TOWNSHIP COMMITTEE WORKSHOP MEETING - FEBRUARY 8, 2016 - 6:00 P.M.

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

ROLL CALL	PRESENT/ABSENT
J. Randy Bishop	
Dr. Michael Brantley	
Carol Rizzo	
Nicholas Williams	
Kevin B. McMillan	

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

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

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Discussion – 2016 budget and finance/set date for budget workshop session.

Review Committee calendars/update on outstanding issues and capital items.
Various on-going capital improvement projects.

Res. # 16-106 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by:	Seco	nded by:			
Vote: Bishop,	_; Brantley,	; Rizzo,	; Williams,	; McMillan,	·

TOWNSHIP COMMITTEE MEETING - FEBRUARY 8, 2016 - 7:00 P.M.

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

ROLL CALL	PRESENT/ABSENT	
J. Randy Bishop		
Dr. Michael Brantley		
Carol Rizzo		
Nicholas Williams		
Kevin B. McMillan		

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

Silent Prayer and Flag Salute

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

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

APPROVAL OF MINUTES

Motion offered by _____, seconded by, _____, to approve the minutes of the meeting held on December 21st. (Mr. Williams and Ms. Rizzo are ineligible to vote)

Motion offered by _____, seconded by, _____, to approve the minutes of the meetings held on January 1st, January 11th and January 25th. (Ms. Rizzo is ineligible to vote)

REPORT OF THE CLERK

The Clerk states that the following reports and communications are on file in the Clerk's office:

Senior Beacon for February. Also, the following individuals and organizations following a thank you letter for recent donations to the Senior Center: Joan & Anthony Cruz, Beverly & Ray Jones, Neptune Lions Club, Stella Young, American Legion Post #346, Evelyn Bedell, Mary & Ron Carr, Catholic Men for Jesus Christ, Ann Ciccone, Diane Curley & Susan Waters, Regina & Tom Donohue, Sandra Fornino, Ed Halpin, Joan Hunziker, April Kaprelian, Rita Munn, Sharon Pastre, Corliss Welch, Carol Ayoub, and Mary & Ronald Carr.

COMMENTS FROM THE DAIS

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

PUBLIC COMMENTS ON RESOLUTIONS

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

ORDINANCES

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

<u>ORDINANCE NO. 16-02</u> – An ordinance authorizing the execution of a service agreement between the Township of Neptune, the Borough of Tinton Falls, Deloris Gebele, and the Township of Neptune Sewerage Authority to provide sanitary sewerage service to a residential dwelling at 1967 Jumping Brook Road, in the Borough of Tinton Falls. - Final Reading

Explanatory Statement: This ordinance authorizes the execution of agreement which outlines the terms and payments required to allow a single residential home located in the Borough of Tinton Falls to utilize the Township's sanitary sewer system.

Public Hearing:

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

<u>ORDINANCE NO. 16-03</u> – An ordinance to amend Volume I, Chapter II of the Code of the Township of Neptune by rescinding Section 2-67 and the Responsible Contractor Ordinance and requirements. - Final Reading

Explanatory Statement: This ordinance repeals the Township's Responsible Contractor ordinance and requirements as a result of the NJ Department of Community Affairs not granting approval of the ordinance.

Public Hearing:

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

<u>ORDINANCE NO. 16-04</u> – An ordinance to amend Volume I, Chapter II, of the Code of the Township of Neptune by repealing Section 2-47 entitled "Neptune Harbor Commission" - Final Reading

Explanatory Statement: This ordinance finds that the Harbor Commission is no longer needed at this time and repeals the ordinance that creates and defines the responsibilities of the Commission.

Public Hearing:

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

CONSENT AGENDA

Res. # 16-107 – Appoint representative to the Meridian Health Advisory Board.

Res. # 16-108 – Accept the resignation of Carol Rizzo as a member of the Board of Adjustment.

Res. # 16-109 – Appoint Municipal Trustee to the Economic Development Corporation.

Res. # 16-110 - Place lien on various properties.

Res. # 16-111 – Appoint member to the Municipal Alliance Against Alcoholism and Drug Abuse.

Res. # 16-112 – Authorize stand-by duty payment to Office of Emergency Management personnel.

