

TOWNSHIP COMMITTEE MEETING – NOVEMBER 28, 2016

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

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

Mayor McMillan announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press and The Coaster on January 7, 2016, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

The following items were discussed in open session:

Mr. Bascom recommended renewal of the Shared Services Agreement with Neptune City for prisoner processing and holding. The renewal is for four years and the annual charge increases slightly over the term of the Agreement.

Mr. Anthon reviewed the history of the Township's Vacant and Abandoned Property ordinance. In 2013, residents asked the Township Committee to adopt the ordinance based on state statute. The Uniform Construction Code and Property Maintenance Code allows actions in certain instances, but the Township has properties that are abandoned that fall through the cracks in regards to Codes and enforcement. Mr. Anthony provided six sample ordinances to the Township Committee in 2014. Originally, the Committee did not want registration, but an amendment to include registration was adopted in 2016. Other amendments were adopted to change the definition of vacant, make lien holders responsible for property, and provide for shut off of utilities.

In one case, Ms. Solly challenged a violation in Superior Court. The Judge found that the Code Officer did not write the summons specific enough and the other issues involved the definition of vacancy. Mr. Anthony proposed an amendment using the Black's Law definition of vacancy, removing language regarding the demolition of buildings and removing the requirement to add the Township as an additional insured. Without the demolition provisions, there is no need for the additional insurance.

Mr. Anthony reviewed a proposed amendment to the Rent Control Ordinance. The amendment is in regards to hardship applications from landlords. A landlord can apply for a hardship if he or she is not making at least 40% profit in rents. Allowable expenses are based on case law. The amendment provides regulations and guidelines for hardship applications.

Mr. Gadaleta stated that in 2002, the Township deeded title to the cemetery at Old Corlies Avenue and Gully Road to the American Legion Post 346. The maintenance of the property has become a burden to the members of the Legion and they are asking the Township to take the property back. The Legion will continue to help with minor maintenance and plantings. The Committee indicated a willingness to take the property back and expressed thanks to the members for maintaining the property for 14 years.

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

Dr. Brantley 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:

Contract negotiations – Property and casualty insurance.
Legal Opinion – Revocable License Agreement insurance requirement.
Contract negotiations – Bargaining unit contracts.
Contract negotiations – Request for Proposals for Municipal Court professionals.

3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.

4. This Resolution shall take effect immediately.

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

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

Mr. Anthony reviewed the insurance requirements of Revocable License Agreements. He stated that the requirement to name the Township as an additional insured is not necessary as long as the property owner has homeowners insurance. Mr. Cuttrell will be responsible for obtaining proof of annual renewal from the homeowners with Agreements.

Mr. Bascom reviewed the bargaining unit contracts and employment agreements covering all employees. Dr. Brantley stated that he needs to review some of the contracts and asked for further discussion at the December 12th workshop meeting. The Committee asked that the meeting start time be changed to 5:00 p.m.

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

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

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

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

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

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

APPROVAL OF MINUTES

Mr. Williams offered a motion, seconded by Mr. Lane, to approve the minutes of the meeting held on October 24th. All were in favor.

PRESENTATIONS

The Pound the Pavement for Purple Committee presented a check, representing the proceeds from the 5km run held on October 8th, to the Lustgarten Foundation. The Lustgarten Foundation exists to advance the research related to the diagnosis, treatment, cure and prevention of pancreatic cancer. Assemblyman Eric Houghtaling and Freeholder Tom Arnone spoke on behalf of the Committee and recognized the efforts of Township employees.

The Mayor recognized Lou Rochelle with a proclamation. Mr. Rochelle was recently honored by the Neptune Lions Club for his years of service as a First Responder, Youth Sports Coach, and Trauma Technician.

REPORT OF THE CLERK

The Clerk stated that the following reports and communications are on file in his office:

Senior Beacon for November.

On October 26th, the Township Committee presented a plaque to Rosemary Gray in recognition of her retirement after 30 years as Director of Senior Services and the Senior Center.

Notification from the NJDEP that the Township's five year Community Forestry Management Plan has been approved.

COMMENTS FROM THE DAIS

Mr. Lane stated that he attended Rosemary Gray's retirement party and it was a great event. He attended the Halloween Party put on by the Recreation Committee and the Lions Club Dinner honoring Lou Rochelle. He met with Brian Butch, Senior Center Director to set goals for 2017. He attended the Veterans Day ceremony at American Legion Post 266 and there was discussion about including Veterans Park as part of future Veterans Day ceremonies. He attended the Grand Opening of Lucent Nails and a benefit for Scott Nokes which was attended by hundreds.

