

## TOWNSHIP COMMITTEE MEETING – MAY 23, 2016

Deputy Mayor Brantley 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, Carol Rizzo, and Nicholas Williams. Absent: Mayor Kevin B. McMillan.

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

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

The following items were discussed in open session:

Mr. Bascom recommended that the Committee adopt an ordinance to require registration of employees of establishments serving alcoholic beverages. The Police Department will issue employee identification cards for a fee. Mr. Anthony will prepare the ordinance.

The Committee discussed the creation of a Multiple Housing Security Fund which would require the posting of escrow monies by landlords to be used in the event of an emergency that causes the tenant to be displaced. Mr. Anthony forwarded a copy an ordinance from Eatontown and he outlined the changes that were made to the ordinance over the years. He stated this ordinance was adopted in Eatontown before rent control, or any other measure to protect residents, was an option. Dr. Brantley stated that the majority of landlords are good and this seems like punishment to hold their money because of a few bad landlords. Ms. Rizzo stated that it is better to fix the problem rather than relocating and then going after the landlord for fines or reimbursement. Mr. Anthony stated that the concept of the Township making repairs is drastic because we would be entering private property to make repairs. The incentive of the Fud is the security deposit and the Committee cannot pick and choose which landlords to assess. It has to be all or nothing. The Committee does have the option to release some or all of the funds over a period of time that the landlord has a clean record.

In response to Mr. Bishop, Mr. Bascom stated that the Office of Emergency Management has one or two instances yearly where tenants have to be located because of fire or other emergency. The issue is the long term code violations. Ms. Rizzo stated that it is incumbent on the governing body to help those living in poor conditions or no heat. She asked if the escrow funds can start small and then, if a landlord has a violation, additional funds can be required. Mr. Anthony expressed concern that that idea is punitive. Mr. Anthony recommended that the Committee push its existing tools more, such as the Rent Control ordinance and getting Code Enforcement more involved. The Rent Board is working which is why some of these issues are coming to light. Mr. Bishop added that the Township is now doing the five year state inspections and at the same time can send a different code representative to enforce municipal violations. Ms. Rizzo suggested that the Committee monitors this over the next year and hold the escrow fund concept for now. Mr. Bishop asked that the Rent Control Board be directed to provide a list of hearings and outcomes so that the Committee can monitor.

Mr. Bishop stated that there is an ordinance on the agenda for introduction which amends the floor area ratio calculation for commercial properties. The calculation is an attempt by the Planning Board and professionals to come up with a calculation that is fair to existing residents and commercial investments. The calculation will not be done solely on land area, but will consider unbuildable land such as steep slope and wetlands.

Dr. Brantley expressed his desire to pursue some type of permanent recognition of Ermon Jones who recently passed away. Mr. Bishop suggested perhaps a sub-name of a street. Mr. Williams suggested come type of marker in Gables Park. Dr. Brantley will ask the Gables Residents Association about that idea. He also suggested the possibility of a scholarship fund.

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

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

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

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

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

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

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

Contract negotiations – Shared Services Agreement with Asbury Park  
Potential Litigation – Letter of objection to Ordinance No. 16-17  
Legal opinion – Ocean Grove transfer fees and annual rents

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; Rizzo, aye; and Williams, aye.

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

Mr. Gadaleta stated that approval of a Shared Services Agreement with Asbury Park for Wesley Lake water treatments is on the agenda. Asbury Park is on a fiscal calendar year and cannot guarantee funding immediately, but will provide a \$6,000 appropriation in the 16-17 budget for treatment. Approval of the Agreement by Asbury Park is scheduled for May 25<sup>th</sup>.

The Committee indicated that the a change in the business operating time of the Grand Tavern on 6<sup>th</sup> Avenue has rendered moot the proposed parking limitation in Ordinance No. 16-17. The Committee acted to table the ordinance during the regular part of the meeting.

A job posting for Police Officer will be done to fill the vacancies of two retirees with the possibility of two additional vacancies due to retirements.

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

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

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

After a moment of Silent Prayer and the Flag Salute, the Deputy 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"

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

#### APPROVAL OF MINUTES

Mr. Bishop offered a motion, seconded by Ms. Rizzo, to approve the minutes of the meeting held on April 25th. All were in favor.

