

TOWNSHIP COMMITTEE MEETING – OCTOBER 22, 2018

Mayor Williams 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, Kevin B. McMillan, Carol Rizzo, and Mayor Nicholas Williams. Absent: Robert Lane, Jr.

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

Mayor Williams 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 4, 2018, 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:

Michael Bascom, Chief Financial Officer, reviewed the annual Best Practices Survey. He distributed the survey to the member of the Committee and noted that the Township has a score of 92% whereas a score of at least 76% is required to ensure receipt of all state aid. Mr. Bascom reviewed each question and pointed out the following items as either being answer no or prospective:

- 2017 not yet complete
- Goals and metrics provided in the Township Economic Development Plan – prospective
- Review of electronic funds transfers with the governing body – prospective
- Review of PACE legislation – prospective
- Purchase of hybrid and electric vehicles
- Updated personnel ordinance – prospective
- Pay-to-play ordinance is not more stringent than state law

Ms. Rizzo asked several questions pertaining to equal pay, the timeliness of the audit, the options to make donations to municipal functions in lieu of property tax payments, and requirement of notification of outside employment. Mr. Bascom responded that Township has equal pay through its contracts and salary ordinances, the Auditors started late on the audit but the audit requirements have increased, the IRS is not allowing deductions to non-profits in lieu of property tax payments and all employees are required to report outside employment.

Mr. McMillan asked for the difference between the Opportunity Zone and the Urban Enterprise Zone. Mr. Gadaleta stated that the Opportunity Zone spurs development interest by providing a tax benefit to developers. He added that the municipality is permitted one zone and the West Lake Avenue Redevelopment Area is in the Township's Opportunity Zone.

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

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

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

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

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

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

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

Personnel – Punitive damage representation
Contract negotiations – Redevelopment Attorney present
Personnel – Vacancy on Police Committee
Personnel – Driver vacancies in Public Works.

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

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

The Committee reviewed the process of the transporting voters from various senior housing to the polls on Election Day which has been the past practice for many years.

Dr. Brantley recommended Adrienne Sanders for appointment to the Police Committee. Action was taken by resolution at the regular business portion of the meeting.

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

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

Also present at the dais were Richard J. Cuttrell, Municipal Clerk; Vito D. Gadaleta, Business Administrator; Gene Anthony, Township Attorney; and Joseph Maraziti, Redevelopment 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 Williams 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 4, 2018, 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

Ms. Rizzo offered a motion, seconded by Mr. McMillan, to approve the minutes of the meeting held on October 4th. All were in favor.

PROCLAMATION – CURFEW

The Mayor announced a proclamation extending curfew hours for minors on October 30th and October 31st. All persons under the age of 18 must be off public streets and places between 9:00pm and 4:00am unless accompanied by an adult.

COMMENTS FROM THE DAIS

Dr. Brantley attended the P.O.W. memorial service at Veterans Memorial Park, a meeting with the Mayor of Asbury Park regarding Wesley Lake dredging, the P.B.A. Steak Bake fund raiser on October 19th, the Alzheimer's Walk in Bradley Beach, and the Gables Homeowners Association forum/candidate debate.

Mr. McMillan attended the Lion's Club Halloween Gala where Mayor Williams was honored for his community service. He attended the League Legislative Meeting where two pending bills were reviewed: policy on pregnant firefighters which was recommended to hold until it includes EMS and police and a requirement for a contact number on handicapped parking signs to report violations which was not recommended for approval because violations can be reported via 9-1-1. Mr. McMillan also reported that Mel Hood, former Planning Board member, passed away.

Ms. Rizzo attended the Ocean Grove United Breakfast which benefitted the St. Paul's Church Food Pantry.

Mayor Williams attended the P.B.A. Steak Bake and the Lions Club dinner where he was honored for his community services. This year's Mayor's Ball raised \$30,000 for the Lions Club. He announced that this evening, the Committee will be authorizing the signing of the Township's first Redevelopment Agreement in 11 years. The Agreement will be the first of five agreements with, hopefully, three of those coming by the end of the year.