Mr. Williams, stated that he attended the Lions Club Dinner and it was a pleasure honoring Lou Rochelle. He attended the PBA Steak Bake with Mr. Lane where it was nice to socialize with the officers in a non-work setting. He attended a seminar with four former governors at the annual League of Municipalities conference. He attended the Thanksgiving luncheon at the Senior Center; the annual Neptune-Asbury Park football game, won by Neptune 21-20; and the Midtown Association Oldies Dance which was a lot of fun.

Dr. Brantley stated that he attended a birthday party for Mary Jones at Jumping Brook Country Club which was held at the same time as the Lions Club dinner. He extended congratulations to Lou Rochelle on his recognition. He attended the annual League of Municipalities conference where he made some great contacts. He attend the Oldies Dance which is always a great night.

Mayor McMillan, attended the Lions Club dinner which was a great event. He met with the Mayor's Youth Cabinet to schedule 2017 events. He was the Guest Speaker at the Post 266 Veterans Day celebration. He attended a Broadway play with the Mayor's Youth Cabinet where they had the opportunity to meet the cast members. He thanked Roberta Grace for organizing the event. He attended a screening of Mr. Chibbs documentary of Kenny Anderson, former NBA player. As part of American Education Week, he spoke at Shark River Hills School and Neptune Middle School. He attended the Grand Opening of Lucent Nails with Mr. Lane. He attended two sessions at the League of Municipalities conference on Social Security and an analysis on the budgets for four urban municipalities. He attended the Neptune-Asbury Park football game, participated in the Farmers' Insurance Suit for Veterans' Program, and the Midtown Community Dance with Dr. Brantley and Mr. Williams.

PUBLIC COMMENTS ON RESOLUTIONS

Dorothy Argyros, 2100 Rutherford Avenue, asked how the funds will be used in connection with the United States Department of Justice grant. Mr. Bascom stated that the funds will be used for an electronic access system for police equipment by police officers.

ORDINANCE NO. 16-39 - ADOPTED

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

ORDINANCE NO. 16-39

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 WEBB AVENUE, LAWRENCE AVENUE AND ATLANTIC AVENUE AND REMOVING A HANDICAPPED PARKING ZONE ON MAIN AVENUE

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

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

ORDINANCE NO. 16-40 - APPROVED

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

ORDINANCE NO. 16-40

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

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

ORDINANCE NO. 16-41 - APPROVED

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

ORDINANCE NO. 16-41

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

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

ORDINANCE NO. 16-42 - TABLED

Mr. Cuttrell stated that the Police Department has requested that this ordinance be tabled. The County of Monmouth may be recommending changes.

Mr. Williams offered a motion, moved and seconded by Mr. Williams, to table Ordinance No. 16-42:

ORDINANCE NO. 16-42

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-7.7 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING NO PARKING ZONES ON PORTIONS OF BANGS AVENUE

All were in favor.

ORDINANCE NO. 16-43 - APPROVED

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

ORDINANCE NO. 16-43

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

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

and McMillan, aye.

ORDINANCE NO. 16-44 - APPROVED

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

ORDINANCE NO. 16-44

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

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

Mr. Cuttrell stated that the public hearings on Ordinances 16-40, 16-41, 16-43, and 16-44 will be held on Monday, December 12th.

CONSENT AGENDA

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

ACCEPT THE RESIGNATION OF MARCUS NEAL AS A SPECIAL LAW ENFORCEMENT OFFICER

WHEREAS, the Township Committee has received a letter from Marcus Neal resigning as a Special Law Enforcement Officer effective October 26, 2016,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Marcus Neal as a Special Law Enforcement Officer – Class II is hereby accepted effective October 26, 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.

AUTHORIZE AN AMENDMENT TO THE 2016 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE STATE BODY ARMOR REPLACEMENT FUND

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 \$6,514.90 which is now available from the NJ Division of Criminal Justice Body Armor Replacement Fund in the amount of \$6,514.90; and,

BE IT FURTHER RESOLVED that the like sum of \$6,514.90 is hereby appropriated under the caption of Body Armor Replacement Fund – FY 2016; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a New Jersey Division of Criminal Justice Body Armor Replacement Fund Grant – FY16 in the amount of \$6,514.90; 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.

