

TOWNSHIP COMMITTEE MEETING – DECEMBER 3, 2015

Mr. Bishop called the meeting to order at 6:00 p.m. and requested the Clerk to call the roll. The following members were present: J. Randy Bishop, Dr. Michael Brantley and Eric J. Houghtaling. Absent: Kevin B. McMillan and Mayor Mary Beth Jahn.

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

Mr. Bishop 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 October 15, 2015, 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. Anthony stated that he made changes to the draft ordinance regarding Revocable Licenses. The ordinance is on the regular meeting agenda for introduction. Mr. Anthony explained that until now if the Zoning Officer learned of an encroachment on the Township right-of-way, there was no option except the removal of the encroachment. Currently, encroachments exist such as a retention basin, a swimming pool and a recreation area. The Township cannot allow private property owners to own public property. In addition, the encroachments present exposure to litigation to the Township. This ordinance provides for insurance, removes liability, prevents adverse possession and clearly states the understanding that it is an encroachment. This gives a choice to the owner to remove the encroachment or apply for a license. At the direction of the Committee, the ordinance was also changed to define a minor and major encroachment and provides for a fee for both types. The procedure for obtaining a License Agreement is also clearly defined.

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

Mr. Houghtaling 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:

Contract negotiations – Insurance management/prescription insurance

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

4. This Resolution shall take effect immediately.

The resolution was adopted on the following vote: Bishop, aye; Brantley, aye; and Houghtaling, aye.

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

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

Mr. Houghtaling offered a motion, seconded by Dr. Brantley to appoint J. Randy Bishop as Temporary Chairperson for this meeting. All were in favor.

Mr. Bishop called the meeting to order and requested the Clerk to call the roll. The following members were present: J. Randy Bishop, Dr. Michael Brantley, and Eric J. Houghtaling. Absent: Kevin B. McMillan and Mayor Mary Beth Jahn.

Also present at the dais were Richard J. Cuttrell, Municipal Clerk; and Gene Anthony, Township Attorney.

After a moment of Silent Prayer and the Flag Salute, Mr. Bishop 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"

Mr. Bishop 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 October 15, 2015, 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](http://www.neptunetownship.org).

#### REPORT OF THE CLERK

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

Notice of an amendment to the Land Development Ordinance of the Borough of Tinton Falls.

#### COMMENTS FROM THE DAIS

Dr. Brantley stated that he attended the Thanksgiving Dinner at the Senior Center which was a good event for socializing, but not good for the waistline. He attend the Oldies but Goodies dance sponsored by the Midtown Committee.

Mr. Houghtaling stated that he worked at the Soul Kitchen in Red Bank which is a restaurant sponsored by Bon Jovi and his wife. Patrons of the restaurant pay what they can, there are no set prices. He was waited on by Senator Booker and Bon Jovi was in the kitchen washing dishes. He also attended the Thanksgiving Day football game, the Ocean Grove Homeowners Association meeting and the Jersey Shore Performing Arts Center tree lighting.

Mr. Bishop stated that he attended the Thanksgiving luncheon at the Senior Center, the Drunk Driving Vigil at the High School, the Thanksgiving Day football game and the Jersey Shore Performing Arts Center tree lighting. He also announced that the Shark River Hills tree lighting has been moved to December 9<sup>th</sup> which is the same time as the MURC tree lighting.

#### AUTHORIZE THE PURCHASE OF A DUMP TRUCK WITH SNOWPLOW THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM - TABLED

Mr. Houghtaling offered a motion, seconded by Dr. Brantley, to table a resolution to "Authorize the purchase of a dump truck with snowplow through the State Cooperative Purchasing Program". All were in favor.

#### PUBLIC COMMENTS ON RESOLUTIONS

Hank Coakley, Valley Road, asked why the resolution was tabled. Mr. Bishop stated that Public Works is looking to add an aftermarket option to the truck. Since that option is not offered through State Contract, the truck cannot be purchased through the State Cooperative.

#### ORDINANCE NO. 15-52 - ADOPTED

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

#### ORDINANCE NO. 15-52

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XI OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING SECTION 11-8 TO AUTHORIZE PARTICIPATION IN THE STATE LOCAL COOPERATIVE HOUSING INSPECTION PROGRAM (SLCHIP) FOR THE LOCAL INSPECTION OF HOTELS, MOTELS AND MULTIPLE DWELLINGS

Mr. Bishop requested public comments on the above ordinance and they were as follows:

Hank Coakley, Valley Road, asked if the Township inspectors would be receiving training on the State RIMS data system. Mr. Cuttrell stated that the State will provide the necessary training in January.