#### RECOGNITION OF RETIRING TOWNSHIP EMPLOYEES

The Deputy Mayor and Township Committee recognized the following recently retired Public

Works employees for their years of service to the Township of Neptune:

Sylvester Taite – 36 years of service  
Gerard Smith – 28 years of service  
Richard Morgan – 25 years of service

#### COMMENTS FROM THE DAIS

Carol Rizzo stated on May 10<sup>th</sup> she went to the Trustees meeting with the library. She stated it was very interesting and the financials were in good shape. She stated the Neptune Public Library was really an asset to the community because they are building it more like a resource center. They work very hard with MURC and they help with resumes. She also discussed the visit to the schools and various other activities. She thanked Michael Bascom for helping them get a P card. On May 11<sup>th</sup> she attended the EDC meeting where they looked at the development for West Lake along with a couple of other things. On May 16<sup>th</sup> she went to the Jersey Shore Committee because she's a member and they had an update on the HOPE Tower and the garage opening should be at the end of the year. There was an update on the EMS program and how they work with our town. They also had a presentation from Mary's Place which is opening up in Ocean Grove on May 31<sup>st</sup> with its first set of guest. The annual Meridian meeting will be held on June 8<sup>th</sup> and she will attend on behalf of the Township. She attended the Gables Community Garden which was very nice. She attended EMS Day with Mr. Bascom and had the opportunity to see how the old Senior Center is going to be used for Emergency Management. She stated she was very impressed.

Nick Williams stated he also attended the Gables Community Gardens and reception. He attended the St. Jude's foundation meeting and on June 9<sup>th</sup> they will host their pasta party and tricky tray at the Senior Center from 5pm-8pm and the tickets are \$20 and all the funds that are raised on that evening will go to the St. Jude's Children Foundation.

Randy Bishop stated he wanted to extend best wishes to Heinz Weck who took a very serious fall. He broke his hip in five places. He is recuperating Wall and is doing well. He attended the Ocean Grove Fire Dinner where they recognized the years of service for three of their members. He also attended military ball for the NJROTC where they were proud to present a scholarship from the Joint Veterans Parade Committee in the amount of \$1,000 to a young lady by the name of Cheryl Brown. He stated he was very pleased with this particular winner. They normally give these awards to students that are top notch and this young woman was quite honest and said she was a pretty in the middle of the road student but she really wanted to do her best and this will mean a lot to her and that meant a great deal to us on the Committee. We felt she was deserving. He also attended a meeting with the Chamber on the land rent.

Dr. Brantley stated on May 16<sup>th</sup> he went to the funeral of Ermon Jones who was his fraternity brother. The fraternity held a special ceremony for the viewing. He stated Mr. Jones left a mark that would forever be marked in the town. He stated they discussed in workshop a way in which they could create a permanent memorial for him. On May 17<sup>th</sup>, he attended a Wesley Lake meeting and they are dealing with a number of things there, primarily treating the lake and they have come to the shared services agreement with Asbury Park. He stated his niece graduated from Kean on May 18<sup>th</sup> Summa Cum Laude.

#### PUBLIC COMMENTS ON RESOLUTIONS

The Deputy Mayor requested comments on resolutions on this agenda. There were no comments.

#### ORDINANCE NO. 16-17 - TABLED

Mr. Bishop offered, moved and seconded by Mr. Williams, that the following ordinance be tabled because of concerns brought forth by Sanitary Linen and because it is no longer necessary to enact the parking limitation.

#### ORDINANCE NO. 16-17

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE TO ADD A PARKING TIME LIMITATION TO A PORTION OF SIXTH AVENUE

All were in favor to table the ordinance.

ORDINANCE NO. 16-18 - ADOPTED

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

ORDINANCE NO. 16-18

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A RESIDENT HANDICAPPED ON-STREET PARKING ZONE ON ABBOTT AVENUE AND REMOVING HANDICAPPED PARKING ZONES ON ABBOTT AVENUE AND BATH AVENUE

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

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

ORDINANCE NO. 16-19 - APPROVED

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

ORDINANCE NO. 16-19

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

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

ORDINANCE NO. 16-20 - APPROVED

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

ORDINANCE NO. 16-20

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

The ordinance was approved on the following vote: Bishop, aye, adding that he commends the Township Engineer, Planner and Land Use Administrator for their work on this ordinance; Brantley, aye, adding that he is glad to introduce this ordinance; Rizzo, aye; and Williams, aye.