AWARD CONTRACT FOR ANIMAL CONTROL SERVICES

WHEREAS, the Business Administrator has negotiated with the organization supplying this service as required by NJSA 40:48-5.1; and,

WHEREAS, the current provider has proposed a rate of \$7,477.00 per month which reflects no change over the rate charged in 2016 and is also the lowest rate among the proposals received; and,

WHEREAS, funds for this purpose will be provided in the 2017 Municipal Budget, when adopted, in the appropriation entitled Dog Account, 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 an agreement with Associated Humane Societies for Animal Control for the year 2017 at a cost of \$7,477.00 per month; and,

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

AUTHORIZE SUBMISSION OF A STRATEGIC PLAN FOR THE NEPTUNE TOWNSHIP MUNICIPAL ALLIANCE GRANT

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and,

WHEREAS, the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Neptune Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Neptune Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth; and,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Neptune Township Committee does hereby authorize submission of a strategic plan for the Neptune Township Municipal Alliance grant for fiscal year 2018 in the amount of:

DEDR	\$ 63,915.00
Cash Match	\$ 15,978.75
In-Kind	\$ 47,936.25

2. The Neptune Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

AUTHORIZE THE EXECUTION OF A RENEWAL OF THE INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF NEPTUNE CITY TO PARTICIPATE IN THE TOWNSHIP'S PRISONER PROCESSING AND HOLDING SYSTEM

WHEREAS, the Township of Neptune has established a Prisoner Processing and Holding System in its Police Department; and,

WHEREAS, the Township of Neptune and the Borough of Neptune City desire to enter into an Interlocal Service Agreement pursuant to N.J.S.A. 40:8A-1 et seq. to allow the Borough to utilize the Township Prisoner Processing and Holding System to process prisoners from the Borough in accordance with standards set by the New Jersey State Attorney General; and,

WHEREAS, this will be a renewal of existing Agreement that expires on December 31, 2016; and,

WHEREAS, the Borough will agree to pay the Township a monthly fee of \$1,900.00 in the year 2017, a monthly fee of \$2,000.00 in years 2018 and 2019, and a monthly fee of \$2,200.00 in

years 2020 and 2021; and,

WHEREAS, this Interlocal Service Agreement shall be automatically renewed on an annual basis on the anniversary date of the signing of said Agreement for a term of five (5) years,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Interlocal Services Agreement with the Borough of Neptune City, a copy of which is on file in the Office of the Municipal Clerk, which authorizes the Borough to utilize the Township's Prisoner Processing and Holding System for Borough prisoners; and,

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

AUTHORIZE AN AMENDMENT TO THE 2016 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE UNITED STATES DEPARTMENT OF JUSTICE

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 \$54,233.00 which is now available from a United States Department of Justice - Justice Assistance Grant in the amount of \$54,233.00; and,

BE IT FURTHER RESOLVED that the like sum of \$54,233.00 is hereby appropriated under the caption of 2016 JAG Law Enforcement Equipment Grant; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the United States Department of Justice – FY16 Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$54,233.00; 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.

ACCEPT THE RESIGNATION OF JEFF FORCE AS A SUPERVISING SPECIAL LAW ENFORCEMENT OFFICER

WHEREAS, the Township Committee has received a letter from Jeff Force resigning as a Supervising Special Law Enforcement Officer effective November 18, 2016,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Jeff Force as a Supervising Special Law Enforcement Officer is hereby accepted effective November 18, 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.

AUTHORIZE SETTLEMENT IN THE MATTER OF WILLIAM E. TAYLOR, IV, RACHEL TAYLOR AND THE TOWNSHIP OF NEPTUNE

WHEREAS, William E. Taylor, IV, and Rachel Taylor, holders of a leasehold interest in real estate located at 9 Broadway, Ocean Grove, New Jersey, which was subject to a Municipal Court Complaint filed by the Township's Zoning Officer, George Waterman, on behalf of the Historic Preservation Commission – Summons 1334-SC-016413, charging the Defendant, William E. Taylor, IV, with violating Section 900 of the Land Development Ordinance; and

WHEREAS, the William E. Taylor, IV and Rachel Taylor's property at 9 Broadway, Ocean Grove, New Jersey was also the subject of a Complaint from Zoning Officer, George Waterman under Summons No. 1334-SC-016494, charging Defendant, William E. Taylor, IV, with violation of Section 900 of the Land Development Ordinance; and

WHEREAS, thereafter, William E. Taylor, IV, and Rachel Taylor filed a Complaint in Lieu of Prerogative Writs in the action of William E. Taylor, IV and Rachel Taylor, Plaintiffs vs. the Township of Neptune, Defendant, in the Superior Court of New Jersey, Law Division, Monmouth County, under Docket No. MON-L-1206-16; and

WHEREAS, all parties have reached an amicable settlement by Release and Settlement Agreement addressing all claims by all parties without the necessity of monetary consideration.