Kathy Arlt, 106 Abbott Avenue, questioned what constitutes a multiple dwelling, how many units.

Mr. Anthony stated it is more than three units.

Ms. Arlt asked whether they were saying every year.

Mr. Bishop stated they were saying every five years.

Ms. Arlt questioned what if an inspection was needed in the meantime.

Mr. Bishop stated it does not preclude maintenance code inspections. He stated this was a licensing inspection.

There being no further comments, Mr. Bishop closed the public hearing.

The ordinance was adopted on the following vote: Bishop, aye; Brantley, aye; and Houghtaling, aye.

ORDINANCE NO. 15-53 - ADOPTED

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

ORDINANCE NO. 15-53

AN ORDINANCE TO AMEND AND SUPPLEMENT VOLUME I, CHAPTER IV, SECTION 4-29 OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED DEALERS OF PRECIOUS METALS AND JEWELRY

Mr. Bishop requested public comments on the above ordinance. There being no comments, he closed the public hearing.

The ordinance was adopted on the following vote: Bishop, aye; Brantley, aye; and Houghtaling, aye.

ORDINANCE NO. 15-54 - APPROVED

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

ORDINANCE NO. 15-54

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XX OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING SECTION 20-4 ENTITLED HYDRAULIC FRACKING AND HYDRAULIC FRACKING BYPRODUCTS

The ordinance was approved on the following vote: Bishop, aye; Brantley, aye; and Houghtaling, aye.

ORDINANCE NO. 15-55 - APPROVED

Mr. Anthony repeated the overview and synopsis of the ordinance that he provided at the workshop portion of the meeting.

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

ORDINANCE NO. 15-55

AN ORDINANCE TO AMEND VOLUME I, CHAPTER IV, OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED, "BUSINESS AND LICENSING REGULATIONS CONCERNING GRANTING OF REVOCABLE LICENSES

The ordinance was approved on the following vote: Bishop, aye; Brantley, aye; and Houghtaling, aye.

Mr. Cuttrell stated that the Public Hearings on Ordinances 15-54 and 15-55 will be held on Monday, December 21st.

CONSENT AGENDA

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

APPROVE EXTENSION OF CONSTRUCTION HOURS FOR JSUMC HOPE TOWER AND PARKING GARAGE

WHEREAS, the Township of Neptune prohibits the operation of heavy equipment between the hours of 7:00 p.m. and 8:00 a.m. Monday through Saturday; and,

WHEREAS, this prohibition also includes the hours between 7:00 p.m. and 10:00 a.m. on Saturdays between Memorial Day and Labor Day; and,

WHEREAS, Jersey Shore University Medical Center has indicated that allowing construction to commence at 7:00 a.m. Monday through Friday and 8:00 a.m. on Saturdays, will result in cost savings and a faster completion of the project; and,

WHEREAS, the Medical Center has agreed to limit excessive noise during the early hours of the day; and,

WHEREAS, the Township desires to permit construction one hour earlier than permitted by ordinance to allow work to commence at 7:00 a.m. Monday through Friday, and 8:00 a.m. on Saturdays for the duration of the project including the summer season,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an extension of the permitted construction hours is hereby granted to, and at the request of, Jersey Shore University Medical Center for the expansion project at the hospital to allow work to begin at 7:00 a.m. Monday through Friday and 8:00 a.m. on Saturdays, said exception being made pursuant to Section 3-2.5 of the Code of the Township; and,

BE IT FURTHER RESOLVED, that the prohibition on construction work on all Sundays, Memorial Day, July 4<sup>th</sup> and Labor Day remains in full effect; and,

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

GRANT SOCIAL AFFAIR PERMIT TO FREDERICK DEMPSEY POST #266

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Municipal Clerk and Chief of Police be and are hereby authorized to approve the application of Frederick Dempsey American Legion Post #266 for a social affair permit at the Frederick Dempsey American Legion Post #266, 240 Drummond Avenue, from December 31, 2015 at 6:00 p.m. to January 1, 2016 at 2:00 a.m.

