersey a true copy of such proposed Agreement is attached hereto as Exhibit "A," subject to the conditions of the Agreement and prior review of the Township Engineer and approval of this Agreement as a minor encroachment, with a one-time payment to the Township of Neptune of \$150.00 for preparation of the Revocable License Agreement for a minor encroachment, plus costs of recording of said Revocable License Agreement in the Clerk's Office of Monmouth County, paid to the Law Office of Gene J. Anthony, Esq., and subject to all other requirements in the aforesaid Revocable License Agreement.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute the Agreement, and return to the Township Attorney for recording.

PLACE LIEN ON 1706 OLDEN AVENUE

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>
807/6	1706 Olden Avenue	410.00

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

APPOINT SCHOOL CROSSING GUARDS FOR THE 2017-2018 SCHOOL YEAR

WHEREAS, there is a need for School Crossing Guards for the 2017-2018 school year; and,

WHEREAS, the Chief of Police and Human Resources Director have made their recommendation to rehire certain crossing guards that served during the 2016-2017 school year; and,

WHEREAS, funds for this purpose are available in the 2017 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 the following be and they are hereby reappointed as School Crossing Guards for the 2017-2018 school year and to perform such other duties as prescribed by the Chief of Police, at an hourly rate established by prior Resolution of the Township Committee:

Thomas Blewitt, Sr.	Jeffrey Brenan	Lisa Brown	Franklin Carson
Derrick Coleman	Ronald Coleman	Nancy Cole	Carmelo Gonzalez
Sandra Hanley	Josephine Hughes	Juanita Jones	Kathryn Kelly
Rosalee Lane	Rita Lee	Carol McDonald	Everett Mitchell
Chester Moreski	Pam Moreski	Loren Moses	Amelia Okpanachi
Robert Perkins	Roseann Rode	Caroline Vandervort	Felece Weedon
Avis Williams	Alfreda Wright		

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 Resource Director.

ACCEPT THE RESIGNATION OF THOMAS GRODESKA AS A DRIVER IN THE PUBLIC WORKS DEPARTMENT

WHEREAS, the Human Resources Director has received a letter from Thomas Grodeska resigning as a Driver in the Public Works Department effective August 18, 2017,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Thomas Grodeska as a Driver in the Public Works Department is hereby accepted effective August 18, 2017; and,

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

ACCEPT THE RESIGNATION OF DONNELL COLEMAN AS A DRIVER IN THE PUBLIC WORKS DEPARTMENT

WHEREAS, the Human Resources Director has received a letter from Donnell Coleman resigning as a Driver in the Public Works Department effective August 31, 2017,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Donnell Coleman as a Driver in the Public Works Department is hereby accepted effective August 31, 2017; and,

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

AUTHORIZE FIRST AND SECOND ADDENDUMS TO MUNICIPAL SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF NEPTUNE AND SEAVIEW AT SHARK RIVER ISLAND HOMEOWNERS ASSOCIATION, INC.

WHEREAS, N.J.S.A. 40:67-23.3 entitled "Municipality to Reimburse Private Community for Services or Provide Services" requires that a municipality reimburse a qualified private community or provide the services with regards to the removal of snow, ice and other obstructions from certain roads and streets; providing lighting or reimbursement for lighting of roads and streets to the extent of payment for electricity required only and provide garbage, recyclable pick-up and street sweeping or reimbursement thereof and other services as set forth by statute; and

WHEREAS, N.J.S.A. 40:67-23.1 entitled "Road, Street Services" provides for such services and/or reimbursement of streets and roads at the municipality's discretion in all cases; and

WHEREAS, The Seaview at Shark River Island Homeowners Association, Inc. and Neptune Township entered into a Municipal Service Agreement on July 21, 2017, approved by the Township Committee by Resolution 17-345 on August 14, 2017, and the parties now need a First Addendum to the aforesaid Agreement dealing with the removal and installation of new street lighting, which includes street lighting on property owned by Neptune Township within the Seaview Island Community, and a Second Addendum involving the cost of shoreline stabilization along the shore of the Seaview Island as it also affects Township Property owned and operated as a sewer pump station.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, Monmouth County, New Jersey, that the governing body hereby authorizes the First and Second Addendums to the original Municipal Service Agreement, true copies of which are on file in the Office of the Municipal Clerk, between the Township of Neptune and the Seaview at Shark River Island Homeowners Association, Inc., to provide for street light removal and replacement and shoreline stabilization, which defines the financial obligations of the parties and the Township in particular where Township property is involved; and