NOW, 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 and Clerk of a Settlement Agreement and Release prepared by or reviewed and approved by Special Counsel, Michael Celli, Jr., Esq. for no exchange of monetary consideration.

BE IT FURTHER RESOLVED, that upon execution of the aforesaid Agreement, the same shall be forwarded to opposing counsel and attorney for William E. Taylor, IV, and Rachel Taylor for filing in the Superior Court of New Jersey; while Special Counsel, Michael Celli, Jr., Esq., shall notify the Municipal Court concerning the aforesaid settlement.

RELEASE ALL SURETY BONDS AND DEVELOPERS ESCROW FOR IMPROVEMENTS AT MCDONALDS ON ROUTE 35

WHEREAS, McDonalds Corporation filed a performance bond written by Safeco Insurance Company of America in the amount of \$72,360.00, guaranteeing site improvements at the McDonalds, located on State Highway 35 (former Block 266, Lot 28); and,

WHEREAS, on January 17, 2013, the Township Engineer certified that all site work was satisfactorily completed and the performance bond may be released contingent upon the posting of a two year maintenance guarantee; and,

WHEREAS, McDonalds did not submit a maintenance guarantee; therefore, the performance bond has remained in effect since that time; and,

WHEREAS, well over two years has now passed and the site improvements have been properly maintained as verified by the Township Engineer,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the release of the performance bond as stated herein; and,

BE IT FURTHER RESOLVED, that all remaining balances of the cash performance guarantee account and inspection escrow account be and are hereby authorized to be refunded; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Developer, Township Engineer, and Construction Official.

AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE OCEAN GROVE SEWERAGE AUTHORITY FOR THE REPAVING OF LAWRENCE AVENUE

WHEREAS, the Ocean Grove Sewerage Authority completed its replacement of infrastructure on Lawrence Avenue and must repave the roadway as required by Township ordinance regulating the excavation of public roadways; and,

WHEREAS, the Township of Neptune and the Ocean Grove Sewerage Authority desire to enter into a Shared Services Agreement pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. to serve the best interests of residents by achieving cost savings; and,

WHEREAS, the Township will include Lawrence Avenue in its Township-wide road repaving program to achieve economies of scale and a reduction in administrative and engineering costs; and,

WHEREAS, the Township will award a bid in accordance with Local Public Contracts Law and the Authority will pay the Contractor directly for the full amount of the cost to repave Lawrence Avenue,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune

hereby authorizes the execution of an Shared Services Agreement with the Ocean Grove Sewerage Authority, a copy of which is on file in the Office of the Municipal Clerk, for the repaving of Lawrence Avenue as part of the Township's Road Repaving Program; and,

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

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
5113	2	Donovan	728 S Riverside Dr	2016	2,574.44
4204	1	Santiago	2 Oak Terr	2016	1,663.95
1704	30	Munoz	220 Wayside Rd	2016	1,088.44
515	23	Murphy	1319 11 th Ave	2016	3,087.20
5320	19	PTS 227	227 Highland Ave	2016	1,636.84
513	5	Boull	97 Myrtle Ave	2016	786.13
244	15	Blau	69 Broadway	2016	3,466.18
272	6	Hoimark	128 Clark Ave	2016	2,395.87
816	1	JCP&L	2389 W Bangs Ave	2015	8,375.75
816	1	JCP&L	2389 W Bangs Ave	2016	3,955.01
4402	7	Sferas	11 Olive St	2016	1,020.94

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

AUTHORIZE THE CANCELLATION OF SEWER RENT

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
99999.999/999	CMP of Bradley Realty, LLC	1217 Main St.	2016	3,220.00

REASON: Building change of use

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
302/24	Larry Brown	11 Vanderbilt Pl.	2016	230.00

REASON: Building demolished

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 TAXES AS A RESULT OF THE GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION (7 HARVEY AVENUE)