ADOPT SIDE BAR AGREEMENT BETWEEN NEPTUNE TOWNSHIP AND NEW JERSEY STATE
PBA LOCAL 74 NEPTUNE TOWNSHIP UNIT - TABLED

Dr. Brantley offered a motion, seconded by Mr. McMillan, to table a resolution to “Adopt Side Bar Agreement between Neptune Township and New Jersey State PBA Local 74 Neptune Township unit”. All were in favor.

PUBLIC COMMENTS ON RESOLUTIONS

Joan Venezia, 107 Mt. Hermon Way, asked who is being appointed as the third member of the Police Committee. Dr. Brantley responded Adrienne Sanders. Ms. Venezia asked if any public meetings are planned to further discuss the appointment of the Redeveloper for the West Lake Redevelopment Plan. Mr. Gadaleta responded that this is an interim agreement which sets further meetings and timelines in accordance with the West Lake Avenue Redevelopment Plan. There will be additional discussions and the adoption of a Redevelopment Agreement. The project will also have to appear before the Planning Board. Joseph Maraziti, Redevelopment Attorney stated that this Interim Agreement will initiate negotiations into a formal Redevelopment Agreement which will describe the project and set a schedule. Mr. Anthony added that the Committee will have to adopt another resolution in the future to approve the Redevelopment Agreement.

Jack Bredin, 94 ½ Heck Avenue, stated that this is not a Redevelopment Agreement. He read the title of the resolution and commented that all of the things that are needed in a Redevelopment Agreement are not there. There are still a lot of things that are needed before the process really begins and he asked that the resolution be tabled.

Dianna Harris, 17 Willow Drive, asked if there has been discussion on how existing businesses will be treated. Mr. Gadaleta stated that negotiations are in process to acquire property that is privately owned. Ms. Harris stated that MURC is supposed to have a relationship with the Redeveloper. The Mayor stated that the Township is still far away from a Redevelopment Agreement. Ms. Harris stated that there needs to be involvement with MURC to maintain consistency and a relationship with the new Redeveloper.

ORDINANCE NO. 18-30 - ADOPTED

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

ORDINANCE NO. 18-30

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XV, OF THE
CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED “UNIFORM
FIRE SAFETY ACT ENFORCING AGENCY”

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

Hank Coakley, Valley Road, stated that he hopes this ordinance requires that street numbers be placed on the front of every building, especially commercial structures, so that they are easily identifiable to first responders.

There being further comments, the Mayor closed the public hearing.

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

ORDINANCE NO. 18-31 - ADOPTED

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

ORDINANCE NO. 18-31

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE
CODE OF THE TOWNSHIP OF NEPTUNE BY REMOVING
HANDICAPPED PARKING ZONES ON ANELVE AVENUE AND
COOKMAN AVENUE

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

Joan Venezia, 107 Mt. Hermon Way, asked if the two handicapped spots being removed

were the result of the Township discovering they were no longer valid or by someone notifying the Township. Mr. Cuttrell stated that the Township was notified. Ms. Venezia asked what is being done to identify resident handicapped spots that are no longer valid. Mr. Cuttrell stated that a survey will be sent out shortly to all registered residential handicapped applicants asking for verification that they still reside at the address and that it is their primary address.

There being further comments, the Mayor closed the public hearing.

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

CONSENT AGENDA

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

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY 1019 OLD CORLIES ROAD, LLC FOR SITE IMPROVEMENTS IN CONNECTION WITH CAR WASH & LUBE EXPRESS AT 1019 OLD CORLIES AVENUE

WHEREAS, on December 15, 2015, 1019 Old Corlies Road, LLC filed performance bond 5023556, written by Bond Safeguard Insurance Company in the amount of \$355,320.00, guaranteeing site improvements at the Car Wash & Lube Express at 1019 Old Corlies Avenue; and,

WHEREAS, on January 23, 2017, the Township Committee adopted Resolution #17-92 which authorized a reduction in the performance bond to the amount of \$106,596.00; and,