Mr. Cuttrell stated that the public hearings on Ordinances 16-19 and 16-20 will be held on Monday, June 13th.

CONSENT AGENDA

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

APPROVE NEPTUNE FIRST AID SQUAD TO SOLICIT DONATIONS ON A PUBLIC ROADWAY

WHEREAS, Ordinance No. 11-22 establishes procedures for qualified charitable organizations to solicit donations on public roadways; and,

WHEREAS, Neptune First Aid Squad has submitted an application to solicit donations at 6<sup>th</sup>

Avenue and Route 35 on multiple dates in 2016; and,

WHEREAS, Neptune First Aid Squad understands that the required application must be filed with the NJDOT to receive approval to solicit donations on a state highway and with the County of Monmouth to solicit donations on a County road; and,

WHEREAS, the Chief of Police has approved said request,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Neptune First Aid Squad be and is hereby authorized to solicit donations on 6<sup>th</sup> Avenue and State Highway 35 on the following dates (all times are between 8:00 a.m. and 2:00 p.m.):

May 28, May 29, and May 30  
July 2, July 3, and July 4  
September 3, September 4 and September 5

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police and Neptune First Aid Squad.

AUTHORIZE A PLACE-TO-PLACE TRANSFER (EXPANSION OF PREMISES) OF THE LIQUOR LICENSE ISSUED TO FOXYBELLA, LLC T/A THE GRAND TAVERN

WHEREAS, an application has been filed for a place-to-place transfer (Expansion of Premises) of Plenary Retail Consumption License 1334-32-024-003, for purposes of expanding the premises under license wherein the sale, service, and storage of alcoholic beverages are authorized;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby approves, effective May 23, 2016, the expansion of the aforesaid Plenary Retail Consumption licensed premises located at 1105 6<sup>th</sup> Avenue, Neptune, New Jersey, to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution by forwarded to the Applicant the Division of A.B.C.

ACCEPT A GRANT FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMER WELSH FARMS PROPERTY)

WHEREAS, the Township of Neptune has applied for and has been awarded a grant in the amount of \$60,320.00 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority for the Remedial Investigation along with report preparation of the former Welsh Farms property on Old Corlies Avenue,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the above referenced grant is hereby accepted and the Mayor is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Township of Neptune; and,

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority, the Chief Financial Officer, Business Administrator and Administrative Assistant to the C.F.O.

AUTHORIZE TOWNSHIP ENGINEERING CONSULTANT TO PERFORM ADDITIONAL REMEDIAL INVESTIGATION AT THE FORMER WELSH FARMS PROPERTY (703 OLD CORLIES AVENUE)

WHEREAS, the Township Engineering Department and T&M Associates (Township Engineering Consultant), collaboratively prepared and submitted a grant application to New Jersey Economic Development Authority Hazardous Discharge Site Remediation Fund (HDSRF) to perform additional remedial investigation at the former Welsh Farms property at 703 Old Corlies Avenue;

and,

WHEREAS, the Township of Neptune has received a grant from the HDSRF in the amount of \$60,320.00 and desires to undertake said project utilizing this grant funding; and,

WHEREAS, T&M Associates prepared the grant application and has submitted a proposal for this work to the Township Engineer; and,

WHEREAS, funds for this purpose will be provided in the 2016 Municipal Budget through a Hazardous Discharge Site Remediation Fund grant 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 T&M Associates to perform the services as stated herein as Township Engineering Consultant at an amount not to exceed \$60,320.00, said proposal on file in the Office of the Municipal Clerk; and,

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

AUTHORIZE AN AMENDMENT TO THE 2016 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION – CLEAN COMMUNITIES PROGRAM

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2016 in the sum of \$78,207.41 which is now available from the NJDEP Clean Communities Program in the amount of \$78,207.41; and,

BE IT FURTHER RESOLVED that the like sum of \$78,207.41 is hereby appropriated under the caption of NJDEP – Clean Communities Program 2016; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Environmental Protection Clean Communities Program in the amount of \$78,207.41; 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 CANCELLATION OF A MORTGAGE WITH CITYWORKS NEPTUNE OFFICE, LLC IN CONNECTION WITH A UDAG LOAN