WHEREAS, the property known as Block 3804, Lot 18, with an address of 7 Harvey Avenue was granted a Totally Disabled Veteran Exemption as of August 26, 2016 and should be tax exempt; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes

assessed against this property for 2016 as of August 26, 2016 in accordance with N.J.S.A. 54:4-3.32; and,

WHEREAS, the amounts to be cancelled and refunded are as follows:

YEAR	AMOUNT TO CANCEL	AMOUNT TO REFUND
2016	\$ 1,995.17	\$ 601.68

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Tax Collector be and hereby is authorized to cancel and refund taxes as stated herein; 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 TAXES AS A RESULT OF THE GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION (10 RHODES TERRACE)

WHEREAS, the property known as Block 2301, Lot 28, with an address of 10 Rhodes Terrace was granted a Totally Disabled Veteran Exemption as of December 15, 2015 and should be tax exempt; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against this property for 2016 in accordance with N.J.S.A. 54:4-3.32; and,

WHEREAS, the amounts to be cancelled and refunded are as follows:

YEAR	AMOUNT TO CANCEL	AMOUNT TO REFUND
2016	\$ 5,080.40	\$ 2,540.19

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Tax Collector be and hereby is authorized to cancel and refund taxes as stated herein; 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 TAXES AS A RESULT OF THE GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION (22 ELDORADO WAY)

WHEREAS, the property known as Block 3205, Lot 17, with an address of 22 Eldorado Way was granted a Totally Disabled Veteran Exemption as of October 18, 2016 and should be tax exempt; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against this property for 2016 as of October 18, 2016 in accordance with N.J.S.A. 54:4-3.32; and,

WHEREAS, the amounts to be cancelled and refunded are as follows:

YEAR	AMOUNT TO CANCEL	AMOUNT TO REFUND
2016	\$ 1,956.56	\$ 0.00

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

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

AUTHORIZE REPLACEMENT OF PUMP CONTROL AND WELL HATCH AT ASBURY AVENUE PUMPING STATION

WHEREAS, the Purchasing Agent solicited quotes for the replacement of the pump control and well hatch at the Asbury Avenue Pumping Station (corner of Asbury Avenue and Leonard Avenue); 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 Assistant Director of Public Works 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. 16-28, 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 replacement of the pump control and well hatch at the Asbury Avenue Pumping Station be and is hereby authorized Pumping Services, Inc. pursuant to their quote of \$25,850.00; and,

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

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF SCHOOL CROSSING GUARD

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

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

WHEREAS, funds for this purpose are available in the 2016 municipal budget in the appropriation entitled Police S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT FURTHER RESOLVED, that the Township Committee of the Township of Neptune hereby extends a conditional offer of employment to Viasia Pinnix to serve as a School Crossing Guard for the 2016-2017 school year contingent upon favorable results of required pre-employment screening and background check, at an hourly rate of \$14.33; and,

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

ACCEPT A NON-FEDERAL COST SHARE PROGRAM GRANT THROUGH THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

WHEREAS, The Township of Neptune applied for a grant from the New Jersey Department of Community Affairs Non-Federal Cost Share Program to carry out a project to provide funding for the local share of some or all of FEMA Public Assistance (PA); and

WHEREAS, the Department of Community Affairs has notified the Township that its grant application has been approved and the Township will receive grant funding in the amount of \$540,059.00,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune does hereby accept a New Jersey Department of Community Affairs Non-Federal Cost Share Program Grant, and upon receipt of the grant agreement from the New Jersey Department of Community Affairs authorizes the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Neptune and the New Jersey Department of Community Affairs; and,

BE IT FURTHER RESOLVED, that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

Michael J. Bascom,
Chief Financial Officer

Vito D. Gadaleta,
Business Administrator

CANCEL UNEXPENDED AND DEDICATED GENERAL CAPITAL APPROPRIATIONS BALANCES

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and,

WHEREAS, it is necessary to formally cancel said balances so that the unexpended General Capital Ordinance balances may be returned to Capital Surplus,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the following unexpended and dedicated General Capital Ordinance balances be canceled to Capital Surplus:

Ordinance	Description	Balance
#09-20	Bradley Park ADA Improvements	\$34,795.79
#09-35	Equipment	\$199.64
#11-06	Property Acquisition	\$41,567.14
#11-25	Various Road Improvements	\$840.05
	TOTAL	\$74,402.62

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

AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE COUNTY OF MONMOUTH FOR AERIAL IMAGERY

