

TOWNSHIP COMMITTEE MEETING – JUNE 13, 2016

Mayor McMillan called the meeting to order at 5:00 p.m. and requested the Clerk to call the roll. The following members were present: J. Randy Bishop, Nicholas Williams and Mayor Kevin B. McMillan. Absent: Dr. Michael Brantley (Carol Rizzo arrived during the executive session)

Also present at the dais were Richard J. Cuttrell, Municipal Clerk and Vito D. Gadaleta, Business Administrator.

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, a revised notice published on April 28, 2016, posting the notices on the Board in the Municipal Complex, and filing a copy of said notices with the Municipal Clerk.

The following items were discussed in open session:

The Committee reviewed the Ocean Grove Homeowners Association parking Proposal. Mr. Williams stated that he attended the Association meeting at which the proposal was reviewed. He suggested the formation of a sub-Committee to review the proposal consisting of representatives from the Police Department, Engineering, Homeowners Association, Camp Meeting Association and Township Committee.

Mr. Bishop thanked the Association for their time in preparing the Proposal. He stated that the parking issues in Ocean Grove are not new, but have been exacerbated, and he has been involved in five other parking studies. He views the issue in two parts; short term things that can be done quickly, and longer term ideas that can be discussed with various agencies and groups. The Mayor stated that he wants to take everything into consideration and do what is best.

Mr. Bishop stated that there are commercial trucks parked in Ocean Grove that should not be there. He also suggested an ordinance to prohibit dumpster and storage bins on the roadway during weekends in the summer. He suggested revisiting the closing times for the footbridges to Asbury Park and considering DUI checkpoints on Friday and Saturday nights which will also address nuisance issues in areas near Wesley Lake. Mr. Williams stated that after the Association meeting, the police department removed commercial vehicles. He encouraged people to contact the police department with parking violations. Mr. Bishop asked that the Committee look at the closing the gates at 10pm or 11pm, and discuss this with the Camp Meeting Association. He asked Lt. Zarro to bring the DUI checkpoint idea back to the Command Staff. The permit parking idea needs to be reviewed with a wide number of people and the Township Attorney needs to be involved because there may be issues with who gets the permit in the instance of multiple people on a deed. He asked Mr. Cuttrell to prepare a resolution to create the Ocean Grove Parking Committee to study the proposal.

The Committee was reminded of the Special Meeting on the renewal of O'Brien Major VFW Post 2639 Club Liquor License will be held on Thursday, June 23rd at 2:00 p.m.

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

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

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exist,

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

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.

2. The general nature of the subject matter to be discussed is as follows:

Litigation – Court case regarding summons issued under the abandoned property ordinance
Legal matters - Municipal Court
Personnel – HPC 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: Bishop, aye; Williams, aye; and McMillan, aye.

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

Mr. Anthony stated that Superior Court heard a case involving a summons issued under the Vacant and Abandoned Property Ordinance. He stated that the Judge dismissed the municipal summons because the summons did not contain enough detail; therefore, there is no need to amend the ordinance.

Joseph Wierzbinsky was recommended for appointment to the Historic Preservation Commission and a resolution will be placed on the next regular meeting.

The Committee will be performing due diligence on proposed Developer for the remaining portion of the Schoolhouse Square project.

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: J. Randy Bishop, Carol Rizzo, Nicholas Williams and Mayor Kevin B. McMillan. Absent: Dr. Michael Brantley

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.

APPROVAL OF MINUTES

Mr. Bishop offered a motion, seconded by Ms. Rizzo, to approve the minutes of the meetings held on May 9th and May 23rd. All were in favor, except Mayor McMillan who abstained on May 23rd due to his absence at that meeting.

COMMENTS FROM THE DAIS

The Mayor suspended this portion of the meeting.

PUBLIC COMMENTS ON RESOLUTIONS

Hank Coakley, Valley Road, commented on Resolutions # 258, 259 & 257 questioned why the monies were all separate.

Mr. Cuttrell stated they were all separate applications for separate purposes but same funding source.

Mr. Coakley questioned what type of projects were they were for.

Mr. Gadaleta stated they were all Sandy planning grants.

Stephanie Seyr, South Riverside Drive, questioned whether it was true that the Township

would have to match their money for the grant.

Mr. Gadaleta stated this was not a matching grant program.

Ms. Seyr questioned what was the Community Resiliency Neighborhood Plan for Shark River Hills

Mr. Gadaleta stated these were planning grants for all types of mitigation and how we can make the community more resilient to future storms and that's what the funding is for.

Dorothy Argyros, 2100 Rutherford Avenue, questioned what would the Township be getting as mentioned in Resolution #16-275.

Mr. Gadaleta stated semi-annually our police officers have to qualify with the weapons that they have and we are purchasing the ammunition necessary for that qualification. He stated it regular weaponry.

Mrs. Argyros then questioned Resolution #16-277 which authorized a developers agreement. She questioned whether the Township was giving any benefits to the developer and was the developer promising anything to the Township.

Mr. Anthony stated anytime we have a developer going through the Planning Board process they have to sign an agreement which requires certain conditions and it is what they owe us not what we owe them.

Mrs. Argyros questioned whether the Township had any fall back or any provisions to enforce this.

Mr. Anthony stated absolutely there were provisions in the agreement for enforcement. They can deny permits.

ORDINANCE NO. 16-19 - ADOPTED

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

ORDINANCE NO. 16-19

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XIII, SECTION 13-1 OF THE CODE OF THE TOWNSHIP OF NEPTUNE TO AMEND THE PROVISIONS REGULATING THE EXCAVATION OF STREETS AND SIDEWALKS

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: Bishop, aye; Rizzo, aye; Williams, aye; and McMillan, aye.

ORDINANCE NO. 16-20 - TABLED

Mr. Bishop offered, moved and seconded by Mr. Williams, that the public hearing on the following ordinance, be tabled until June 27th.

ORDINANCE NO. 16-20

AN ORDINANCE TO AMEND SECTION 201 AND ZONING SCHEDULE B OF THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY DEFINING "EFFECTIVE LAND AREA" AND AMENDING THE MAXIMUM FLOOR AREA RATIO CALCULATION

All were in favor.