WHEREAS, the Township of Neptune authorized a UDAG reciprocal loan to Cityworks Neptune Office, LLC for construction of an office building at the intersection of West Lake Avenue and State Highway 35; and,

WHEREAS, in connection with said loan, the Township holds a mortgage, dated June 18, 2013, in the amount of \$34,785.50, which currently has a balance owed of \$19,481.45; and,

WHEREAS, the Township's mortgage is in fourth position behind three much larger mortgages

WHEREAS, the property is in foreclosure and the primary mortgage holder is attempting to arrange for a short sale of the property if the junior lienholders are willing to discharge their liens; and,

WHEREAS, the market value of the property is much less than the value of the three mortgages ahead of the Township's mortgage; therefore, there is no possibility of the Township recovering any of the remaining loan balance; and,

WHEREAS, it is in the best interest of the Township, and the building tenants, to cancel the Township mortgage and allow the short sale to occur as expeditiously as possible,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the cancellation of the mortgage dated June 18, 2013 issued to Cityworks Neptune Office, LLC in connection with a UDAG Reciprocal Loan issued for the office building located at the intersection of West Lake Avenue and State Highway 35; and,

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

AWARD FAÇADE IMPROVEMENT LOAN/GRANT TO HOMESTEAD DINING T/A GARDEN SHOPPING CENTER, 2441 HIGHWAY 33

WHEREAS, the Township Committee created a Façade Improvement Loan/Grant Program by adoption of Ordinance 00-03; and,

WHEREAS, on May 11, 2016, the Façade Review Committee approved an application filed by Homestead Dining, Inc. t/a Garden Shopping Center, 2441 Highway 33, Neptune for a \$40,000 grant and \$40,000 loan (\$5,000 grant/\$5,000 loan for each of the eight businesses in the building); and,

WHEREAS, the Township Committee desires to authorize the award of said loan/grant as approved by the Façade Review Committee; and,

WHEREAS, funds will be provided from the U.D.A.G. Reciprocal Loan Account 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 an award of a \$40,000 grant and \$40,000 loan (\$5,000 grant/\$5,000 loan for each of the eight businesses in the building) be and is hereby approved under the Façade Improvement Loan/Grant Program to Homestead Dining, Inc. t/a Garden Shopping Center, 2441 Highway 33, pursuant to the application approved by the Façade Review Committee on May 11, 2016; and,

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

AUTHORIZE EXECUTION OF A TREATMENT WORKS APPLICATION FOR WASHINGTON AVENUE SANITARY SEWER IMPROVEMENTS

WHEREAS, the Township of Neptune has submitted a Treatment Works Application to construct approximately 1,944 linear feet of twelve inch sewer line and 16 linear feet of eight inch sewer line on Washington Avenue, North Taylor Avenue and Union Avenue to; and,

WHEREAS, this application does not include additional sanitary sewer flow but will alleviate the amount of sanitary flow on Route 33, which is an area that has experienced multiple backups; and,

WHEREAS, the Township Engineer has reviewed and approved said application,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Clerk to execute the Treatment Works Application Statement of Consent for Washington Avenue sanitary sewer improvements; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to TNSA along with the executed Treatment Works Application.

APPOINT INSTRUCTORS AT THE SENIOR CENTER

WHEREAS, the Township of Neptune desires to appoint various arts and exercise instructors for Senior Center programs through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Purchasing Agent and Senior Center Director accepted Requests for Proposals for these positions on April 1, 2016 and have made their recommendations; and,

WHEREAS, funds will be provided in the 2016 municipal budget in the appropriation entitled Senior Citizens Programs and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a contract to engage the services of the following instructors for Senior Center programs for the two year period June 1, 2016 through May 31, 2018 at the following hourly rates:

INSTRUCTOR	PROGRAM	HR. RATE
Allison Bowie	Ceramics	\$33
Allison Bowie	Arts & Crafts	\$25
Tena Laffey	Fine Arts & Painting	\$25
Tena Laffey	Creative Expressions	\$25
Dan Pienciak	Choral	\$60
Dan Pienciak	Tai Chi Chi	\$60
Maria Mckeon	Pump it Up	\$60
Patricia Roslonski	Pump it Up	\$60
Suzanne Parchment	Shape Up Sit Down	\$60
Suzanne Parchment	Total Body	\$60
Maria Mckeon	Yoga	\$60
Lisa Hall	Yoga Stretch	\$60
Suzanne Parchment	Zumba	\$60