WHEREAS, the Monmouth County Division of Planning recently acquired aerial imagery of the entire County from Pictometry International; and,

WHEREAS, the imagery includes both orthogonal and oblique imagery of the Township of Neptune; and,

WHEREAS, the County has offered this product as part of a GIS data license agreement for a one-time fee which includes a digital copy of the imagery, software, installation and technical assistance; and,

WHEREAS, acquisition of this imagery would be of benefit to the Township, specifically for planning and engineering needs; and,

WHEREAS, funds for this purpose are available in the 2016 municipal budget in the appropriation entitled Engineering O.E., 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 execution of an Shared Services Agreement/GIS Data Licensing Agreement with the County of Monmouth, a copy of which is on file in the Office of the Municipal Clerk, whereby the County will provide aerial imagery and supporting software to the Township for a one-time fee of \$1,800.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Township Engineer and the County of Monmouth accompanied by an executed Agreement.

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

AUTHORIZE THE PURCHASE OF MOBILE RADIO COMMUNICATIONS EQUIPMENT THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

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

WHEREAS, the Purchasing Agent has recommended the purchase of mobile radio communications equipment for the Police Department 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, PMC Associates has been awarded New Jersey State Contract No. A83900 for this equipment; and,

WHEREAS, the Purchasing Agent and Chief Financial Officer recommend 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 \$82,531.24; and,

WHEREAS, funds for this purpose are available from Ordinance No. 16-27 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 mobile radio communications equipment through New Jersey Cooperative Purchasing Program Contract No. A83900 be and is hereby authorized at an amount not to exceed \$82,531.24; and,

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

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

AWARD BID FOR REFUSE TRUCK

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

WHEREAS, on November 10, 2016, the Purchasing Agent received bids for a 33 cubic yard refuse truck; and,

WHEREAS, said bids were reviewed by the Purchasing Agent and Public Works Director who have recommended that the bid be awarded to the lowest responsible bid submitted by Bergey's Truck Center; and,

WHEREAS, said bids were advertised, received and awarded in a "fair and open" competitive bidding process in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 16-27 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby awards a bid Bergey's Truck Center to supply a Mack LR613 Labrie Expert 33cy Refuse Truck on their lowest responsible base bid of \$313,792.00; and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

Dr. Brantley 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	\$9,300,960.97
GRANT FUND	47,878.26
TRUST FUND	187,546.07
GENERAL CAPITAL FUND	107,801.15
SEWER OPERATING FUND	323,040.66
SEWER CAPITAL FUND	17,784.31

MARINA OPERATING FUND	208,156.66
DOG TRUST	265.20
UDAG TRUST	2,500.00
LIBRARY TRUST	3,704.25
BILL LIST TOTAL	\$10,199,637.53

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

The resolution was adopted on the following vote: Brantley, aye; Lane, aye; Williams, aye; and McMillan, aye, except abstain on his reimbursement check.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Randy Thompson, Help Not Handcuffs, stated he's attended several meetings since the death of Katie Lee Thomas who died in police custody after being arrested for drug paraphernalia. He stated Katie would not have been arrested if it was not for the drug paraphernalia. He stated there is a large drug arrest in Neptune and is racially disparaged and this is a time for them to review their resources.

Mayor McMillan stated he spoke to the secretary of the Municipal Drug Alliance to Prevent Alcoholism and Drug Abuse and suggested he speak with her.

Dan Harris, 17 Ridge Avenue, stated that Asbury Park paved Ridge Avenue to the Neptune border; however, Ridge Avenue is like a dirt road on the Neptune side. He asked the Committee to pave the roadway so that it is smooth in both towns. He stated a couple of years ago his wife also had a family die while in police custody from a drug overdose and one thing they learned was that police are ill equipped to deal with those types of situations. He suggested policemen be trained to deal with those types of situations.

Mayor McMillan stated they are still waiting for the facts to come out and it would be irresponsible of him to respond any further.

Reverend Lee, Mt Carmel Baptist Church, stated that whole street needs to be done including West Lake Avenue. He thanked Mr. Gadaleta and the Committee for taking care of getting in front of his church clean and for providing receptacles.

Mr. Gadaleta stated the signs were coming.

Reverend Lee requested an update as far as redevelopment on West Lake Avenue.