ORDINANCE NO. 16-21 - APPROVED

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

approved:

ORDINANCE NO. 16-21

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 BATH AVENUE AND BEACH AVENUE AND CONVERTING EXISTING HANDICAPPED PARKING ZONES TO RESIDENT HANDICAPPED ON-STREET PARKING ZONES ON ABBOTT AVENUE, MT. HERMON WAY AND BROADWAY

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

ORDINANCE NO. 16-22 - APPROVED

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

ORDINANCE NO. 16-22

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VI, OF THE CODE OF THE TOWNSHIP OF NEPTUNE TO ADD SECTION 6-8 CONCERNING EMPLOYEE REGULATION; IDENTIFICATION CARD REQUIREMENTS AND FEES FOR ESTABLISHMENTS HOLDING PLENARY RETAIL CONSUMPTION LICENSES, PLENARY RETAIL DISTRIBUTION LICENSES AND/OR CLUB LICENSES

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

Mr. Cuttrell stated that the public hearings on Ordinances 16-20, 16-21 and 16-22 will be held on Monday, June 27th.

CONSENT AGENDA

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

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>
516/17	1212 Corlies Avenue	676.00
5203/3	316 Woodmere Avenue	270.00

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

RESOLUTION OF CONCURRENCE TO THE NJ DEPARTMENT OF TRANSPORTATION IN SUPPORT OF SPEED LIMIT ZONES ON ROUTE NJ 33

WHEREAS, the New Jersey Department of Transportation has requested a Resolution of Concurrence from the Township Committee of the Township of Neptune in order to promulgate a Traffic Regulation Order along a portion of Route 33; and,

WHEREAS, the Bureau of Traffic Engineering has conducted an investigation and recommends the establishment of Speed Limit Zones along Route NJ 33; and,

WHEREAS, the recommendation includes a reduction in the speed limit between Wakefield Road (milepost 40.55) and Route NJ 35 (milepost 41.38) from 40 mph to 35 mph; and,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby concurs with the findings of the New Jersey Department of Transportation Bureau of Traffic Engineering to establish the following Speed Limit Zones along Route NJ 33:

Along Route NJ 33:

For both directions of traffic:

Zone 1: 50 MPH between the Tinton Falls Borough-Neptune Township corporate line and Roberts Road (approximate mileposts 37.79 to 37.85)

Zone 2: 40 MPH between Roberts Road and Jumping Brook Road (approximate mileposts 37.85 to 38.29)

Zone 3: 45 MPH between Jumping Brook Road and Maple Avenue (approximate mileposts 38.29 to 39.44)

Zone 4: 40 MPH between Maple Avenue and the westernmost Neptune Township-Neptune City corporate line (approximate mileposts 39.44 to 40.11)

Zone 5: 35 MPH between the easternmost Neptune Township-Neptune City corporate line (Wakefield Road) and the intersection of Route NJ 35 (approximate mileposts 40.55 to 41.38)

Zone 6: 30 MPH between the intersection of Route NJ 35 and the intersection of Route NJ 71 (approximate mileposts 41.38 to 42.03)

For the Westbound direction of traffic:

Zone 1: 40 MPH between the westernmost Neptune Township-Neptune City corporate line and the easternmost Neptune Township-Neptune City corporate line (Wakefield Road) (approximate mileposts 40.11 to 40.55)

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the NJDOT, Neptune Police Department Traffic Bureau, and the Township Engineer.

RESOLUTION OF CONCURRENCE TO THE NJ DEPARTMENT OF TRANSPORTATION IN SUPPORT OF A MID-BLOCK CROSSWALK ON ROUTE NJ 33 ADJACENT TO JERSEY SHORE UNIVERSITY MEDICAL CENTER

WHEREAS, the New Jersey Department of Transportation has requested a Resolution of Concurrence from the Township Committee of the Township of Neptune in order to promulgate a Traffic Regulation Order along a portion of Route 33; and,

WHEREAS, the Bureau of Traffic Engineering has conducted an investigation and recommends the installation of a Mid-Block Crosswalk on Route NJ 33 beginning at a point 426 east of the centerline of the "Entrance to Hospital" road and extending 6 feet easterly therefrom (at the westerly curblineline of the Ambulatory Care Center driveway); and,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby concurs with the findings of the New Jersey Department of Transportation Bureau of Traffic Engineering that a Mid-Block Crosswalk be installed on Route NJ 33 beginning at a point 426 east of the centerline of the "Entrance to Hospital" road and extending 6 feet easterly therefrom (at the

westerly curblineline of the Ambulatory Care Center driveway; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the NJDOT, Neptune Police Department Traffic Bureau, and the Township Engineer.

AUTHORIZE EMPLOYMENT OF ON-CALL PART-TIME ELECTRICAL INSPECTOR

WHEREAS, due to periodic instances of heavy work load and/or vacation time taken by full-time Construction Department staff, it is necessary to authorize on-call part-time licensed individuals to serve as a Building, Plumbing or Electrical Inspector to ensure uninterrupted processing of construction permits; and,

WHEREAS, the Construction Official recommends the employment of a licensed individual to serve as an Electrical Inspector; and,

WHEREAS, funds will be provided in the 2016 municipal budget in the appropriation entitled Uniform Construction Code 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 authorizes the employment of Shay N. Weimann as a part-time on-call Electrical Inspector in the Construction Department at an hourly rate of \$30.00; 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.

AUTHORIZE THE REFUND OF SUMMER DOCKAGE FEE AT THE MUNICIPAL MARINA

WHEREAS, Robert Terc made a payment in the amount of \$1,660.12 for 2016 summer dockage; and,

WHEREAS, Mr. Terc is unable to participate in boating activities due to unforeseen circumstances and has requested a refund; and,

WHEREAS, the Harbor Master has been able to rent the slip to another boater; therefore he recommends that a refund be authorized,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the Harbor Master be and hereby is authorized to refund the deposit for summer dockage in the amount of \$1,660.12 as stated herein; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Harbor Master, Deputy Tax Collector, Assistant Purchasing Agent and Auditor.