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

AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE CITY OF ASBURY PARK FOR MAINTENANCE OF WESLEY LAKE

WHEREAS, the Township of Neptune and City of Asbury Park desire to share its best practices and resources for the maintenance and water quality improvements at Wesley Lake; and,

WHEREAS, the Township of Neptune and the City of Asbury Park desire to enter into a Shared Services Agreement pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. to serve the best interests of residents in both municipalities by engaging in activities to maintain Wesley Lake; and,

WHEREAS, the Township and City agree to share equally in the costs of these activities and the Township will act as the lead entity in the procurement of services; and,

WHEREAS, this Agreement shall be effective on the date of the signing of said Agreement through December 31, 2018,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Shared Services Agreement with the City of Asbury Park, a copy of which is on file in the Office of the Municipal Clerk, for maintenance activities at Wesley Lake at a cost not to exceed \$6,000.00 for each municipality annually; and,

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

EMPLOY TEMPORARY MUNICIPAL INTERNS

WHEREAS, the Township of Neptune desires to employ municipal interns for temporary employment during the summer months; and,

WHEREAS, the availability of paid intern positions for students enrolled in college was posted and advertised on the Township web site; and,

WHEREAS, the Human Resources Department has interviewed applications and recommends the employment of four individuals to serve as interns in various administrative functions; and,

WHEREAS, funds will be provided in the 2016 Municipal Budget in various salary and wage appropriation line items and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following individuals be and are hereby employed as temporary Municipal Interns assigned to the municipal departments as indicated and to perform other duties as assigned by the Business Administrator from June 6, 2016 to August 12, 2016 at an hourly wage of \$10.00; and,

Joya Blair – Assessing  
Andres Osorio-Sanders – Engineering  
Rebecca Mattia – Human Resources  
Shaquille Haskins – Code & Construction

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

GRANT TEMPORARY EXTENSION OF LIQUOR LICENSE PREMISES TO SHORE LANES

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 Shore Lanes for a temporary extension of premises at Shore Lanes, 701 Highway 35, on June 4, 2016 from 12:00 P.M. to 6:00 P.M.

ACCEPT THE RESIGNATION OF DIAMOND HAMMOND AS A PART-TIME PUBLIC SAFETY OFFICER

WHEREAS, the Township Committee has received a letter from Diamond Hammond resigning as a part-time Public Safety Officer effective May 18, 2016,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Diamond Hammond as a part-time Public Safety Officer is hereby accepted effective May 18, 2016; and,

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

ACCEPT THE RESIGNATION OF PAUL SNEDDON AS A DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township Committee has received a letter from Paul Sneddon resigning as a Driver in the Department of Public Works effective May 27, 2016,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Paul Sneddon as a Driver in the Department of Public Works is hereby accepted effective May 27, 2016; and,

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

EMPLOY TEMPORARY SEASONAL PERSONNEL FOR THE NEPTUNE SUMMER RECREATION PROGRAM

WHEREAS, the Township of Neptune Recreation Department will be sponsoring a Summer Recreation Program; and,

WHEREAS, applications were received and the following qualified applicants have been recommended for hire by the Recreation Director; and,

WHEREAS, funds will be provided in the 2016 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 the following persons be and are hereby employed in the Neptune Summer Recreation Program from June 22, 2016 through August 11, 2016, for the number of hours and days as specified herein, with the understanding that staffing levels will be based on final enrollment and this resolution does not guarantee either employment or number of hours; and,

Camp Co-Directors / Nurse \$12.50/hour 6.5 hours/day 30 days

Shamika Blue	Monik Suit	
<u>Bus Drivers</u>	<u>\$12.00/hour</u>	<u>6.5 hours/day 30 days</u>
Janiesue Masco	Kathy Wolfe (sub)	
<u>Role Models</u>	<u>\$10.50/hour</u>	<u>6.5 hours/day 30 days</u>
Alison Curry Miles Daniels	Kaitlyn Oates Asya Robinson	Teesha Robinson
<u>Role Models</u>	<u>\$10.00/hour</u>	<u>6.5 hours/day 30 days</u>
Marajiah Bacon Lemuel Walker Reid Cashour	Jaidin Jones Bruce Hodges James King	Jacqueline Pergola Mijaut Berry
<u>Substitute Role Models</u>	<u>\$10.50/hour</u>	<u>6.5 hours/day 30 days</u>
Jacob Thompson Nykell Lane	Kai Inman	Kyle Lewis