WHEREAS, the Township Consulting Engineer has certified that all site improvements have been completed in a satisfactory manner as of August 22, 2018 and said performance bond can be released contingent upon posting a two year maintenance bond in the amount of \$49,350.00; and,

WHEREAS, 1019 Old Corlies Road, LLC has filed Maintenance Bond #1089846 in the amount of \$49,350.00 written by Lexon Insurance Company guaranteeing said site improvements for a period of two years,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Maintenance Guarantee as stated above be and is hereby accepted and the performance bond is authorized to be released; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee in the amount of \$11,892.81 and the remaining inspection fee escrow be and is hereby authorized to be refunded; and,

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

AUTHORIZE SUBMISSION OF AN ASSISTANCE TO FIREFIGHTERS GRANT APPLICATION THROUGH THE FEDERAL EMERGENCY MANAGEMENT AGENCY

WHEREAS, the Federal Emergency Management Agency (FEMA) offers an Assistance to Firefighters Grant to meet the emergency response needs of emergency medical service organizations by providing funding for critically needed equipment, protective gear, emergency vehicles, training and other resources necessary for protecting the public and emergency personnel; and,

WHEREAS, the Neptune Township EMS Director has prepared an application for funding to purchase six (6) automatic Cardio Pulmonary Resuscitation (CPR) Chest Compression devices to equip each ambulance in the Township of Neptune with this device; and,

WHEREAS, the cost of the this equipment and relating training is \$96,000 for which the Township seeks a 90% grant in the amount of \$87,272.73 and agrees to provide a 10% cash match in the amount of \$8,727.27; and,

WHEREAS, funds for the grant match will be provided in the 2019 Municipal Budget, when adopted, in the appropriation entitled Matching Funds for Grants, 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 submission of a grant application to FEMA for an Assistance to Firefighters

Grant for funding to purchase six (6) automatic CPR Chest Compression devices for the Township Emergency Medical Services in the amount of \$87,272.73; and,

BE IT FURTHER RESOLVED, that the Township agrees to provide the required 10% cash match in the amount of \$8,727.27 should said grant be awarded; and,

BE IT FUTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Grant Coordinator, and EMS Director.

AUTHORIZE AN AMENDMENT TO THE 2018 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 2018 in the sum of \$51,398.00 which is now available from a United States Department of Justice - Justice Assistance Grant in the amount of \$51,398.00; and,

BE IT FURTHER RESOLVED that the like sum of \$51,398.00 is hereby appropriated under the caption of 2018 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 – FY18 Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$51,398.00; 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.

AUTHORIZE RENEWAL OF LIQUOR LICENSE ISSUED TO MOM'S KITCHEN, INC. T/A IL POSTO FOR THE 2018-2019 LICENSING YEAR

WHEREAS, Mom's Kitchen, Inc. t/a Il Posto has completed the on-line Alcoholic Beverage Control renewal application, paid the required state and local fees, been reviewed by the Neptune Township Police Department, and has been issued a New Jersey State Sales Tax Clearance Certificate by the State Division of Taxation,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Plenary Retail Consumption License No. 1334-33-013-004 issued to Mom's Kitchen, Inc. t/a Il Posto be and is hereby renewed for the period July 1, 2018 to June 30, 2019; and,

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.

DECLARE THE LOFFREDO FIELDS IMPROVEMENT PROJECT AS COMPLETE

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Township of Neptune entered into a Municipal Open Space Program Grant Agreement with the County of Monmouth on June 23, 2016 that provided \$250,000 for Loffredo Fields Improvements under Application No. 15-07 that required certain conditions be met by the Township of Neptune prior to receipt of the aforesaid funds; and

WHEREAS, the Monmouth County Park System requires a certified copy of a resolution of the governing body determining that the project aforesaid was finally complete and a closing statement of "Final Change Order" adopted by the governing body,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Neptune that all conditions of the June 23, 2016 Grant Agreement have been satisfied by the Township of Neptune and that the project known as Loffredo Fields Improvement Project has been completed; and