REJECT ALL BIDS FOR WEST LAKE AVENUE STREETScape IMPROVEMENTS – PHASE II

WHEREAS, on April 11, 2016, the Township Committee adopted Resolution 16-196 which rejected all bids received for West Lake Avenue Streetscape Improvements – Phase II; and,

WHEREAS, the project was rebid and on May 17, 2016, the Township Engineer received bids for the award of a contract for this project; and,

WHEREAS, said bids were reviewed by the Township Engineer who has recommended that all bids be rejected because they exceed the Engineer's cost estimate and the amount of authorized funds; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that all bids received on May 17, 2016 for West Lake Avenue Streetscape Improvements – Phase II be and are hereby rejected because all bids exceed the Engineer's cost estimate and the amount of authorized funds; and,

BE IT FURTHER RESOLVED, that the Township Engineer is hereby authorized to prepare revised specifications, include portions of the base bid as alternate bids, and advertise for the receipt of bids for this project; and,

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

APPOINT MEMBER TO THE SENIOR CITIZEN ADVISORY COUNCIL

BE IT RESOLVED, by the Township Committee of the Township of Neptune that Anne Alling be and is hereby appointed as a member of the Neptune Township Senior Citizen Advisory Council for the year 2016; and,

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

AUTHORIZE VERIZON WIRELESS TO JOINTLY UTILIZE EXISTING UTILITY POLES IN THE PUBLIC RIGHT-OF-WAY

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless, ("Verizon Wireless"), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

WHEREAS, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon Wireless may jointly use such poles erected within the public right-of-way in the Township of Neptune; and

WHEREAS, New Jersey law permits such joint use provided that there is the consent of the relevant municipality;

THEREFORE BE IT RESOLVED, by the Township Committee of the Township Of Neptune, County of Monmouth, State of New Jersey, as follows:

Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to jointly use poles erected by parties that have the lawful right to maintain poles within the public right-of-way in the Township of Neptune, subject to the following:

Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way.

Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State, and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by the Township of Neptune.

Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Township of Neptune, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy poles located within the public right-of-way, except to the extent resulting from the acts or omissions of the Township of Neptune.

Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. Verizon Wireless shall include the Township of Neptune as an additional insured.

Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.

Notwithstanding any provision contained herein, neither the Township of Neptune nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.

This instrument shall be adopted on behalf of the Township of Neptune by the Township Committee of the Township of Neptune and attested to by the Township of Neptune Clerk who shall affix the Township of Neptune Seal thereto.

The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is jointly using.

In accordance with local ordinance and N.J.S.A. 54:30A-124, authorization by the Township of Neptune is subject to payment of a fee in the amount of \$300.00 by Verizon Wireless to the Township of Neptune to cover the cost of legal review of this matter.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Verizon and the Township Engineer.

AUTHORIZE THE ENDORSEMENT OF THE TAX SALE CERTIFICATE AFFECTING BLOCK 467, LOT 35 (200 MELROSE AVENUE)

WHEREAS, all the taxes, costs and interest have been paid on the Tax Title Lien Certificate affecting the property listed below,

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 endorse for cancellation the Tax Title Lien Certificate affecting Block 467, Lot 35 (200 Melrose Avenue); and,

BE IT FURTHER RESOLVED, that a copy of this resolution and the endorsed Tax Sale Certificate be forwarded to the Tax Collector.

AUTHORIZE SETTLEMENT IN THE MATTER OF PARTNER ENGINEERING AND SCIENCE, INC. V. THE TOWNSHIP OF NEPTUNE, SUPERIOR COURT OF NEW JERSEY, MONMOUTH COUNTY, SPECIAL CIVIL PART, DOCKET NO. MON-DC-2042-16

WHEREAS, Plaintiff, as the firm acquiring the assets of Birdsall Services Group, filed a lawsuit in the Superior Court of New Jersey, Law Division, Special Civil Part, Monmouth County under Docket No. MON-DC-2042-16 on February 22, 2016, seeking payment of alleged past engineering services allegedly undertaken by Birdsall Services Group on behalf of Neptune Township; and,

WHEREAS, the parties have reached an amicable settlement by General Mutual Settlement and Release, in the amount of Three Thousand Thirty Eight Dollars and Eighty-eight Cents (\$3,038.88), which shall resolve all issues in this matter and terminate all claims,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the governing body hereby authorizes settlement in the above referenced matter and execution by the Mayor of a General Mutual Settlement and Release in the amount of Three Thousand Thirty Eight Dollars and Eighty-eight Cents (\$3,038.88) to Plaintiff, and Defendant, Neptune Township's Counterclaim shall be resolved by the release of all files undertaken originally by Birdsall Services Group on behalf of Neptune Township pursuant to statutory regulatory authority of the State of New Jersey.

BE IT FURTHER RESOLVED, that the Chief Financial Officer hereby certifies the availability of such funds not to exceed \$3,038.88, and has so certified in writing; and,

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

GRANT SOCIAL AFFAIR PERMITS TO ASBURY PARK/WALL ELKS LODGE #128

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Municipal Clerk and Chief of Police be and are hereby authorized to approve the applications of Asbury Park/Wall Elks Lodge #128 for two social affair permits at the Asbury Park/Wall Elks Lodge #128, 3409 West Bangs Avenue, on July 1, 2016 from 5:30 P.M. to 8:00 P.M. and August 23, 2016 from 6:00 P.M. to 10:00 P.M.