(Substitutes will be employed based on enrollment)

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

EMPLOY TEMPORARY SEASONAL PERSONNEL FOR THE MUNICIPAL ALLIANCE SUMMER PROGRAM

WHEREAS, the Municipal Alliance Against Alcoholism and Drug Abuse will be sponsoring a Summer Program; and,

WHEREAS, applications were received and the following qualified applicants were recommended for hire by the Alliance Coordinator; and,

WHEREAS, funds will be provided in the 2016 Municipal Budget in the appropriation entitled DEDR – Drug and Alliance Grant and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following persons be employed in the Municipal Alliance Summer Program from June 29, 2016 to July 28, 2016 for the number of hours as specified herein,

<u>Coordinator</u>	<u>\$15.00/hour</u>	<u>67 hours</u>
Tom Shields		
<u>Bus Drivers</u>	<u>\$14.00/hour</u>	<u>60 hours</u>
Kathy Wolfe	Janie Sue Masco (sub)	
<u>Role Models</u>	<u>\$14.00/hour</u>	<u>60 hours</u>
Jacqueline Pergola Mijaut Berry	Marajiah Bacon Teesha Robinson	Bruce Hodges Reid Cashour
<u>Substitute Role Model</u>	<u>\$14.00/hour</u>	<u>3 hours/day</u>
Lemuel Walker Allison Curry	Kyle Lewis Nykell Lane	Kai Inman Shamika Blue

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

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

AWARD BID FOR FLEET MANAGEMENT AND MAINTENANCE

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

WHEREAS, on April 27, 2016, the Purchasing Agent received bids for the award of a contract for fleet management and maintenance; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that the bid be awarded to the lowest bid submitted by Centerra Integrated Services, Inc.; and,

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

WHEREAS, funds for this purpose will be provided in the 2016 municipal budget in the appropriation entitled MOMV O.E., and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a contract be awarded to Centerra Integrated Services, Inc. from July 1, 2016 to June 30, 2019 to provide fleet management and maintenance on their lowest responsible bid as follows:

July 1, 2016 thru June 30, 2017 - \$822,493  
July 1, 2017 thru June 30, 2018 - \$844,080  
July 1, 2018 thru June 30, 2019 - \$861,780

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

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

AUTHORIZE THE PURCHASE OF COMMUNICATIONS EQUIPMENT FOR THE OFFICE OF EMERGENCY MANAGEMENT THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

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

WHEREAS, the Office of Emergency Management Coordinator has recommended the purchase of communications equipment through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

WHEREAS, PMC Associates has been awarded New Jersey State Contract No. 83900 for this equipment; and,

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

WHEREAS, the cost of the equipment shall not exceed \$60,000.00; 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 communications equipment for the Office of Emergency Management through New Jersey Cooperative Purchasing Program Contract No. 83900 be and is hereby authorized at an amount not to exceed \$60,000.00; and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

Mr. Bishop offered the following resolution, moved and seconded by Ms. Rizzo, 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	\$7,379,540.35
FEDERAL & STATE GRANT FUND	13,907.49
TRUST FUND	21,349.42
GENERAL CAPITAL FUND	306,307.22
SEWER OPERATING FUND	97,748.94
SEWER CAPITAL FUND	1,372.65
MARINA OPERATING FUND	23,323.44
MARINA CAPITAL FUND	210,469.14
DOG TRUST	393.00
UDAG TRUST	1,000.00
LIBRARY TRUST	822.62
BILL LIST TOTAL	\$8,056,234.27

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; Rizzo, aye; and Williams, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Kennedy Buckley, Broadway, asked if the Attorney has reported back to the Committee regarding the ground rent increase in Ocean Grove. Mr. Anthony stated that he provided the Committee with a report and will contact the Ocean Grove Camp Meeting Association Attorney to discuss the ramifications.