BE IT FURTHER RESOLVED that the governing body authorizes the Mayor and Clerk to execute the First and Second Addendums to the Municipal Service Agreement negotiated and completed by the municipal attorney, subject to final approval and execution by the Seaview at Shark River Island Homeowners Association, Inc., and forward the fully executed Addendums and Resolution to the municipal attorney upon execution by Neptune Township for recording purposes in the Clerk's Office of Monmouth County, and forwarding to the attorney for the Seaview at Shark River Island Homeowners Association, Inc.

AUTHORIZE PURCHASE OF TRASH AND RECYCLING RECEPTACLES FOR WEST LAKE AVENUE STREETScape

WHEREAS, the Township Engineer solicited quotes for the purchase of trash and recycling receptacles with lids and liners for the West Lake Avenue streetscape; and,

WHEREAS, the cost of said item is less than the bid threshold but exceeds \$17,500.00 and therefore must be awarded by Resolution of the governing body; and,

WHEREAS, said quotes were reviewed by the Township Engineer and the Purchasing Agent who have recommended that the low quote be accepted 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 the purchase of sixteen (16) trash receptacles and sixteen (16) recycling receptacles with accompanying liners and lids be and is hereby authorized through Marturano Recreation Co., Inc. pursuant to their quote of \$36,520.62; 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.

EMPLOY PART-TIME TEMPORARY WORKERS IN THE DEPARTMENT OF PUBLIC WORKS FOR LEAF COLLECTION

WHEREAS, the Township has a need to employ seasonal workers in the Department of Public Works for the collection of leaves; and,

WHEREAS, the Director of Public Works and Human Resources Director have forwarded their recommendations; and,

WHEREAS, funds for this purpose are available in the 2017 Municipal budget in the appropriation entitled Street & Road Maintenance 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 the following individuals be and are hereby employed as part-time temporary workers in the Department of Public Works for leaf collection, for the period from October 15, 2017 to December 15, 2017, for twenty-eight (28) hours per week, at a hourly salary of \$15.00 per hour with no health benefits:

Levar Wright
Doug Johnson
Thomas Jones

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 Director of Public Works.

APPOINT MEMBER TO THE SENIOR CITIZEN ADVISORY COUNCIL

WHEREAS, Evelyn Bedell has resigned as a member of the Senior Citizen Advisory Council,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby accepts the resignation of Evelyn Bedell as a member of the Senior Citizen Advisory Council effective immediately; and,

BE IF FURTHER RESOLVED, that Richard Kuchen be and is hereby appointed as a member of the Senior Citizen Advisory Council for the year 2017; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Senior Center Director.

AWARD FAÇADE IMPROVEMENT LOAN/GRANT TO THE RUSTY PEDAL, 1103B 6TH AVENUE

WHEREAS, the Façade Improvement Loan/Grant Program provides for rehabilitative assistance to Township of Neptune businesses to promote physical and economic revitalization of the business areas; and,

WHEREAS, on May 10, 2017, the Façade Review Committee approved an application filed by Steve & Fred Vorwerk d/b/a The Rusty Pedal, 1103B 6th Avenue, Neptune for a \$5,000 grant; and,

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

WHEREAS, funds will be provided from the U.D.A.G. Reciprocal Loan Account and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an award of a \$5,000.00 grant be and is hereby approved under the Façade Improvement Loan/Grant Program for the business known as The Rusty Pedal, 1103 6th Avenue, pursuant to the application approved by the Façade Review Committee on May 10, 2017; and,

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

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

AUTHORIZE CHANGE ORDER #3 (FINAL) IN CONNECTION WITH SOUTH CONCOURSE FLOOD MITIGATION PROJECT

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

WHEREAS, on August 29, 2016, a contract was awarded to Bird Construction in the amount of \$737,331.00 in connection with the South Concourse Flood Mitigation Project; and,

WHEREAS, on February 13, 2017, the Township Committee adopted Resolution #17-114 which authorized Change Order #1 resulting in a net increase in the contract amount of \$15,000.00; and,