AUTHORIZE AN AMENDMENT TO THE 2016 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE NJ DEPARTMENT OF COMMUNITY AFFAIRS POST SANDY PLANNING ASSISTANCE GRANT PROGRAM – PREPARE ORDINANCES TO REDUCE FLOOD RISK

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2016 in the sum of \$14,500.00 which is now available from the New Jersey Department of Community Affairs – Post Sandy Planning Assistance Grant Program in the amount of \$14,500.00; and,

BE IT FURTHER RESOLVED that the like sum of \$14,500.00 is hereby appropriated under the caption of Post Sandy Planning Grant – Ordinance to Reduce Flood Risk; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from a NJDCA Post Sandy Planning Grant – Preparation of new and amended ordinances to reduce flood risk, in the amount of \$14,500.00; and,

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

AUTHORIZE AN AMENDMENT TO THE 2016 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE NJ DEPARTMENT OF COMMUNITY AFFAIRS POST SANDY PLANNING ASSISTANCE GRANT PROGRAM – COMMUNITY RESILIENCY NEIGHBORHOOD PLAN FOR SHARK RIVER HILLS

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2016 in the sum of \$45,000.00 which is now available from the New Jersey Department of Community Affairs – Post Sandy Planning Assistance Grant Program in the amount of \$45,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$45,000.00 is hereby appropriated under the caption of Post Sandy Planning Grant – Community Resiliency Neighborhood Plan for SRH; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from a NJDCA Post Sandy Planning Grant – Community Resiliency Neighborhood Plan for Shark River Hills, in the amount of \$45,000.00; and,

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

AUTHORIZE AN AMENDMENT TO THE 2016 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE NJ DEPARTMENT OF COMMUNITY AFFAIRS POST SANDY PLANNING ASSISTANCE GRANT PROGRAM – PARKS, RECREATION AND OPEN SPACE MASTER PLAN UPDATE

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2016 in the sum of \$25,000.00 which is now available from the New Jersey Department of Community Affairs – Post Sandy Planning Assistance Grant Program in the amount of \$25,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$25,000.00 is hereby appropriated under the caption of Post Sandy Planning Grant – Parks, Recreation and Open Space Master Plan

Update; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from a NJDCA Post Sandy Planning Grant – Update the Parks, Recreation and Open Space element of the Master Plan, in the amount of \$25,000.00; and,

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

AUTHORIZE AN AMENDMENT TO THE 2016 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE NJ DEPARTMENT OF COMMUNITY AFFAIRS POST SANDY PLANNING ASSISTANCE GRANT PROGRAM – COMMUNITY RESILIENCY NEIGHBORHOOD PLAN FOR NORTH ISLAND

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2016 in the sum of \$45,000.00 which is now available from the New Jersey Department of Community Affairs – Post Sandy Planning Assistance Grant Program in the amount of \$45,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$45,000.00 is hereby appropriated under the caption of Post Sandy Planning Grant – Community Resiliency Neighborhood Plan for Shark Island; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from a NJDCA Post Sandy Planning Grant – Community Resiliency Neighborhood Plan for the Shark Island area, in the amount of \$45,000.00; and,

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

AUTHORIZE AN AMENDMENT TO THE 2016 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE NJ DEPARTMENT OF COMMUNITY AFFAIRS POST SANDY PLANNING ASSISTANCE GRANT PROGRAM – ENVIRONMENTAL RESOURCES INVENTORY UPDATE

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2016 in the sum of \$20,000.00 which is now available from the New Jersey Department of Community Affairs – Post Sandy Planning Assistance Grant Program in the amount of \$20,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$20,000.00 is hereby appropriated under the caption of Post Sandy Planning Grant – Environmental Resources Inventory Update; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from a NJDCA Post Sandy Planning Grant – Update Environmental Resources Inventory, in the amount of \$20,000.00; and,

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

AUTHORIZE TEMPORARY STREET CLOSINGS IN CONNECTION WITH NATIONAL NIGHT OUT

WHEREAS, the National Night Out event will be held on Tuesday, August 2, 2016; and,

WHEREAS, the Police Department has recommended that certain streets be temporarily closed for the safety of the participants; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following streets shall be closed to vehicular traffic and designated as no parking on Tuesday, August 2, 2016 between the hours of 4:00 PM to 9:00 PM:

- 1) Atkins Avenue between Corlies Avenue and Embury Avenue.
- 2) Embury Avenue between Memorial Drive and Atkins Avenue.
- 3) Division Street between Pharo Street and Atkins Avenue.

BE IT FURTHER RESOLVED, that the Department of Public Works is hereby requested to supply the necessary barricades to close said streets; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Chief of Police, Director of Public Works, Fire Inspector and Business Administrator.

ACCEPT THE RESIGNATION OF CHRISTOPHER KAMPF AS A SPECIAL LAW ENFORCEMENT OFFICER

WHEREAS, the Township Committee has received a letter from Christopher Kampf resigning as a Special Law Enforcement Officer effective May 14, 2016,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Christopher Kampf as a Special Law Enforcement Officer – Class II is hereby accepted effective May 14, 2016; 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.

RENEW LIQUOR LICENSE HELD BY KRENKEL-LIQUORS, INC. T/A KRENKEL LIQUORS

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Plenary Distribution Consumption License known as 1334-44-009-005 be renewed to Krenkel-Liquors, Inc. t/a Krenkel Liquors, located at 700 Highway 35 for the 2016-2017 licensing year under the following conditions (continued from the prior licensing period):

- 1) There will be no ingress and egress for customers of the liquor store and the main food store within the building. The only ingress and egress of the liquor store will be from the outside of the building. Employees of Krenkel's may utilize a door, or common counter area only to be utilized by employees of Krenkel's, within the subject building for ingress and egress between the two businesses.
- 2) A surveillance camera will be installed on the outside of the building to monitor the package goods store. Alternatively, a camera installed on the inside of the store will suffice so long as it monitors the outside of the store.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control, Municipal Clerk and the License Holder.