Kathleen O’Connell, 35 Embury Avenue, stated she submitted pictures to the Committee regarding issues at 32 Embury Avenue specifically a soiled, smelly mattress. She asked the Committee who she should file a complaint with and was instructed to file it with the Monmouth County Health Department. She stated he spoke with Anthony Mancine with that agency who informed her that it was a Neptune Township Code issue. She then emailed Vito Gadaleta for the health department contact in Neptune Township. He referred her to the Monmouth County Health Department, please see the attached email chain. At the May 9<sup>th</sup> meeting she stated she voiced her strong concerns about people being housed in a place with serious structural defects and health concerns, it was suggested that my standard for acceptable living conditions might not be the same as those of the residence of 32 Embury Avenue. On December 10, 2015 the Township of Neptune issued a notice of unsafe structure for 32 Embury Avenue. She stated clearly it was not only her standard for acceptable living conditions that is at issue here but the standard of the State of New Jersey and its uniform construction code. She stated it must also be the standard of the Township of Neptune and the Neptune Township Committee is obligated to all the residents of Embury Avenue. She stated they must hold the owner of 32 Embury Avenue accountable for the deplorable condition of her income producing property and ensure that these conditions are corrected.

Mr. Gadaleta stated at that meeting she did ask and inclusive in her email she asked who was the health agency for the Township of Neptune and in fact he did direct her to the County

because they were a County agency. He stated the Neptune Township Code Enforcement Department and Neptune Construction Department and our DPW are very familiar with this property and in fact in the email thread that he had sent her subsequent to the meeting she asked where any summonses were issued and he said yes and provided her with the date that this matter would be heard in Municipal Court. He stated the property owner was concerned about conflict requested that the matter be heard by Neptune City. He stated summonses have been issued regarding the condition of the property and he has had the Department of Public Works go out subsequently following up with your presence at the last meeting concerning the number of cans/refuse can uncovered and so forth. He stated he has advised DPW that they need to be responsive to the fact that five can are the maximum that we require and that they be covered and in fact he's had Code Enforcement go out there again. With regard to the building construction while it was declared an unsafe structure it was not declared uninhabitable. He went on to state that there was a different level of that so those tenants can continue to live in there and the Township can continue to review that. Mr. Gadaleta stated within the last week the property owner has come to them and said that they were harassing her and Mr. Anthony will be representing us in the Neptune City court matter.

Mr. Anthony stated it was scheduled for June 8<sup>th</sup>.

Michael Fornino, 120 Fulham Place, questioned the status of his street.

Mr. Gadaleta stated Mr. Anthony and officials in the Town have been in mediation with our contractor and we have agreed to terms which are still being resolved but that was discussed this evening in executive session. One of the items that was agreed upon was that Mazzara will not be undertaking the final repaving of the streets. It will be included in the Gables four projects but the terms of those specifications will require that the paving of the previous roadways will be done before they open another roadway. He stated they were going through the bidding process as we speak and as soon as they received the bids, the Township Committee will entertain a contract with the responsible bidder and Mazzara has agreed not to bid on that project and then he will finally see his roads finally paved.

Mr. Fornino also stated he did his research regarding the tax assessment and stated houses were being sold higher than the assessed value and the assessments were not that far out. He felt the Township should continue with the assessment program. He stated there was a blind corner on Huntington and Fisher Avenues and one coming out of Home Depot onto Jumping Brook Road.

Mr. Gadaleta stated they address the site triangle issues quite often both from a police department perspective and from our zoning and code enforcement. They're out there all the time and we have sited residents.

Dr. Brantley stated he's seen some shrubs that come out on Green Grove Road near West Bangs Avenue.

Robert Perry, 706 Atkins Avenue, stated he was here to discuss the parking issue but apparently it has gone away. He also stated he noticed on the agenda that the Neptune First Aid Squad would be working on the corner of Route 35 on holiday weekends. He stated he was not sure how good of an idea that was. He stated he was concerned with safety and traffic back up.

Dr. Brantley stated they would look into that.

Thomasina Shanks, 12 Shorebrook Circle, stated she had an erosion problem on her property for over ten years. She stated she brought it up to the Township and the Township informed her that she had to bring it up with Trenton and Trenton sent her back to the Township. She stated her land has dropped by 20% and there was wetlands near her property.

Mr. Gadaleta stated he's been out on multiple occasions and Sandy actually raised the level of water in that area. Which really started exacerbate the problem.