BE IT FURTHER RESOLVED, that the Township of Neptune made final payment to the contractor Precise Construction per the letter of the consultant engineer David J. Cella, PE, CME of ARH Associates, dated October 1, 2018, and that payment was made per voucher on, October 4, 2018 under Check No. 30437, voucher and check are hereby attached and also on file in the Municipal Clerk's Office; and,

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

EMPLOY TEMPORARY ATTENDANT FOR THE ADULT BASKETBALL RECREATION PROGRAM

WHEREAS, the Township of Neptune Recreation Department will be sponsoring a weekly Adult Basketball Program; and,

WHEREAS, the Recreation Director and Human Resources Director recommend the hiring of an Attendant to oversee the program; and,

WHEREAS, funds will be provided in the 2018 Municipal Budget in the appropriation entitled Recreation 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 Bridget James be and is hereby employed as a temporary part-time attendant for the Neptune Recreation Adult Basketball Program for two hours per week from November 1, 2018 through March 31, 2019 at an hourly rate of \$15.00; and,

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

AUTHORIZE PAYMENT TO OFFICE OF EMERGENCY MANAGEMENT PERSONNEL

WHEREAS, as a result of flooding caused by Hurricane Florence, the New Jersey Medical Reserve Corps deployed nurses to staff Medical Needs Shelters in North Carolina; and,

WHEREAS, the NJ Department of Health and NJ EMS Task Force coordinated this deployment with the Neptune Township Office of Emergency Management; and,

WHEREAS, Michael DiLeo, Neptune Township Deputy OEM Coordinator, transported the nurses from North Carolina back to New Jersey on October 4, 2018; and,

WHEREAS, the State of New Jersey has authorized payment at the rate of \$30.00 per hour for the round trip from Durham, NC to Neptune Township; and,

WHEREAS, funds will be provided in the 2018 Municipal Budget in the appropriation entitled Office of Emergency Management S&W, said amount to be reimbursed to the Township by the State of New Jersey, and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Michael DiLeo, Neptune Township Deputy OEM Coordinator, be and is hereby authorized payment at the rate of \$30.00 per hour for a total of 21 hours for transporting nurses for the New Jersey Medical Reserve Corps deployment to North Carolina; and,

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

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT (2205 ALPINE TRAIL)

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
1402	3C2205	Kouvel	2205 Alpine Trail	2018	1.087.10

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 (232 VALLEY ROAD)

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
5315/2	Jacqueline Hurley	232 Valley Road	2018	460.00

REASON: Building demolished in 2017

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

AUTHORIZE THE REFUND OF SEWER RENT AS A RESULT OF AN OVERPAYMENT (11 EAST SHADOWLAWN DRIVE)

WHEREAS, the properties listed below reflect overpayments; and,

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

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the Tax Collector be and hereby is authorized to refund the Sewer Rent as stated herein:

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
2307/3	Hunter	11 East Shadowlawn Drive	2018	120.00

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 (811 STAMFORD DRIVE)

WHEREAS, the property known as Block 1503, Lot 4, with an address of 811 Stamford Drive was granted a Totally Disabled Veteran Exemption as of August 13, 2018 and should be tax exempt; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against this property for 2018 as of August 13, 2018 and refund same to the owner of record 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
2018	\$ 2,118.20	\$ 690.21

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.

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

APPOINT THIRD MEMBER TO THE POLICE COMMITTEE

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

WHEREAS, the Township Committee adopted Ordinance No. 17-29, later amended by Ordinance No. 17-37, creating a three member Police Committee to serve as the appropriate authority as provided for in State Statutes and,

WHEREAS, there is a vacancy in the non-Township Committee member person; and,

WHEREAS, the Township Committee desires to appoint the third, non-Township Committee, citizen member at this time,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby appoints Adrienne Sanders as the third member of the Police Committee, effective immediately, and to serve until the appointment of a successor; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Business Administrator, Township Attorney and Chief of Police.