Res. # 16-113 – Accept a FY15 Emergency Management Assistance/Emergency Management Performance grant from the NJ Department of Law & Public Safety.

Res. # 16-114 – Appoint member to the Wesley Lake Commission.

Res. # 16-115 – Authorize the cancellation of sewer rent.

CONSENT AGENDA Offered by:_____ Seconded by:_____ Vote: Bishop, ____; Brantley, ____; Rizzo, ____; Williams, ____; McMillan, ____.

Res. # 16-116 – Oppose seismic testing and offshore drilling off the United States East Coast.

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

Res. # 16-117 – Authorize the payment of bills.

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

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

ADJOURNMENT

RESOLUTION #16-106 - 2/8/16

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

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

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

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

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

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

Personnel – Vacancies on Board of Adjustment and EDC Contract Negotiations – Contracts for firms in consulting engineer pool Contract negotiations – Labor Attorney Personnel – Recommendations for SLEOs and lateral transfer of CSR

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

4. This Resolution shall take effect immediately.

RESOLUTION #16-107 - 2/8/16

APPOINT REPRESENTATIVE TO THE MERIDIAN HEALTH ADVISORY BOARD

BE IT RESOLVED, by the Township Committee of the Township of Neptune that Carol Rizzo be and is hereby appointed as the Township Committee representative to the Meridian Health Advisory Board for the year 2016; and,

BE IT FURTHER RESOLVED, that this Resolution supersedes the appointment made by Resolution 16-38 dated January 1, 2016; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Meridian Health Advisory Board.

CERTIFICATION I HERBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 02/08/16

RESOLUTION #16-108 - 2/8/16

ACCEPT THE RESIGNATION OF CAROL RIZZO AS A MEMBER OF THE BOARD OF ADJUSTMENT

WHEREAS, on January 25, 2016, Carol Rizzo was appointed to fill a vacancy on the Neptune Township Committee; and,

WHEREAS, at the time of said appointment, Carol Rizzo was serving as the Alternate #2 member of the Board of Adjustment; and,

WHEREAS, in accordance with Local Land Use Law, governing body members are not permitted to serve on the Board of Adjustment and Carol Rizzo has submitted her resignation from the Board,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Carol Rizzo as a member of the Board of Adjustment is hereby accepted effective January 25, 2016; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Administrative Officer to the Board of Adjustment.

CERTIFICATION I HERBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 02/08/16

RESOLUTION #16-109 - 2/8/16

APPOINT MUNICIPAL TRUSTEE TO THE ECONOMIC DEVELOPMENT CORPORATION

WHEREAS, Carol Rizzo is currently the Mayor's Designee to the Neptune Township Economic Development Corporation; and,

WHEREAS, Carol Rizzo was appointed to the Neptune Township Committee on January 25, 2016; and,

WHEREAS, the Township Committee desires that Carol Rizzo remain a member of the Economic Development Corporation by appointing her to the vacant Municipal Trustee position on the Corporation;

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby appoints Carol Rizzo as the Municipal Trustee to the Economic Development Corporation for the year 2016; and,

BE IT FURTHER RESOLVED, that this appointment creates a vacancy in the Mayor's Designee position on the Economic Development Corporation; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Secretary to the Economic Development Corporation.

CERTIFICATION I HERBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 02/08/16

RESOLUTION #16-110 - 2/8/16

PLACE LIEN ON VARIOUS PROPERTIES

WHEREAS, Ordinance #843 of the Township of Neptune states that where a violation or condition exists on any property in the Township of Neptune that is of such a nature as to constitute an immediate threat to life, health, safety and the well being of residents in this township unless abated without delay, the Code Enforcement Supervisor may abate the violation or condition immediately or order the owner, operator or occupant to correct the violation or condition within a three-day period; and

WHEREAS, the Code Enforcement Supervisor determined that the condition of the properties listed below constituted such a threat; and,

WHEREAS, the Code Enforcement Supervisor has notified the Township Committee of the Township of Neptune that the owners of said property have failed to correct the condition/violation as ordered; and

WHEREAS, the Code Enforcement Supervisor has had the condition corrected in accordance with Article IV, Section 6.2 (a) of Ordinance #843 at a total cost as indicated below,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Tax Collector be and is hereby authorized to place the following costs as a lien against the following properties; and,