AUTHORIZE DEVELOPER'S AGREEMENT WITH 1019 OLD CORLIES RD., LLC FOR SITE IMPROVEMENTS AT 1019 OLD CORLIES AVENUE, BLOCK 3102, LOT 2 (FORMERLY BLOCK 10015, LOT 2)

WHEREAS, 1019 Old Corlies Road, LLC, applied for and were granted Preliminary and Final Site Plan Approval for a Use Variance to permit the use and development of the subject property as a full service car wash and automobile lube express facility, subject to certain conditions, variances and waivers associated therewith before the Zoning Board of Adjustment of the Township of Neptune; and

WHEREAS, 1019 Old Corlies Road, LLC has agreed to enter into a Developer's Agreement with the Township of Neptune to guarantee the faithful performance of the obligations and representations associated with the application before the Zoning Board of Adjustment of Neptune Township; and

WHEREAS, it is in the best interest of the citizens of the Township of Neptune to enter this Developer's Agreement with 1019 Old Corlies Road, LLC to ensure the proper compliance and guaranteed performance of items and improvements made on said parcel.

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk are hereby authorized to execute the aforesaid Developer's Agreement with 1019 Old Corlies Road, LLC, a true copy of which is attached hereto as Exhibit "A" for compliance with the Zoning Board of Adjustment of Neptune Township's Resolution ZBA #06-17, and representations upon submission and approval of all conditions arising from the aforesaid Resolution, and return the same to the Township Attorney for recording in the Clerk's office of Monmouth County.

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

AUTHORIZE THE TRANSFER OF 2015 BUDGET APPROPRIATIONS

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of current year appropriations during the last two months of the fiscal year; and,

WHEREAS, the Chief Financial Officer has recommended that the following appropriation transfers be authorized,

	FROM	TO
General:		
Revenue OE	10,000.00	
Work Comp OE	2,500.00	
Economic Development OE	1,500.00	
Planning Board OE	5,525.00	
Police Department OE	80,000.00	
Solid Waste Collection S&W	95,000.00	
Street Lighting OE	6,000.00	
Publicity OE	3,000.00	
Natural Gas OE	20,000.00	
Gasoline OE	90,000.00	
Solid Waste Disposal OE	125,000.00	
Legal OE		65,000.00
Police Department S&W		180,000.00
Streets & Road Maintenance OE		80,000.00
Vehicle Maintenance OE		100,000.00
PERS OE		13,525.00
TOTAL	438,525.00	438,525.00
Marina:	FROM	TO
Interest on Notes	400.00	
BAN Payments		400.00

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, that 2015 Budget Appropriations be transferred as stated herein; and,

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

AMEND RATES FOR CERTAIN SPECIAL DUTY ASSIGNMENTS FOR POLICE OFFICERS  
SPECIAL POLICE OFFICERS AND TRAFFIC CONTROL OFFICERS

WHEREAS, the Township Committee adopted Ordinance No. 10-12 which establishes procedure and policy for Special Duty Assignments for Police Officers, Special Police Officers and Traffic Control Officers; and,

WHEREAS, the Committee desires to establish the rate for Special Duty Assignments in connection with security assignments at Jersey Shore University Medical Center and the rate for Special Law Enforcement Officer Off-Duty Security Assignments in accordance with said ordinance,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following shall represent the rates for certain Special Duty Assignments for Police Officers and Special Police Officers effective December 1, 2015:

JSUMC Security Assignments – Total rate \$65.00 per hour:

Amount paid to members of FOP and PBA - \$50.00 per hour  
Amount paid to Special Law Enforcement Officer Class II - \$30.00 per hour

Amount paid to Special Law Enforcement Officer Class II for all Off-Duty Security Assignments - \$30.00 per hour

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

AUTHORIZE DONATION OF SURPLUS POLICE VEHICLE TO THE OCEAN GROVE CITIZENS PATROL

WHEREAS, the Township of Neptune has a 2001 Ford Crown Victoria police vehicle that is no longer needed by the Township and is therefore surplus equipment; and,

WHEREAS, the Ocean Grove Citizens Patrol is in need of said vehicle; and,

WHEREAS, the Ocean Grove Citizens Patrol performs a quasi municipal function as a neighborhood watch group and by providing traffic control services during Township events conducted throughout the year; and,

WHEREAS, the Township of Neptune desires to authorize the donation of the vehicle to the Ocean Grove Citizens Patrol at no cost,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the donation of a 2001 Ford Crown Victoria police sedan bearing vehicle identification number 2FAP71W12X114729 to the Ocean Grove Citizens Patrol; and

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

AUTHORIZE AN AMENDMENT TO THE 2015 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY

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 2015 in the sum of \$5,000.00 which is now available from the New Jersey Division of Highway Traffic Safety in the amount of \$5,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$5,000.00 is hereby appropriated under the caption of 2015 Drive Sober or Get Pulled Over Year End Holiday Crackdown; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from a New Jersey Division of Highway Traffic Safety – 2015 Drive Sober or Get Pulled Over Year End Holiday Crackdown in the amount of \$5,000.00; and,

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

AUTHORIZE A PERSON TO PERSON TRANSFER OF THE LIQUOR LICENSE PRESENTLY ISSUED TO SUDSY ENTERPRISES, INC. T/A SUDSY MUG SALOON

WHEREAS, Foxybella, LLC has applied for a person-to-person transfer of Plenary Retail Consumption License # 1334-33-024-003 which is presently issued to Sudsy Enterprises, Inc. t/a Sudsy Mug Saloon for premises at 1105 6<sup>th</sup> Avenue, Neptune, NJ; and,

WHEREAS, the application is complete in all respects; and,

WHEREAS, the required Affidavit of the source of funds of said liquor license has been filed by the applicant for the transfer and examined by the members of the Township Committee; and,

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey statutes, the regulations promulgated thereunder as well as the pertinent local ordinances and conditions imposed consistent with Title 33; and,

WHEREAS, all transfer procedures as outlined by state statute and local ordinances have been completed satisfactorily,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the person-to-person transfer of Plenary Retail Consumption License #1334-33-024-003 as stated herein to Foxybella, LLC t/a The Grand Tavern effective December 4, 2015; and,

BE IT FURTHER RESOLVED, that Resolution #15-452 which authorized this liquor license transfer with an earlier effective date is hereby rescinded; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the New Jersey Division of ABC, the Chief of Police and the Applicant.

EMPLOY SPECIAL LAW ENFORCEMENT OFFICERS IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

WHEREAS, there is a need for additional Special Law Enforcement Officers in the Police Department on a part-time hourly basis; and,

WHEREAS, the positions were duly posted and applicants have been interviewed; and,

WHEREAS, the Chief of Police and Police Director have made their recommendations; and,

WHEREAS, funds will be provided in the municipal budget in the appropriation entitled Police S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Jordan Loiodice, Tressa Huizenga, Malcolm Jenkins, Robert Vetrano, Joseph Siciliano, Jason Paulus and Eliot Perez be and are each hereby employed as a part-time Special Law Enforcement Officer – Class II, effective January 1, 2016, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, at an hourly rate as established by prior resolution of the Township Committee; and,

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

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

AUTHORIZE THE PURCHASE OF A SPECIAL OPERATIONS/RESCUE TRUCK THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

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

WHEREAS, the Township wishes to purchase a Special Operations/Rescue Truck to support the Neptune Township Special Operations Team 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, Rescue One has been awarded New Jersey State Contract No. A86443 for this equipment; and,

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

WHEREAS, the cost of the truck shall not exceed \$367,962.09 and the cost of options and modifications shall not exceed \$19,000.00; and,

WHEREAS, funds for this purpose are available from Ordinance No. 15-33 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 a Special Operations/Rescue Truck through the New Jersey Cooperative Purchasing Program for the Neptune Township Special Operations Team be and is hereby authorized at an amount not to exceed \$367,962.09 for the truck and not to exceed \$19,000.00 for options and modifications; and,

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

The resolution was adopted on the following vote: Bishop, aye; Brantley, aye; and Houghtaling, aye.

AUTHORIZE THE PAYMENT OF BILLS

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

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

CURRENT FUND	\$1,271,656.71
FEDERAL & STATE GRANT FUND	3,419.11
TRUST OTHER	11,180.17
GENERAL CAPITAL FUND	32,918.00
SEWER OPERATING FUND	197,263.04
MARINA OPERATING FUND	75,072.30
MARINA CAPITAL FUND	303,106.16
BILL LIST TOTAL	\$1,894,615.49

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

The resolution was adopted on the following vote: Bishop, aye; Brantley, aye; and Houghtaling, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Chris Schuntz, 24 Oakcrest Drive, questioned when did they plan to amend their bulk land



use ordinance for properties zoned residential.

Mr. Bishop stated they were looking at redoing the language as they speak.

Ms. Shuntz questioned whether it would be next year.

Mr. Bishop stated it would probably be next year because it has to go before the Planning Board.