AUTHORIZE THE RENEWAL OF LIQUOR LICENSES FOR THE 2016-2017 LICENSING YEAR

WHEREAS, the following liquor licensees have completed the on-line Alcoholic Beverage Control renewal application, paid the required state and local fees, and the State Division of Taxation has issued a New Jersey State Sales Tax Clearance Certificate,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses, and Club Licenses in the Township of Neptune be and are hereby renewed for the period July 1, 2016 to June 30, 2017:

PLENARY RETAIL CONSUMPTION LICENSES

<u>STATE NUMBER</u>	<u>NAME</u>	<u>ADDRESS</u>
1334-32-002-005	ROS Associates, LLC	In-pocket
1334-33-004-005	Ruby Tuesday, Inc. t/a Ruby Tuesday	3595 Route 66
1334-33-007-004	Garden Bar Liquors t/a Sprengel's Sports Bar	2447 Route 33
1334-33-008-018	Scoram, LLC t/a Yvonne's	1311 Route 35
1334-33-010-007	Jumping Brook Spirits, Inc. t/a Jumping Brook Spirits	3701 Route 33
1334-33-011-003	35 Brew Inc., t/a Headliner	1401 Route 35
1334-33-012-015	East Coast Cookery, LLC	3548 Route 66
1334-33-013-004	Mom's Kitchen, Inc. t/a Mom's Kitchen	1129 5th Avenue
1334-32-014-011	Saker Shop-Rites, Inc, t/a ShopRite Liquors and Wines of Neptune	2200 Route 66
1334-33-018-013	Clones, LLC t/a "Clancy's"	25 South Main Street
1334-33-019-006	BHTT, Inc. t/a Brickhouse Tavern	3655 Route 66
1334-33-021-005	Ayles Corp., t/a "Shore Lanes"	701 Route 35
1334-33-023-009	Neptune Ale House, LLC t/a MJ's	3295 Route 66
1334-33-024-004	Foxybella, LLC t/a/ The Grand Tavern	1105 6 th Avenue
1334-33-026-007	Matrix/Jumping Brook, LLC t/a Jumping Brook Golf & Country Club	210 Jumping Brook Rd
1334-36-037-001	MCRS Neptune Tenant, LLC t/a Residence Inn	230 Jumping Brook Rd
1334-36-038-001	Longwood Hospitality, LLC t/a Hampton Inn & Suites	4 McNamara Way

PLENARY RETAIL DISTRIBUTION LICENSES

1334-44-001-004	Karan NJ Inc. t/a "Rick's Wines & Liquors Store"	2832 West Bangs Ave
1334-44-006-005	Jai Durga Ma, Inc. t/a Guy's Package Store	1417 Corlies Avenue
1334-44-015-003	Prit & Prisha, Inc. t/a Discount Liquor Warehouse	1611 Asbury Avenue

CLUB LICENSES

1334-31-027-001	Frederick Dempsey Post No. 266 American Legion	240 Drummond Avenue
1334-31-029-003	Shark River Beach & Yacht Club, Inc.	360 So. Riverside Drive
1334-31-032-001	Neptune Township American Legion Post #346	21 Gully Road
1334-31-035-001	Lodge 128 BPOE of the USA, Inc.	3409 West Bangs Ave.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed electronically with the Division of Alcoholic Beverage Control and in the file of each Licensee in the Office of the Municipal Clerk.

AUTHORIZE AN AMENDMENT TO THE 2016 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE MUNICIPAL COURT ALCOHOL EDUCATION, REHABILITATION AND ENFORCEMENT PROGRAM

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2016 in the sum of \$7,614.36 which is now available from the Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund in the amount of \$7,614.36; and,

BE IT FURTHER RESOLVED that the like sum of \$7,614.36 is hereby appropriated under the caption of Alcohol Education, Rehabilitation and Enforcement Fund; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Courts Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund in the amount of \$7,614.36; and,

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

AUTHORIZE THE PURCHASE OF FIREARMS AND AMMUNITION THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Chief of Police has recommended the purchase of firearms and ammunition through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

WHEREAS, Eagle Point Gun Shop has been awarded New Jersey State Contract No. 82196 for this equipment; and,

WHEREAS, the Chief Financial Officer recommends the utilization of this contract on the grounds that the price reflects a substantial savings; and,

WHEREAS, the cost of the equipment shall not exceed \$20,000.00; and,

WHEREAS, funds for this purpose are available in the 2016 municipal budget in the appropriation entitled Police O.E. 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 firearms and ammunition through New Jersey Cooperative Purchasing Program Contract No. 82196 be and is hereby authorized at an amount not to exceed \$20,000.00; and,

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

AUTHORIZE THE SUBMISSION OF A 2016 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE LOCAL PROGRAM GRANT APPLICATION

WHEREAS, the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance has posted the availability of grant funds for the Edward Byrne Memorial Justice Assistance Local Grant Program FY 2016, which provides a no match funding source to local units of government for law enforcement and justice initiative purposes. The aggregate of the available funds for the eligible Monmouth County Communities is \$54,233.00 and Neptune Township along with Asbury Park and Long Branch are eligible to share in this funding; and,

WHEREAS, the Police Departments from each of the communities desires to apply for this program for the purpose of purchasing Communication Equipment, Information Technology, Surveillance and Security technology along with the eligible related training and supplies to advance the public safety and the efficiency of the Police Departments,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that, the Mayor or his designee, the Chief Financial Officer and the Chief of Police, be and are hereby authorized to submit a 2016 Edward Byrne Memorial Justice Assistance Local Assistance Grant Program application to participate in the sharing of the aggregate of the Monmouth County funding and the Chief Of Police be and is hereby authorized to enter into an agreement in the form of a Memorandum of Understanding with Monmouth County, Asbury Park and Long Branch to administer this grant; and,

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

AUTHORIZE DEVELOPER'S AGREEMENT WITH 11 EDGE, LLC, BLOCK 201, LOT 1.01 TO BECOME UPON SUBDIVISION BLOCK 201, LOTS 1.02; 1.03; 1.04 AND 1.05 (SINGLE FAMILY DWELLINGS - LAWRENCE AVENUE)

WHEREAS, 11 Edge, LLC, applied for and was granted Final Major Subdivision Approval for purposes of the lots remaining vacant at this time, with future single-family residential dwellings indicated as proposed for Lots 1.03, 1.04 and 1.05 fronting along Lawrence Avenue, while proposed Lot 1.02 as indicated, per the submitted Community Impact Statement, to be deeded to the Ocean Grove Historic Preservation Society, Inc. to be utilized as an open space property to support their Performing Arts Center, along with variances and waivers associated therewith before the Planning Board of the Township of Neptune; and

WHEREAS, 11 Edge, LLC, has agreed to enter into a Developer's Agreement with the Township of Neptune to guarantee the faithful performance of the obligations and representations associated with the application before the Planning Board of Neptune Township; and

WHEREAS, it is in the best interest of the citizens of the Township of Neptune to enter this Developer's Agreement with 11 Edge, LLC, to ensure the proper compliance and guaranteed performance of items and improvements made on said parcel.