BLOCK/LOT	ADDRESS	AMOUNT
609/9	1701 Stratford Avenue	205.00
907/20	1943 West Lake Avenue	6,500.00

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

CERTIFICATION I HERBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 02/08/16

RESOLUTION #16-111 - 2/8/16

APPOINT MEMBER TO THE MUNICIPAL ALLIANCE AGAINST ALCOHOLISM AND DRUG ABUSE

BE IT RESOLVED, by the Township Committee of the Township of Neptune that Diane Shelton be and is hereby appointed as a member to the Neptune Township Municipal Alliance Against Alcoholism and Drug Abuse for the year 2016; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution for forwarded to the Drug Alliance Coordinator.

CERTIFICATION I HERBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 02/08/16

RESOLUTION #16-112 - 2/8/16

AUTHORIZE STAND-BY DUTY PAYMENT TO OFFICE OF EMERGENCY MANAGEMENT PERSONNEL

WHEREAS, volunteer personnel in the Office of Emergency Management were placed on stand-by duty as a result of the snow emergency declared from January 22nd to January 25th; and,

WHEREAS, overtime payment at the rate of \$14.00 per hour is authorized by resolution of the Township Committee to be paid to said personnel in the event of a long duration situation such as storm or disaster which requires readiness and staffing; and,

WHEREAS, funds will be provided for the first three months of 2016 in the 2016 Temporary Budget and funds for the balance of 2016 will be provided in the Budget for the year 2016, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that stand-by duty payment at the rate of \$14.00 per hour be and is hereby authorized to the following Office of Emergency Management staff for the hours indicated as a result of the snow emergency from January 22, 2016 to January 25, 2016:

Jeffrey Devlin – 67 hours William Vanmeter – 67 hours Jose Perez – 65.5 hours Josh Edwards – 64.5 hours Anthony Cerniglia – 28 hours Nick Acevedo – 44.5 hours

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

> CERTIFICATION I HERBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 02/08/16

RESOLUTION #16-113 - 2/8/16

ACCEPT A FY15 EMERGENCY MANAGEMENT ASSISTANCE/EMERGENCY MANAGEMENT PERFORMANCE GRANT FROM THE NJ DEPARTMENT OF LAW & PUBLIC SAFETY

WHEREAS, the Township received notification from the New Jersey Department of Law & Public Safety of a FY15 Emergency Management Performance Grant/EMAA subaward; and,

WHEREAS, the FY15 Emergency Management Performance Grant/EMAA, Subaward #FY15EMPG-EMAA-1335, is for the period July 1, 2015 to June 30, 2016; and,

WHEREAS, the total amount of the award is \$7,000.00 in federal dollars and a required local match of \$7,010.00; and;

WHEREAS, funds for the local match will be provided for in the 2016 municipal budget, when adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby does accept the that the FY15 Emergency Management Performance Grant/EMAA subaward; and,

BE IT FURTHER RESOLVED, that the Township of Neptune is accepting the specific grant of funds for the purpose described in the application; and,

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

CERTIFICATION I HERBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 02/08/16

RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-114 - 2/8/16

APPOINT MEMBER TO THE WESLEY LAKE COMMISSION

WHEREAS, the Township Committee has received a letter from Sharon Davis resigning as a member of the Wesley Lake Commission effective January 19, 2016; and,

WHEREAS, the Committee desires to appoint a member to this vacancy,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Damaris Adamo be and is hereby appointed as a member of the Wesley Lake Commission (Business Administrator representative) for an unexpired three year term expiring December 31, 2016; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Secretary to the Wesley Lake Commission.