WHEREAS, on June 12, 2017, the Township Committee adopted Resolution #17-274 which authorized Change Order #2 resulting in a net increase in the contract amount of \$26,782.33; and,

WHEREAS, a change to the contract is necessary as a result of additional pipe, additional scour hole, disposal of unsuitable material discovered during installation, and final as-built quantities; and,

WHEREAS, this change has been recommended and approved by the Township Engineer; and,

WHEREAS, funds for this purpose are available in Ordinance No. 07-40 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #3 (final) in the contract with Bird Construction in connection with the South Concourse Flood Mitigation Project resulting in a net increase of \$30,965.67 revising the total contract amount to \$810,079.00; and,

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

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

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, there is a vacancy in the position of Driver in the Public Works Department; and,

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

WHEREAS, the Human Resources Director and Business Administrator have made their recommendation; and,

WHEREAS, funds will be provided for the 2017 municipal budget in the appropriation entitled Solid Waste Collection 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 be and is hereby extended to Karl Oliveira for the position of Driver in the Department of Public Works, on a probationary basis for a period of not less than 90 days and not exceeding one year, contingent upon favorable results of the required pre-employment testing, effective September 5, 2017, at an annual salary of \$31,200.00; and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

Mr. Lane offered the following resolution, moved and seconded by Mr. McMillan, 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	\$6,226,239.25
GRANT FUND	23,771.50
TRUST FUND	32,345.39
GENERAL CAPITAL FUND	463,620.07
SEWER OPERATING FUND	57,419.84
MARINA OPERATING FUND	4,819.78
UDAG TRUST	22,509.62
LIBRARY TRUST	3,316.40
BILL LIST TOTAL	\$6,874,041.85

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Jim Chenitz, 632 South Riverside Drive, stated that the Committee has committed to a prudent approach to South Riverside Drive and the residents embrace this new approach. The treatment should never be worse than the problem. He read the following statement into the record:

As residents of Shark River Hills and Neptune Township, we are writing to thank you for your announced plan to request from FEMA a project modification that will allow us to first repair/reconstruct the storm water inlets and outfall pipes along with installation of tideflex valves. We fully support the decision to move in an incremental manner. It is clearly more appropriate to repair that which is in obvious need of repair before embarking on a much larger and, perhaps, unnecessary project. Your thoughtful consideration of and respectful attitude toward the concerns of township residents as well as your attention to the researched information we provided shows your dedication to serving our community.

We would request that, should you decide that further remediation is called for that a flood committee be formed that will record each event and the actions the event caused the township to implement. We propose that this committee include at least three Shark River Hills residents who are not part of the township governing body. These individuals will actively participate in the gathering of information related to any/all S. Riverside Dr. flood events. Documentation should include the date and time of the occurrence, the duration of time the water remains on the roadway, as well as the water depth at the sides and in the middle of the road. Additionally, photo and video documentation should be gathered.

Community members of this committee should also participate in all discussions about future plans related to matters that will impact the beach area and the ecology of the area. This type of open candor with the community will prove to be the best form of transparency and acknowledgement of the concern the Neptune citizens have for the future of the shoreline of Shark River Hills' greatest resource, the Shark River and its beach.

We again wish to impress upon you how grateful we are for your attention to our concerns and your willingness to approach this matter in a prudent and deliberate way. We are anxious to work with you to achieve the best for our neighbors, our neighborhood, the Shark River, and Neptune Township.

Ken Buckley, Broadway, stated the Township entered into an agreement with a homeowner and since then he's seen stop work orders and questioned what happened.

Mr. Gadaleta stated this matter has subsequent not only to his presentation but a meeting in the office has been directed by to our special municipal attorney Mr. Celli who is handling this. The matter will inevitable be going back to the court because this was a settlement agreement.

Ray Dodd, 422 Woodmere Avenue, thanked the Committee for listening and making the right decision. The stretch of along the river where the project was proposed is unique, untouched, has sand, and can be walked on. This area is an asset and preserving it is the highest priority.

Cindy Zipf, Clean Ocean Action, stated that she was a Neptune resident for 13 years. She commended the Township Committee for preserving this land. It is very important to implement a less evasive, less expensive alternative. She asked the Committee to continue reaching out to experts in the community.