Stephanie Seyr, Shark River Hills, questioned why the revocable license was being put under the business and licensing ordinance. She also stated Chapter 4 of business and licensing regulations pertain to only businesses. It seems as though what ordinance they are trying to create might be better if it was for property owners. She felt it should really be going under the land use code and not business because they are not businesses.

Mr. Anthony stated it was not a land use ordinance and it could have been anywhere in the code book but they decided in licensing so that when you look for licensing you look under licensing. It's not because it is a business, it's merely because it's the only section dealing with licenses.

Ms. Seyr stated the people that are going to be most affected are homeowners and not businesses and all of the specifics mentioned were businesses not property owners.

Mr. Anthony stated all the examples he gave were all homeowners and residential.

Mr. Bishop stated the key was that it was business and licensing.

Mr. Anthony stated he put it where most people would go to it readily and stated it had nothing to do with making it one thing or another.

Bill Burgem 114 Durand Road, stated if the majority of the problems lies at the Concourse CAFRA should be notified and they should be told to take it way.

Frank Vitale, 111 Olive Street, stated he just left a meeting next door at the public library where there were roughly 35 people in attendance on the abandoned property ordinance. One of the thing that came up is that one case came up and Mr. Anthony dismissed the case and he wanted to know why. The consensus of the meeting is to united to fight this ordinance. They are pushing for every person not to plea bargain and see how it's handled. They are against what this ordinance is for. He hoped that twenty or twenty five people express the same concerns. He wanted to have workshops but did not feel anyone would call him to have one. He felt they needed to get rid of these ordinances because it will be a nightmare for this town.

Mr. Houghtaling stated people were being resistant to making repairs but there objective is to make the Township better.

Mr. Anthony reminded everyone of what the Committee has been going through for the past three years and that this was initiated by the public.

Dr. Brantley stated he never thought about it like that until the public started coming and talking about it. He stated it was not just about Ocean Grove, it was other parts of the town as well and they all liked the idea. He stated because of the publics comments they had to make amendments and it's time to stop making amendments and get it passed but they will continue to hear from the public about this and there may be more amendments. Nothing was closed until it is done and they are open to here the residents. He was in agreement with the public that we need to do this but that it is not finished and is not closed but it is something that was demanded of them and they are addressing it.

Kennedy Buckley, 65 Broadway, stated he read that drug arrests were made at the Serenity Inn. Abbott Avenue residents complained and suffered under horrific conditions until the Township Committee took action and got things going and finally now it is being cleaned up. He thanked the Committee for listening to the public. He also stated he was happy that they listened to him regarding the snow plowing. He hoped the new ordinance that has been passed will be enforced and have the sidewalks cleaned.

Dr. Brantley stated he read an article about people volunteering to help seniors clean their sidewalks.

Mr. Bishop stated they tried that a couple of years ago but it did not work but they could try it

again.

Mr. Buckley stated the problem was the absentee landlords.

Dorothy Argyros, 2100 Rutherford Ave, glad they were responsive to the relatively few people who come here and complain. She stated she has been complaining about the out of control police department for a couple of years and they did nothing about it and then we had a police officer who murdered his wife in front of a group of police officers who did nothing to prevent it and we are being sued and it will reach into all of their pockets. She also stated who knew they were going to do this horrible thing with the vacant properties by making the homeowner that is being foreclosed to pay such large fines instead of targeting the banks. She stated she would do everything in her power to stop this and asked that they please stop doing illegal stuff that's going to cost her money such as letting a police officer kill his wife.

Mr. Anthony stated the enabling statute holds the lienholder equally responsible for the property and vice versa. He stated when you amend the ordinance to include lienholders and we are going after lienholders. He stated one issue in going after lienholders is they have had several lienholders in court that apparently Dorothy missed. One of the problems they are having with lienholders is when they are banks is the judge requires us to name in the summons a principle person in addition to the bank. They have to name an individual who will be served with a summons. He stated they have a part-time employee who deals with nothing but that to find the principles or agent of each bank or corporation that has a lien so that we can serve them as well. The statute treats them both equally responsible until the property owner gives up his title which usually ends in a sheriffs sale.

Mr. Bishop reminded everyone that they actually took out the provision that is in the enabling statute that would allow them to take the property because they did not want them.

Joan Venezia, 107 Mt. Hermon Way, raised three questions asking whether they had any information on WAVE regarding the investors or financials, the status of 68 Clark Ave and their court date and whether an inspection was ever scheduled. She questioned whether 9 Broadway, 101 Clark and 83 Stockton were on the waiting list for abandonment.