CERTIFICATION I HERBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 02/08/16

RESOLUTION #16-115 - 2/8/16

AUTHORIZE THE CANCELLATION OF SEWER RENT

WHEREAS, the Tax Collector has requested the cancellation of sewer rent to the properties 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 3001/9	ASSESSED TO Marbock Realty, LLC	ADDRESS 3318 Highway 33	YEAR 2016	AMOUNT 920.00
REASON:	Per property inspection			
BLOCK/LOT 2201/29	ASSESSED TO 7 Wayside Inc.	ADDRESS 788 Wayside Road	YEAR 2016	AMOUNT 460.00
REASON:	Per property inspection			
BLOCK/LOT 3705/15	ASSESSED TO PMB 66 Realty, LLC	ADDRESS 3401 Highway 66	YEAR 2016	AMOUNT 1,380.00
REASON:	Per property inspection			

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

CERTIFICATION I HERBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 02/08/16

RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-116 - 2/8/16

OPPOSE SEISMIC TESTING AND OFFSHORE DRILLING OFF THE UNITED STATES EAST COAST

WHEREAS, it is the responsibility of the governing body of the Township of Neptune, as well as the citizens of all coastal communities, to preserve and protect the natural beauty and ecosystems of our beaches and adjacent coastal waters for the enjoyment of current and future generations of citizens and visitors; and,

WHEREAS, the United States Bureau of Ocean Energy Management (BOEM) is considering permits allowing for the exploration and development of offshore oil and gas in the mid- and south-Atlantic Ocean which include using seismic testing for geological and geophysical surveys; and,

WHEREAS, the nature of seismic blasting in the Atlantic Ocean specifically for oil and natural gas exploration is potentially devastating to our coastal area's fish and marine life since the volume, intensity and duration of the sounds emitted during such testing have been shown to harm fish and drive them from their long-established feeding and breeding habitats, and to result in the strandings and deaths of mammals such as dolphins and whales who depend on sound for navigation and food; and

WHEREAS, these activities provide the groundwork for actual oil and natural gas exploration, including drilling; and exploratory and commercial offshore oil drilling and activities such as extracting and transporting oil and gas pose a realistic risk of a spill; and,

WHEREAS, such spills have resulted in severe harm to coastal habitat and the tourism and fishing-based economies of other coastal towns where such offshore oil and gas development has been permitted; and,

WHEREAS, the tourism industry in New Jersey, including direct, indirect and induced impacts generated \$36.4 billion to the State's Gross Domestic Product, or 6.6% of the entire state economy; and,

WHEREAS, in 2014, the state tourism industry supported over 500,000 jobs, or 9.9% of all jobs in the state; and,

WHEREAS, the economy of the Township of Neptune and its neighboring coastal towns is heavily dependent on tourism, recreational fishing and the industries that support it; and,

WHEREAS, an oil spill would have catastrophic effects on the economy of the Township of Neptune and specifically the Ocean Grove Historic District; and,

WHERAS, the risks associated with seismic testing and offshore drilling in the Atlantic Ocean far outweigh the potential benefits; and,

WHEREAS, the continued viability and health of the Mid-Atlantic ocean and coastal region, including the Township of Neptune, require that the Bureau of Ocean Energy Management (BOEM)

continue its policy in the current 2012-2017 five-Year Program *not* to allow lease sales in the Atlantic Ocean for oil and gas exploration and development, and,

WHEREAS, neither our residents, workers, businesses of, nor the thousands of visitors to the Township of Neptune should have to face the threat of an oil spill with its negative impact on the natural environment, local economy, and property values,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, hereby opposes the Five-Year Program allowing oil and natural gas exploration activities, including seismic testing, in the Atlantic coastal waters adjacent to the United States East Coast, due to the potential for irreparable harm to the ecosystem of our coastline and to the economy of the State of New Jersey, and specifically the Township of Neptune; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent to President Barack Obama; U.S. Senators Robert Menendez and Cory Booker; U.S. Congressmen Chris Smith and Frank Pallone, Jr.; State Senator Jennifer Beck; State Assemblyman Eric J. Houghtaling and State Assemblywoman Joann Downey.

> CERTIFICATION I HERBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 02/08/16

RESOLUTION #16-117 - 2/8/16

AUTHORIZE THE PAYMENT OF BILLS

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

CURRENT FUND	\$1,688,986.79
FEDERAL & STATE GRANT FUND	17,697.20
TRUST FUND	93,937.61
GENERAL CAPITAL FUND	69,335.37
SEWER OPERATING FUND	56,970.49
MARINA OPERATING FUND	4,155.95
MARINA CAPITAL FUND	283,830.54
DOG TRUST	624.40
LIBRARY TRUST	198.00

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

\$2,215,736.35

BILL LIST TOTAL

CERTIFICATION I HERBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 02/08/16