Joyce Klein, 105 Mt. Hermon Way, stated that the tree limbs in Fireman's Park were taken care of by Public Works. In regards to parking in Ocean Grove, shuttles are helpful but the traffic expert dismissed the idea because people going to the beach have too much stuff to take a shuttle. People who visit say that that parking is not bad because they do not have to look 10 minutes to find a parking space all of the time.

Carol Sloat, 3 Sean Drive, stated that an ordinance was adopted regarding no parking in front of mailboxes. People from the Wells Brook apartments park in front of the mailboxes on Sean Drive and the mailmen will not deliver mail if the box is blocked. The Police Department is great at responding and ticketing but the problem continues. She requested painted curbing or a letter to the management of Wells Brook. Mr. Gadaleta and Lt. Zarro will address the issue.

Janice Moore, 128 Mt. Hermon Way, stated that the parking problem is becoming more and more difficult. Her area has become an extension of Bradley Beach and Asbury Park. She can't move her car on weekends, something must be done. Asbury Park is going to start charging for parking at the train station which will make the situation worse.

Courtney Atkins, Tremont Drive, thanked the Committee for tabling Ordinance 17-35 and presented the Mayor with a flower.

Resident of 93 ½ Mt. Hermon Way, stated she is a 14 year resident and it has become impossible to park or go grocery shopping. She asked the Committee to please do something.

Resident of 92 Main Avenue, stated she cannot go food shopping because she could not park near her home to drop off groceries.

Barbara Meyer, 66 Whitefield Avenue, stated permits are not a solution unless more parking space could be found. She asked if a parking garage could be considered.

Jack Bredin, 94 ½ Heck Avenue, discussed the functions of the Planning Board and how it relates to Ocean Grove.

Bill Burdge, 114 Durand Road, distributed pictures from the 1992 Nor'Easter. He stated that a bulkhead would have helped with the 1992 storm. He asked the Committee to listen to the experts and stop worrying about horseshoe crabs. He stated that at one time, there was a bulkhead around the entire river.

Sandra Sollee, Birdsall Road, Farmingdale, stated that she went to Ocean Grove on August 19th for a viewing at the Memorial Home. Cars were everywhere. There should be half hour parking and handicapped parking near the funeral home. She suggested using the parking lot at the Bradley Beach bowling alley or build a parking garage. Mr. Gadaleta stated that the construction cost for a parking garage is \$20,000 to \$25,000 per parking space.

Corliss Kneute, 54 Clark Avenue, stated she was in favor of parking permits. Permits on one side of the street would be helpful.

Stephanie Seyr, 611 South Riverside Drive, thanked the Committee for listening to the residents. She stated storm shelters set up in Texas for Hurricane Harvey are not accepting pets. If there is a disaster, some people will put themselves in harms way to save animals. The Township needs to consider this when a disaster happens again in our area.

Ray DeFaria, 12 New York Avenue, felt that parking permits would only create more division and a bureaucratic mess which will lead to even more expense. He stated he did not want the police to monitor parking permits but to actually fight more crime.

Theresa Checkey, 74 Mt. Tabor Way, stated the parking area is acute. She read that the Ocean Grove Camp Meeting Association is strongly opposed to parking permits. They need to be more creative. She asked the Committee to do something about the parking situation.

Althea Klein, 86 Mt. Zion Way, stated she has owned her home since 1975 and now lives here year round. In the last 2 ½ years, her quality of life has been adversely affected by the parking situation. She cannot get a parking spot on her street year round. Cars are being warehoused in the winter. She stated other counties have a thirty day maximum parking rule. Emergency vehicles cannot get through the streets.

Gerard Yosca, 15 Surf Avenue, stated that the parking has gotten bad in the last three years. The Township is not managing parking as well as possible. On Saturdays, people parked along the construction fence adjacent to the new homes on Beach Avenue. A little sensitivity is needed. Mr. Gadaleta and Lt. Zarro will follow-up with the Beach Avenue parking concern.

Diana Harris, 17 Willow Drive, requested an update on the redevelopment attorney and questioned what was happening with it. She also requested an update on the ordinance regarding the acquisition of property on West Lake Avenue. She stated at the last meeting she requested a sign be placed on West Lake Avenue. A sign was placed there but she stated she hoped it was a temporary sign. She stated she wanted a sign similar to the one at Volunteer Park in Shark River Hills.