Mr. Anthony stated he did not bring the whole list with him.

Ms. Venezia stated they were not on the list.

Mr. Anthony stated she would have to ask Mr. Doolittle why .

Ms. Venezia stated she did not think they qualified to be on the list

Mr. Bishop stated they may be in the process and are being monitored to be placed on the list. He suggested she talk to Mr. Doolittle.

Mr. Anthony stated to number one he did not hear anything yes and for number two they were in municipal court on the failure to obtain a Certificate of Inspection. Sheldon Reynolds was the inspector who issued the summons and they hired an attorney Mr. Hundley who requested it be adjourned.

Ms. Venezia stated they were being asked to get an inspection.

Mr. Anthony stated this is not an abandoned property or property maintenance violation.

Anthony Benyola, 1205 Embury Avenue stated he had issues with his property. He stated he's submitted monthly reports to Mr. Doolittle he has not gotten back to him once. The placard on the home he was told to put his home address but instead he put his business address and people are coming to his job asking if he's interesting in selling. He's not comfortable with them coming to his job. He asked if he could just put a P.O. Box address so that he does not get unwanted people coming to his job.

Mr. Anthony stated you cannot serve an agent if they have a P.O. Box.

Dr. Brantley asked if he could put a P.O. Box on the placard but give Mr. Doolittle his home address.

Mr. Bishop stated they could discuss that with Mr. Doolittle.

Chris Clemente, 1314 10<sup>th</sup> Avenue, stated he was in the process of going to the Zoning Department. He questioned why the property was considered an abandoned when he is trying to move forward in the Department and he's going back and forth with the Construction plan.

Mr. Anthony stated he would have to speak to Mr. Doolittle.

Mr. Clemente stated Mr. Doolittle told him he did not have to worry about it and handed him his placard and everything else.

Mr. Anthony gave him an example of what was going on with another property that was similar to his.

Mr. Bishop requested he give Mr. Cuttrell his number because he would like to talk with Mr. Doolittle and Zoning to figure out what is going on because he's trying to do what they are trying to get people to do.

Walter Kazmarik, 131 Broadway, stated he's been going around and around and for three years he's been trying to get soil remediation but everything keeps going back to square one. He stated he was stuck between the Township and the HPC. He felt he was being tortured and has spent over \$167,000 in renovations. He stated everything an application is made they find something else is wrong.

Mr. Bishop stated he hoped that by the end of the year he could look at their codes because they cannot override the State code.

Pastor Lionel Vassell, Church of God's Prophecy, 1716 Bangs Avenue. He stated they have kept the lawn cut and boarded up the property. They are seeking a loan to fix up the property because they did not have the money to fix it the way they wanted to. He questioned why it was considered abandoned when they maintain the property.

Mr. Anthony suggested he talk with Mr. Doolittle to find out what criteria he hasn't satisfied.

Mr. Bishop suggested getting them all in a meeting with Mr. Gadaleta and Mr. Doolittle to figure out what's going on and what he has to do to satisfy the criteria.

Kathy Arlt, 106 Abbott Avenue, congratulated the winners of the local election. She made suggestions to the abandoned property ordinance by having Mr. Doolittle come to a workshop meeting and discuss it in advance. She also discussed assessments that have gone up by at least 40 percent.

Mr. Bishop stated if they think it is wrong they can file an appeal they can also go to Oliver Bros. and they can help as well. She stated her assessment did not change but her neighbor across the street went up over \$60,000.

Blanche Dunbar, 40 Lynn Drive, stated she had an issue last year with the company that did her property assessment. She stated it was a pain to go through the appeal process. Oliver Bros. helped her and she had to go to Freehold to appeal and then to Trenton and she was not able to go to Trenton. She stated she was afraid to make improvements to her home because she was afraid that it would go up even higher.

Sandra Solley, Farmingdale, spoke regarding 96 Lawrence and stated her taxes went up by \$40,000. She stated it has not had any improvements for 45 years. She questioned whether Resolution #14-411 had to do with the pilot program with the County.

Mr. Bishop stated it's the 20 percent five year.

Mr. Anthony stated they were to go around and take pictures. He suggested she talk with the Assessor.

Ms. Solley stated she was informed to file an appeal. She explained why she did not have utilities at 96 Lawrence Avenue.

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

Richard J. Cuttrell,  
Municipal Clerk