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the Mayor and Clerk are hereby authorized to execute the aforesaid Developer's Agreement with 11 Edge, LLC, for compliance with the Planning Board of Neptune Township's Resolution #15-16, and representations upon submission and approval of all conditions arising from the aforesaid Resolution, and return the same to the Township Attorney for recording in the Clerk's office of Monmouth County; and,

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

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT

WHEREAS, the properties listed below reflect overpayments; and,

WHEREAS, they have furnished the necessary documentation and have requested a refund; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to refund the taxes as stated herein; and,

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
410	10	Bui	1410 8 th Ave	2016	1,226.25
5105	1	Volbrecht	420 Brighton Ave	2016	685.35

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Tax Collector, Assistant C.F.O. and Auditor.

AUTHORIZE ISSUANCE OF DUPLICATE TAX SALE CERTIFICATES (SLS 1, LLC)

WHEREAS, SLS 1, LLC previously purchased Tax Sale Certificates comprising a lien on the following properties:

Certificate #	Block/Lot	Address	Property Owner
2016-166	1108/1	1532 Corlies Ave	Marcella & Michael Management Serv
2016-142	816/5.01	645 Neptune Blvd	645 Neptune Realty, LLC

WHEREAS, SLS 1, LLC have filed duly executed affidavits swearing that they are still the lawful owner of said certificates but have lost same; and,

WHEREAS, the Tax Collector has recommended the issuance of a duplicate tax sale certificates pursuant to Chapter 99, P.L. 1997,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and hereby is authorized to issue duplicate tax sale certificates to be marked "Duplicate Certificate" to SLS 1, LLC upon payment of the sum of \$100.00 per certificate; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector, Assistant C.F.O. and Auditor.

AUTHORIZE THE CANCELLATION OF SEWER RENT (1111 11TH AVENUE)

WHEREAS, the Tax Collector has requested the cancellation of sewer rent to the property listed below,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and hereby is authorized to cancel Sewer Rent as stated herein; and,

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
302/29	1111 Warehouse LLC	1111 11th Ave	2016	460.00

REASON: As per building inspection

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector, Assistant C.F.O. and Auditor.

AUTHORIZE THE EXECUTION OF A RELEASE OF PART OF MORTGAGED PROPERTY WITH TRF DP RIDGE AVENUE. LLC IN CONNECTION WITH THE SCHOOLHOUSE SQUARE PROJECT

WHEREAS, the Township of Neptune holds a mortgage dated April 8, 2009 in the amount of \$400,000 with TRF DP Ridge Avenue, LLC in connection with the Schoolhouse Square project; and,

WHEREAS, Block 197.04, Lot 7, with an address of 27 Ridge Avenue is included in the properties bound by said mortgage; and,

WHEREAS, said property is being sold as a housing unit and TRF DP Ridge Avenue, LLC is requesting that this property be released from the mortgage,

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 a Release of Part of Mortgaged Property to release Block 197.04, Lot 7, with an address of 27 Ridge Avenue, from the properties bound by the existing mortgage dated April 8, 2009 in the amount of \$400,000.00; and,

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

AUTHORIZE ISSUANCE OF DUPLICATE TAX SALE CERTIFICATES (TWR AS CUSTODIAN FOR EBURY FUND 2 NJ, LLC)

WHEREAS, TWR as Custodian for Ebury Fund 2 NJ, LLC previously purchased Tax Sale Certificates comprising a lien on the following properties:

Certificate #	Block-Lot	Address	Owner
2016-004	123-6	81 Mt. Zion Way	Thompson, Kami
2016-009	144-3	38 Mc Clintock St	Lincks, Carol
2016-028	402-18	1313 9th Ave	Joria Properties, LLC
2016-031	403-15	1201 9th Ave	Barreau, Jean Eddy
2016-036	405-15	402 Atkins Ave	Ramos-Vasquez, T&Sanchez, A&Herrera, E
2016-053	415-19	1209 6th Ave	Smith, Harry M & Mary Ann
2016-057	417-29	1423 6th Ave	Rodriguez, Luis
2016-069	515-19	1309 11th Ave	Flores, Jose A & Alderete, Julio
2016-071	515-29	1308 11th Ave	Bankers Trust Co., of California
2016-076	516-38	1221 11th Ave	Bank of America, NA
2016-079	520-6	1515 Cherry Lane	Clarritt, Gail
2016-090	606-10	321 Myrtle Ave	Cox, Kevin
2016-105	612-3	219 Drummond Ave	Pierre, Luc
2016-113	703-35	131 Anelve Ave	Richardson, Pearl
2016-117	707-12	1625 Sewall Ave	Arnold, Hugh R. & Jeannine
2016-119	708-15	1319 Monroe Ave	Curtis, Marlon D & Vidal, C.K.
2016-121	709-4	1312 Monroe Ave	Berry, Tujaim
2016-130	715-12	1925 Bangs Ave	Smith, Clive & Muriel
2016-136	806-2	1710 Bradford Ave	Smith, Fatima
2016-144	904-4	2022 Bangs Ave	Ochoa, Jose A.
2016-145	904-9	459 Highway 35	Schol Trading LLC
2016-146	904-13	1904 Stratford Ave	Fogg, Jean
2016-148	904-20	2005 Stratford Ave	Murat, Gregory & Aizea Sherol
2016-151	907-14	1907 West Lake Ave	Antuono, Michael
2016-167	1109-1	120 Hamilton Ave	Haskins, Mariam
2016-169	1111-2	1544 8th Ave	Savage, Anthony R.
2016-187	1512-6	7 Brixton Place	Williams, Joseph N & Claudia
2016-189	1513-16	508 Wakefield Rd.	Citimortgage Inc
2016-196	1612-1	1018 Fordham Rd.	De Roses, Verdieu & Anne
2016-198	1612-18	1008 Fordham Rd.	Miller, Daniel & Maryellen Wasek
2016-205	1805-10	304 Hollywood Ave	Anderson, Domonique & Hubbard, Dennis
2016-209	1817-6	105 Hollywood Ave	Duval, Sean
2016-213	1902-1-C237	237 Frankfort Ave	Morales, Frankie & Clarissa Sanchez
2016-217	1902-1-C463	463 Lexington Ave	Figueroa, Diana
2016-229	2502-14	726 Gail Drive	Munroe, Christopher C & Tanya Y
2016-232	2504-1	30 Kenneth Terr	Quamina, Paul A & Cozette
2016-246	2601-36	5 Ash Drive	Desouza, Collin & Lashunda
2016-250	2602-10	14 Ash Drive	Silay, Yavuz & Kamile
2016-252	2701-6	571 Wayside Rd.	Gaylord, Christopher L.
2016-253	2701-25	301 Michelle Ct.	Taylor, Robert Jr&-Straughtner, Juli
2016-257	2801-4	509 Green Grove Rd.	Collins, Deshawn & Charlene
2016-259	2809-3	505 Sycamore St	Gordon, Jason
2016-265	3403-9	14 Brook Drive	Garrison, Leroy, Mildred & Nina
2016-273	3504-11	14 Brookside Drive	Young, Ladonna R.
2016-275	3507-3	714 Coral Way	Federal National Mortgage Assn
2016-277	3509-6	712 Hillview Drive	Walker, Jenny L
2016-278	3510-4	108 W Trident Blvd	Irby, Danielle & Hubbard, Evan
2016-279	3510-8	710 Hillview Drive	Schwartz, Quinton M & Regina D
2016-280	3703-10	8 Williams Rd.	Long, Kyle
2016-287	3809-23	1116 Green Grove Rd	Moore, Ronald & Terraine
2016-307	4407-5	8 Poppy Ave	Casey, Hugh
2016-309	4703-14	122 Brighton Ave	Limage, Frisnel & Sainteard, Marie