The resolution was adopted on the following vote: Brantley, aye, adding that Ms. Sanders is the 1st Vice-President of the state NAACP and is President of the Neptune/Asbury Chapter of the NAACP; McMillan, aye; Rizzo, aye, with great pleasure; and Williams, aye.

AUTHORIZE THE PAYMENT OF BILLS

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

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

CURRENT FUND	5,048,152.42
GRANT FUND	45,129.17
TRUST FUND	38,983.42
GENERAL CAPITAL FUND	5,482.94
SEWER OPERATING FUND	73,777.97
SEWER CAPITAL FUND	405.00
MARINA OPERATING FUND	9,135.41
LIBRARY TRUST	1,004.47
 BILL LIST TOTAL	 \$5,222,070.80

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

AUTHORIZE THE EXECUTION OF AN INTERIM COST AND CONDITIONAL DESIGNATION AGREEMENT WITH BAW DEVELOPMENT, LLC, INCLUDING PROVISIONS FOR A DEPOSIT OF PROJECT FUNDS TO DEFRAY COSTS INCURRED BY THE TOWNSHIP OF NEPTUNE IN CONNECTION WITH THE NEGOTIATION OF A REDEVELOPMENT AGREEMENT, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ.

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

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the "Act"), provides a process for municipalities to participate in the redevelopment and improvement of areas designated as areas in need of redevelopment or as areas in need of rehabilitation; and

WHEREAS, the Township desires that the land located in an area which has been determined to be an area in need of redevelopment in accordance with the Act (the "Redevelopment Area"), currently designated as Block 611, Lots 38, 39, 40 and 41, more commonly known collectively as 1718 West Lake Avenue; Block 605, Lots 1, 2, 43, 44, 45, 46 and 47, more commonly known collectively as 1620 West Lake Avenue; Block 602, Lots 13, 14 and 15, more commonly known collectively as 1509 West Lake Avenue; and Block 610, Lot 14, more commonly known collectively as 1715 West Lake Avenue; on the Tax Map of the Township of Neptune (collectively referred to herein as the "Project Site"), be redeveloped in accordance with the West Lake Avenue Redevelopment Plan, as same may have been amended from time to time (the "Redevelopment Plan"); and

WHEREAS, on or about February 20, 2018, BAW Development, LLC ("BAW"), an entity that will be owned equally by the Alpert Group, LLC and Community Asset Preservations Corporation, a subsidiary of New Jersey Community Capital, submitted an initial Pre-Submission Form, a complete copy of which is on file at the Town Hall, seeking to be designated as the Redeveloper of six (6) certain parcels included within the Project Site in order to build a mixed-use, mixed-income residential project consisting of affordable housing units and retail with parking; and

WHEREAS, the Township's Redevelopment Committee vetted the information contained within the initial Pre-Submission Form and met with BAW to further discuss the Pre-Submission Form and the implementation of the Redevelopment Plan, generally; and

WHEREAS, following said meetings, BAW submitted a revised Pre-Submission Form on or about September 26, 2018, a copy of which is attached hereto as Attachment A (the "Proposal"), proposing to build a more comprehensive mixed-use project consisting of one hundred and twenty-four (124) mixed income residential units for rental or homeownership, 10,073 sq. ft. of flex space, 6,700 sq. ft. of retail space, 1,000 sq. ft. of restaurant space, and one hundred and ninety-eight (198) parking spaces upon the fifteen (15) parcels within the Redevelopment Area which comprise the Project Site; and

WHEREAS, the Proposal calls for BAW acquiring each of the parcels which comprise the Project Site, some of which are owned by the Township and some of which are not, and redeveloping them in accordance with the Proposal, the Redevelopment Plan and all applicable laws, rules and regulations; and

WHEREAS, the Township and BAW desire to negotiate a Redevelopment Agreement in order for BAW to implement the Proposal, subject to the provisions herein and further review by the Township; and

WHEREAS, the Township has determined that BAW possesses the necessary experience and qualifications to take the steps necessary in order to implement the Proposal and further, that the Proposal is in the best interest of the community; and

WHEREAS, the Township requires that BAW pay the reasonable costs and fees incurred by the Township associated with the review of the initial Pre-Submission Form, the Proposal, the drafting and negotiation of a Redevelopment Agreement (a "Redevelopment Agreement"), and all other costs and fees related to this matter prior to the execution of any such Redevelopment Agreement, should a Redevelopment Agreement ultimately be executed, or the determination by the Township that such a Redevelopment Agreement cannot be executed, should that result occur.