Ms. Shanks stated she thought it started when Home Depot moved in.

Dr. Brantley questioned whether Home Depot contributed to that and what could they do about it.

Mr. Gadaleta stated the water does flow through there. We can have our engineer look at it to see what our options are. Unfortunately, if the erosion is on the property it is the homeowner's responsibility to put the rip wrap in.

Ms. Shanks stated the problem is 50 ft in, which is wetlands. She stated she would take

care of her part but she needed someone to take care of the wetlands.

Mr. Bishop questioned whether the wetland was a part of her deeded property.

Ms. Shanks confirmed that it was.

Mr. Bishop informed her that it was her responsibility then.

Ms. Shanks stated she was trying to get a shed and they told her she could not because it was wetland, so how could she be responsible for it.

Mr. Anthony stated there's a conservation easement and there is a lot of times you purchase property and it will delineate wetlands, conservation easements or some other forms of easements where it is part of your property and you can't do anything to it.

Mr. Bishop requested engineering go out to see if we can do anything as far as the stream.

Mr. Anthony stated he thought they addressed that issue before.

Ms. Shanks stated Trenton sent her a letter stating Neptune was responsible.

Mr. Gadaleta requested a copy and said he would give Mr. Anthony a copy. He assured her that he would have engineering come out and take a look.

Hank Coakley, Valley Road, congratulated the Committee for sending Department Heads to the recent Shark River Hills Property Owners Association meeting. He commended the administration for the marina building adding that the building is a great asset to the Township. He stated that Realty Data Services left a tag on his door when attempting to inspect for the assessment maintenance. He called them to reschedule and they never called back. Mr. Coakley felt that they were representing the Township poorly.

Jeffrey Beekman, Beekman Law Firm, 43 Main Avenue, thanked the Committee for tabling the ordinance to restrict parking on 6<sup>th</sup> Avenue. He asked the Committee to be wary of considering over restrictive ordinances.

Kathy Arlt, Ocean Grove Homeowners Association, stated at the last meeting they discussed the report of a consultant for the certified local government program was mentioned and here it is a copy of the consultants report. Now the consultants reports are examples that he gave. His big recommendation for submitting this application is that we need a local finalized or stand alone Historic Preservation Ordinance. She stated that was not a revised zoning ordinance and it was not an ordinance to separate Ocean Grove from Neptune Township. She stated Richard Grubb did not review what Neptune already had. She stated it was just that it was adopted so long ago that people forget about it, but it is the ordinance that established the Board of Architectural Review in 1980 and that ordinance was supersede when you changed the Board to the HPC. She requested a copy of the ordinance.

Mr. Cuttrell stated it's been superseded so many times by amendments. It's actually in the land use book. He stated he could get it for her but it was no longer in effect.

Ms. Arlt stated the problem was not in the land use ordinance and that it specifically points to the Bar. She stated it has not completely gone away.

Mr. Bishop stated he wanted the Planner to come in and discuss this because there were discrepancies in what is being said. He requested to have this put on the second meeting in June.

Nancy Clark, 47 Embury Avenue, urged the Committee to submit the application for Certified Local Government and if there is an issue with the application, Community Affairs can state what needs to be done.

Jack Bredin, 94 ½ Heck Avenue, discussed the tax map and stated it was for assessment purposes only. He felt there should be deed restrictions on them for recreation and open space. He stated there were serious consequence for taking open space and reserving it for something else.

Joan Venezia, 107 Mt. Hermon Way, questioned whether they received anything from WAVE because she has not gotten anything from the Camp Meeting. She questioned when was the Chambers Court date because they said they were going to hold off with the RSI until after then. They been doing a good job in cleaning up 50 Main. She raised questions about the carriage

house.

Mr. Bishop stated he had an original lease in his car and they were very difficult to read. The discussion has been the change of use and these leases were done before there were any zoning.

Blanche Dunbar, 40 Lynn Drive, stated she was here for meetings prior to them redesigning jumping brook road. She questioned who designed it.

Mr. Gadaleta we had a traffic consultant as well as our own engineer.

Ms. Dunbar stated they did an awful job and questioned why it was made that way.

Mr. Gadaleta stated people do not follow the natural curve of the road that's why the bollards were put there for safety purposes so that people stayed in their lane.

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

Richard J. Cuttrel,  
Municipal Clerk