Mr. Gadaleta stated the residents of Shark River Park paid for those signs and not the Township of Neptune. He also stated the governing body adopted a resolution at the last meeting appointing a redevelopment attorney. As far as the appraisals are concerned they are almost complete for the three parcels. They just found out there might be a fourth parcel and he may try and get approval for the fourth.

Ms. Harris discussed her interest in meeting with the redevelopment attorney so that she could express her goals and what she would like to see happen with West Lake Avenue. She also stated that she informed her members that they may have to buy the sign that's similar to the one in Shark River Hills. She requested information on how to purchase the sign.

Celestine Overby, Bingham Street, thanked the Committee for the speed limit sign; however, people continue to speed on Bingham Street and Bradford Avenue.

Ed Vargas, 108 Mt. Carmel Way, stating the parking situation gets worse and worse. People park in Ocean Grove and go to work in Asbury Park to avoid the parking meters in Asbury Park. The situation is intolerable.

Nancy Clarke, 47 Embury Avenue, thanked Mr. Gadaleta for getting back to her regarding 103 Franklin and stated she would like to stay informed. She stated two weeks ago they sent materials for a pre review to SHIPPO and it was her understanding that they have not heard anything back.

Mr. Gadaleta stated he did not have any updates on that and he would have to speak to Mr. Haney.

Ms. Clarke stated at this rate they will not be able to apply for funding in 2018 but assured the Committee that they would continue to move forward. She questioned where were they as far as the request for a historic architect.

Mr. Gadaleta stated that was still in the process.

Ms. Clarke stated at the last meeting threats were made that the Camp Meeting would sue if there were permit parking. She felt that they should not worry about it and suggested a pilot.

Joan Venezia, 107 Mt. Hermon Way, questioned whether the RFQ for an architect for the HPC was still in progress. She stated she would like to see them move forward with CLG. She stated on the weekend her husband puts his bike in the van because he knows he will not find a park. He then rides the bike from the parking spot to home. She complained about cars with out of state plates that have been parked in front of her home. She would like for them to enforce something that vehicles been moved frequently. She discussed street sweeping as well. She stated they are getting a lot of handicap parking spaces. She questioned whether there has been any progress on North End and discussed cleaning up the North End.

Mr. Anthony stated everything was basically the same since they last spoke.

Nancy Vandermere, 4 Ocean Avenue, questioned whether the Township still had a traffic supervisor and what was his responsibility while driving around in Ocean Grove because perhaps they would be a source of information as far as the parking in Ocean Grove. She also questioned what the traffic impact with the big trucks would be once the North End started construction.

Arlene Schirappa, 14 Tucker Drive, Neptune City, thanked Mr. Gadaleta and the Township Committee for reacting and responding to the residents. She is glad that Ordinance No. 17-35 was tabled. She asked when the project modification will be drafted and how long it will take for FEMA to approve. Mr. Gadaleta stated that if FEMA grants the modification, the Township will have to authorize funding. The timing for approval is hard to determine because FEMA will now be busy with Hurricane Harvey. Ms. Schirappa asked the Township to consult with the experts in our community. Mr. Gadaleta stated there will be further public input.

Phyliss Truhan, 92 Embury Avenue, thanked the Committee for listening on the parking situation. There were some new ideas put forth tonight. The situation is very complex and may take several years to solve.

Kira Lang, South Riverside Drive, stated that she is grateful that the Committee heard the residents regarding the flood mitigation project. She offered to take the Committee members kayaking along that area on the river.

Bill Schirappa, 14 Tucker Drive, Neptune City, thanked the Committee for considering things for the past couple of months. Everyone is trying to come up with a better solution. He thanked the residents and organizations for coming out for natural shore lines. He stated when applying for grants you must list resources by forging a team.

Dorothy Argyros, 2100 Rutherford Avenue, asked if Mike Bascom was paid for being the

Police Director. The Mayor responded that he was never paid for serving in that role. Ms. Argyros believes the Township is a moral risk and she will be requesting the name and address of our insurance carrier. \$20 million in taxpayer dollars was spent in Minneapolis over the last 5 years on matters involving the police. Taxpayers should not be liable for police who are found guilty.

Hank Coakley, Valley Road, stated tideflex valves work. The valve at the end of Hillcrest Drive should be fixed. He believes South Riverside Drive has only flooded about five times since he has lived here.

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

Richard J. Cuttrel,
Municipal Clerk