2016-310	4711-3	416 N Riverside Drive	Saal, Thomas
2016-312	4801-16	223 Lakewood Rd.	Vanden Noort, K&J & Towers, Michelle
2016-313	4802-8	124 Overlook Drive	Bidwell, Brian

WHEREAS, TWR as Custodian for Ebury Fund 2 NJ, LLC have filed duly executed affidavits swearing that they are still the lawful owner of said certificates but have lost same; and,

WHEREAS, the Tax Collector has recommended the issuance of a duplicate tax sale certificates pursuant to Chapter 99, P.L. 1997,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and hereby is authorized to issue duplicate tax sale certificates to be marked "Duplicate Certificate" to TWR as Custodian for Ebury Fund 2 NJ, LLC upon payment of the sum of \$100.00 per certificate; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector, Assistant C.F.O. and Auditor.

APPOINT ECONOMIC DEVELOPMENT CORPORATION SECRETARY

WHEREAS, due the retirement of Lynn Servon, a vacancy will exist in the position of Economic Development Corporation Secretary; and,

WHEREAS, the position was posted and the Business Administrator has made his recommendation; and,

WHEREAS, funds will be provided in the 2016 municipal budget in the appropriation entitled Economic Development 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 Tiffany Bailoni be and is hereby appointed to the position of Economic Development Corporation Secretary at an annual salary of \$3,500.00 effective July 1, 2016; and,

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

EMPLOY TEMPORARY MUNICIPAL INTERNS

WHEREAS, the Township of Neptune desires to employ municipal interns of high school age for temporary employment during the summer months through the Clean Communities Program; and,

WHEREAS, the availability of paid intern positions for students attending high school was posted and advertised on the Township web site; and,

WHEREAS, the Human Resources Department has interviewed applications and recommends the employment of individuals to serve as high school level municipal interns; and,

WHEREAS, funds will be provided in the 2016 Municipal Budget through the Clean Communities grant funding 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 temporary Municipal High School Interns assigned to the Department of Public Works and to perform other duties as assigned by the Business Administrator from July 5, 2016 to August 26, 2016, 25 hours per week, at an hourly wage of \$10.00; and,

N’Kai Hill	Nicholas Faber	Cairo Henderson-Stewart
Isaiah Scott-Walkins	Cameren Cowart	Jeffrey Lavarin
l’Keera Scott-Walkins	Nicole Dykeman	Amber Owens

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

The resolutions of the Consent Agenda were adopted on the following vote: Bishop, aye;

Rizzo, aye; Williams, aye; and McMillan, aye.

SUPPORT SENATE BILL S-2254 AND ASSEMBLY BILL A-3821 WHICH AFFIRMS THE LEGISLATIVE INTENT OF THE FAIR HOUSING ACT

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

WHEREAS, the Township of Neptune supports the provision of affordable housing in a reasonable, rational and achievable way, consistent with economic realities and sound planning; and,

WHEREAS, pursuant to the March 2015 New Jersey Supreme Court order which transferred oversight of the Fair Housing Act (FHA) to the courts, hundreds of municipalities filed declaratory judgment actions to voluntarily comply with their State imposed affordable housing requirements; and,

WHEREAS, recently the Ocean County Superior Court included a distinct “gap period” analysis retroactively over an additional 16 year period, separate and apart from the normal 10 year present and prospective need; and,

WHEREAS the Fair Housing Act (FHA) and existing case law, requires that “present and prospective fair share of the housing need in a given region ... shall be computed for a 10-year period.” [N.J.S.A. 52:27D-307(c)]; and,

WHEREAS, the “gap issue” arises out of COAH’s inability to promulgate third round regulations from 1999 to the present or make any final determination as to state and regional housing need, as well as constant litigation by certain groups; and,

WHEREAS, any retroactive “gap” obligations could have significant and unfunded impacts on municipalities, may double count households under both present and prospective need and will likely result in forcing municipalities and their property taxpayers to subsidize development; and,