NOW, THEREFORE, it is hereby resolved by the Township Committee of Neptune as follows:

1. The Mayor is hereby authorized and directed to execute an Interim Cost and Conditional Designation Agreement between the Township of Neptune and BAW Development, LLC in substantially the form attached hereto as Attachment B.
2. The Business Administrator and Staff of the Township of Neptune are hereby authorized and directed to take all actions as shall be deemed necessary or desirable to implement this Resolution.
3. This Resolution shall be effective immediately.

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Jack Bredin, 94 ½ Heck Avenue, stated that nothing happened at the West Lake Avenue Redevelopment Area and the politicians always do it wrong. The North End Redevelopment Area needs a new elevation requirement after Sandy. Mr. Gadaleta stated that the base flood elevation has been approved at 12 feet for all new construction and that may change depending on new FEMA guidelines. Mr. Bredin stated that is no good because the boardwalk is at 12 feet above sea level.

Connie Holmes, 62 Winding Ridge Drive, thanked the Committee for selecting a female to serve on the Police Committee.

Richard Williams, 1 Abbott Avenue, stated his support of the comments of Dianna Harris that MURC be involved in the West Avenue Redevelopment process. He asked the Committee to include the public in this process. Dr. Brantley stated that the public was included in the process when the Redevelopment Plan was created and that Plan is a product of the public's input. Mr. Maraziti stated that public involvement will continue and the Township will continue to explain the project as it evolves.

Joan Venezia, 107 Mt. Hermon Way, thanked Adrienne Sanders for volunteering for the Police Committee. She asked if the previous third person on the Police Committee is currently the paid Consultant. The Mayor responded that yes, Barry Colicelli is the paid Consultant. Ms. Venezia asked Mr. Maraziti for an update on negotiations with the North End Redeveloper. Mr. Maraziti stated that a Pre-Submission form was submitted by OGNED with a broad outline of the site. The Redevelopment Committee has been in conversations, a lot of progress has been made, but it is not complete yet. When it is complete, there will be a similar resolution as to the one adopted this evening for West Lake Avenue. Ms. Venezia asked for a timeline. Mr. Maraziti responded fairly soon. The Mayor provided the names of the Redevelopment Team at Ms. Venezia's request.

Hank Coakley, Valley Road, stated that the detour signage on Marconi Road is excellent. The recent paving on Highway 33 is bad because the manholes are two inches lower than the paved surface. The intersection of Brighton Avenue and Gully Road in Wall Township is in need of striping on the roadway because it is very dangerous. Dr. Brantley agreed with Mr. Coakley on the matter of the paving on Route 33. Mr. Gadaleta will ask the Township Engineer to follow up.

Reverend Lee, 12 Patricia Drive, stated that the Police Committee has been going through the policies in the Police Department. He asked what has been improved to eliminate the sexual harassment in the Department. Dr. Brantley stated that the Committee is working on many things but he cannot discuss them all in public. The Mayor stated that police officers are now attending homeowners meetings, arrests are up and crime down. The officer are more active in the community. Rev. Lee asked that the device that shows your speed be placed on Sunnyfield Terrace. Mr. Gadaleta will follow-up with the Police Department.

Dr. Brantley stated that the resolution that was tabled this evening was one of the things that came out of the Police Committee. It was tabled because it needs some fine tuning but will be considered in the near future.

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

Richard J. Cuttrell,
Municipal Clerk