Mr. Gadaleta stated as far as the condition of West Lake Avenue they've been out to bid three times on that project to try and bring that project within the scope of the dollars that were approved in the Sandy EDA grant. He stated he was confident that based on the bids they received last week that there will be a resolution for consideration by the governing body to award that contract. He stated they would probably be in a position to do somewhere between 90-100% of the designed project based on the numbers that came in. He stated they would have to finalize that. He also stated that water work was done and that trench will continue to be maintained until they pave the road in the spring. He stated the trench had to settle out and that was part of the West Lake reconstruction project and that entire roadway will be paved.

Sandra McKinley, 217 Cotter Avenue, expressed her concerns regarding globing warming. She questioned whether the Township could introduce ordinances regarding this. She stated she was aware Summerfield School had geothermal.

Mayor McMillan stated he recently discussed this matter with the Township Engineer, Leanne Hoffman.

Kathy Arlt, Ocean Grove Homeowners Association, informed the Committee of some of the rumors that were going around and why they were not in favor of adopting the Certified Local Government Program. She stated by doing this there a concern by some residents that it would

make the HPC more powerful and that wasn't true. She stated the money that could be obtained through Certified Local Grants could be found from some other source in the municipality. She stated she heard the economic development fund or tourism money. She felt money should be dedicated for this purpose only and should not be taken from other places. She also stated they were not in favor of it because it would only benefit Ocean Grove.

Mayor McMillan stated the jury was still out on the issue.

Dorothy Argyros, 2100 Rutherford Avenue, discussed redevelopment by using eminent domain. She stated it was all about money and unconstitutional. She stated now there was code enforcement abuse and it's all over the internet. She felt it was all about squeezing money out of the residents. Code is about improving homes and not about squeezing out revenue. She went on to discuss practices of code enforcement and abuse. She urged everyone to keep their eyes open on the Township Committee because they are trying to take money from the poor so they can go easy on their friends and get away with more just like the new president has.

Nancy Clarke, 47 Embury Avenue, stated she had the opportunity to speak to Carol Rizzo regarding the Certified Local Government Program and it came up through their conversations around the new draft revised guidelines for the HPC which are currently under review by the Township Committee. She stated Carol told her an historic expert was involved with the review and questioned who it was. She stated if they did not have one then she would suggest they get someone that was. She questioned what has happened that they would not want to follow up on the Certified Local Government plan.

Mayor McMillan stated Mrs. Rizzo was their liaison and they were still trying to get that information from her and they haven't made a decision either way.

Ms. Clarke stated her impression was that it was going to the negative and questioned why. Mayor McMillan reiterated that they have not made a decision yet.

Patrick Dougherty, Cedarcrest Drive, discussed open space and the preservation of open space in Monmouth County.

Hank Coakley, Valley Road, stated he loved Jack Pensabene's letter in the newspaper regarding student loans. He also stated if you pass away your debt is paid for by your estate. He stated when his daughters went to school he paid for most of it. He commented on Resolution #16-463. He stated he did not care what it was used for as long as it was for the police. He felt they should give anything and everything to our Police Department. He thanked anyone who supported that resolution.

Kennedy Buckley, Broadway, stated he got his new assessment and he also read an article on coastal flooding and homes would be dropping because of insurance. He felt they were going to have a real problem. He suggested they come up with a plan regarding the pumping system and have it go out for at least twenty five years. He also suggested a roof that looked like slate to conserve energy. He went on to state that he did not know why the Committee would oppose CLG especially since it would not cost them any money. He questioned what was the down side of it. He suggested they do some homework.

Joan Venezia, 107 Mt. Hermon Way, thanked the DPW and stated they've been great with fixing lights in Fireman's park and they've been coming religiously to pick up leaves. She questioned an update on the North End. She gave an update on the HOA meeting that was held on Saturday and discussed the amount of people that were concerned with the Township not doing the CLG.

Jack Bredin, 94 ½ Heck Avenue, stated the North End was a public project under the Township's jurisdiction but he continued with Wesley Lake and discussed the Township's official map.

Kevin Walker, Seaview Island, asked if there has been any further discussion or changes to the North Channel Redevelopment Plan. Dr. Brantley stated that no further discussion has taken place and the Plan has not changed since 2006.

Richard Williams, 1 Abbott Avenue, spoke regarding CLG and he was in awe of this and he could not see where there would be a downsize to move forward with it.

Jeffrey King, Eatontown, stated that he supports Help Not Handcuffs.

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

Richard J. Cuttrell,
Municipal Clerk