WHEREAS, Senate Bill S-2254 sponsored by Senators Greenstein and Bateman and Assembly Bill A-3821, sponsored by Assemblymen DeAngelo and Benson, reaffirm the legislative intent of the Fair Housing Act so as to preclude significant, unfair impacts and instead progress toward a more rational statewide housing policy, including reasonable and achievable obligations for municipalities, facilitate municipal compliance and the provision of affordable housing,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that:

1. The Township of Neptune strongly urges New Jersey Legislators to reaffirm the legislative intent of the Fair Housing Act (FHA) immediately and clarify that affordable housing need is the sum of present and prospective need for a ten year period.
2. The Township of Neptune supports Senate Bill S-2254 and Assembly Bill A-3821.
3. Copies of this resolution be distributed to the Governor and Lieutenant Governor, the President of the New Jersey Senate, the Speaker of the New Jersey General Assembly, the Legislative Sponsors, Senator Jennifer Beck, Assemblyman Eric Houghtaling, Assemblywoman Joann Downey, Senator Jeff Van Drew, Senator Ronald Rice, Assemblyman Jerry Green and Assemblywoman Mila Jasey and the New Jersey League of Municipalities.

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

AUTHORIZE THE PAYMENT OF BILLS

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

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following bills be paid if properly certified:

CURRENT FUND	\$1,083,097.54
FEDERAL & STATE GRANT FUND	82,553.93
TRUST FUND	55,412.36
GENERAL CAPITAL FUND	159,229.19
SEWER OPERATING FUND	1,044,153.89
SEWER CAPITAL FUND	4,965.00
MARINA OPERATING FUND	30,065.67
UDAG TRUST	500.00
LIBRARY TRUST	667.84
BILL LIST TOTAL	\$2,460,645.42

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: Bishop, aye; Rizzo, aye; Williams, aye; and McMillan, aye, except abstain on the check for his reimbursements.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Joyce Klein, 105 Mt. Hermon Way, stated they were disappointed tonight with their elected officials because they came in good faith and they did not believe that they were treated in good faith. They were asked to come early to get ample time for a full discussion of parking issues no discussions of parking issues that included the Q& A that they were asked to be prepared for occurred. She stated any participation they gave was extemporaneous from the floor presumably without your authorization. She stated they understood and appreciate some of those so quote low hanging fruit. She stated she believed there were other low hanging fruit that if they had been asked for their participation it may have been discussed and resolved. Notably there was more to discuss about commercial parking which I don't think is a really big issue. They've discussed banning commercial parking overnight. Some of that is already in the ordinance and some of it is not. She stated she hoped the Committee could address it at its next meeting. She stated she hoped they would work to regain their respect by being prepared to establish it at the next meeting with a firm timeline of completing its work. She stated they not only expected meaningful improvement but demanded it.

Ray DeFaria, 12 New York Avenue, applauded the Committee for their thoroughness in addressing some issues with the parking. He stated Ocean Groves history is a Christian retreat and people come from all over and it is buyer beware when you come in. He stated people come in to worship and it is a form of discrimination if you are going to charge people to come in to church. He stated the impact in Ocean Grove is minimal and the composite of Ocean Grove has changed and everyone has cars. He stated there should be planning when contemplating moving into Ocean Grove.

Dorothy Argyros, 2100 Rutherford Avenue, recommended strongly that they repeal the vacant and abandoned ordinance and return the money to the homeowners from which they collected. She commended Sandra Solley for fighting her case. She argued that the ordinance was unconstitutionally vague.

Mr. Anthony stated it did not apply to our ordinance.

Mrs. Argyros disagreed and argued whether they were going to open themselves up for lawsuits. She stated at the next meeting she would tell them about spot eminent domain.

Nancy Clark 47 Embury Avenue stated she was in favor of the Homeowners Association and their presentation. She questioned with the loss of the lawsuit what was going to happen with derelict buildings and what would they do to make sure that they did not take too many steps back on preventing such fire traps in the town. Her second question pertained to the certified local

government and whether it would be on the next workshop meeting.

Mr. Anthony stated as far as the abandoned property ordinance he did not prosecute that case because they had special counsel that does that. He stated he spoke to special counsel who sent him an opinion letter as well as the Mayor and Township Committee and he made it very clear that I'm getting a copy of the transcript of the Judges ruling but it was very clear that he did not find that it was invalid. What he found was that the complaint as it was written by the Code Enforcement Officer was vague and that has to be corrected. So in the future Special Counsel will be sitting down with the Code Enforcement Officers and whenever a complaint is issued it will be more detail given in the complaint and they will make sure that it is not vague. He stated the reality was that the ordinance was based on two statutes which allows for this enforcement and it's based on a registration requirement and Ms. Solley appealed a fine of \$150.00 which she could have been fined for more.

Mayor McMillan confirmed that the matter regarding Certified Local Government will be on the next workshop meeting.

Marian Ramsey Miller , 5 Mt. Pisgah Way, stated when she moved into Ocean Grove twenty three years ago she was told that Ocean Grove had very difficult parking problems and she was prepared for that. She learned to plan her schedule and her guests schedule etc. for any of the programs coming. She also learned to respect her neighbors when parking.

Kathleen O'Connell, 35 Embury Avenue, stated she was present to discuss 32 Embury Avenue and the many citations that the owner of the building obtained. She stated the owner appeared municipal court in Neptune City last Wednesday, June 8th. She thanked Mr. Anthony for taking the time to speak to her after her appearance. As part of her plea arrangement the owner of this property paid a portion of the fine and was ordered to file her zoning permits and complete construction within 90 days of her court date. As of this date per George Waterman no permits have been issued or applied for 32 Embury Avenue. She stated there were exposed wires and other deteriorating conditions at this property. She stated Neptune speaks of community prospering but the only one prospering was Randi Evangilista the owner of an income producing property who defies all decency and she suspects the law. She stated she hoped they stayed on top of this unfortunate condition.

At this point, Mr. Bishop and Ms. Rizzo left the meeting to attend an event. Since that left the Township Committee without a quorum, the meeting ended.

Richard J. Cuttrell,
Municipal Clerk