

TOWNSHIP COMMITTEE WORKSHOP MEETING – JANUARY 8, 2018 – 6:00 P.M.

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

ROLL CALL

PRESENT/ABSENT

Dr. Michael Brantley  
Robert Lane, Jr.  
Kevin B. McMillan  
Carol Rizzo  
Nicholas Williams

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\_\_\_\_\_  
\_\_\_\_\_

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

Mayor Williams announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 4, 2018, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Discussion – Ocean Grove Pilot Permit Parking Program
  
2. Discussion – Police Department budget presentation.
  
3. Review Committee calendars/update on outstanding issues and capital items.  
- Various on-going capital improvement projects.

Res. # 18-56 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_.

RESOLUTION #18-56 – 1/8/18

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

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

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

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

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

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

Contract negotiations – Vacant and Abandoned Property Services

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.

**TOWNSHIP COMMITTEE MEETING – JANUARY 8, 2018 – 7:00 P.M.**

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

**ROLL CALL**

**PRESENT/ABSENT**

Dr. Michael Brantley  
Robert Lane, Jr.  
Kevin B. McMillan  
Carol Rizzo  
Nicholas Williams

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

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

Silent Prayer and Flag Salute

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

Mayor Williams announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 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](http://www.neptunetownship.org).

**APPROVAL OF MINUTES** - Motion offered by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve the minutes of the meetings held on December 18<sup>th</sup> and December 21<sup>st</sup>.

**COMMENTS FROM THE DAIS** - Comments from the Dais regarding business on this agenda or any reports on recent events in their respective departments.

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

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

**ORDINANCE NO. 18-01** - An ordinance to amend Volume I, Chapter II, Section 2-61 of the Code of the Township of Neptune by adding a fee for bid plans and specifications from the Engineering Department – First Reading

*Explanatory Statement: This ordinance establishes a fee of fifty (\$50.00) dollars for plans and specifications issued for capital projects by the Engineering Department,*

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_.

The Public Hearing on Ordinance No. 18-01 will be held on Monday, January 22, 2018

**CONSENT AGENDA**

Res. # 18-57 – Certification of Compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act of 1964"

Res. # 18-58 – Reclassify Tamikia Rowe as a permanent full-time Customer Service Representative in the Vital Statistics Department.

Res. # 18-59 – Authorize the execution of a Subordination Agreement in connection with a UDGA mortgage granted to New York Concourse, LLC>

Res. # 18-60 – Authorize Township Engineering Consultant to perform engineering services for the Heck Avenue Sanitary Sewer Rehabilitation Project.

Res. # 18-61 –Apply for a Green Acres Program Grant for Flood Prone Property Acquisition.

**CONSENT AGENDA** Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_.

**PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS**

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

**ADJOURNMENT**

ORDINANCE NO. 18-01

AN ORDINANCE TO AMEND VOLUME I, CHAPTER II, SECTION 2-61 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A FEE FOR BID PLANS AND SPECIFICATIONS FROM THE ENGINEERING DEPARTMENT

WHEREAS, N.J.S.A. 40A:11-4.5 permits a municipality to charge a fee for documents relating to bid proposals, plans, and specification up to the amount of \$50.00, or the cost of reproduction, whichever is greater,

BE IT ORDAINED, by the Township Committee of the Township of Neptune that the Code of the Township of Neptune is hereby amended as follows:

SECTION 1

Volume I, Chapter II, Section 2-61.8 – Engineering Department - is added as follows:

2-61.8 – Engineering Department

Bid plans and specifications - \$50.00

SECTION 2

Section 2-61.8 – “All fees Nonrefundable” is hereby renumbered as Section 2-61.9.

SECTION 3

This ordinance shall take effect upon publication in accordance with law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Nicholas Williams,  
Mayor

RESOLUTION #18-57 - 1/8/18

CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Neptune, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON JANUARY 8, 2018.

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Richard J. Cuttrell, Municipal Clerk

**GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF  
COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION'S  
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in  
Employment Decisions Under Title VII of the Civil Rights Act of 1964"**

**GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES  
NO PHOTO COPIES OF SIGNATURES**

STATE OF NEW JERSEY  
COUNTY OF MONMOUTH

We, members of the governing body of the Township of Neptune being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the Township Committee of the Township of Neptune in the County of Monmouth;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____

Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_  
Notary Public of New Jersey

\_\_\_\_\_  
Clerk

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The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

**IMPORTANT:** This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.

RESOLUTION #18-58 - 1/8/18

RECLASSIFY TAMIKIA ROWE AS A PERMANENT FULL-TIME  
CUSTOMER SERVICE REPRESENTATIVE IN THE VITAL STATISTICS DEPARTMENT

WHEREAS, Tamikia Rowe was hired as a full-time Customer Service Representative in the Vital Statistics Department on October 1, 2017; and,

WHEREAS, she has performed her duties in a satisfactory manner and the Registrar has recommended that she be reclassified on a permanent full-time basis,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Tamikia Rowe be and he is hereby reclassified as a permanent full-time Customer Service Representative effective immediately; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Registrar, Human Resources Director, and AFSCME Local #1844.

RESOLUTION #18-59 - 1/8/18

AUTHORIZE THE EXECUTION OF A SUBORDINATION AGREEMENT IN CONNECTION  
WITH A UDAG MORTGAGE GRANTED TO NEW YORK CONCOURSE, LLC

WHEREAS, the Township of Neptune holds a mortgage dated February 28, 2013 in the amount of \$100,000.00 in connection with an UDAG loan granted to New York Concourse, LLC for the property at 1401 Highway 35, also known as the Headliner; and,

WHEREAS, New York Concourse, LLC has requested that the Township of Neptune subordinate its mortgage in order that New York Concourse, LLC may refinance an existing mortgage that is positioned ahead of the Township's mortgage;

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and they are hereby authorized to execute a Subordination Agreement in connection with the UDAG mortgage issued to New York Concourse, LLC as further described herein; and,

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

RESOLUTION #18-60 - 1/8/18

AUTHORIZE TOWNSHIP ENGINEERING CONSULTANT TO PERFORM  
ENGINEERING SERVICES FOR THE HECK AVENUE SANITARY SEWER  
REHABILITATION PROJECT

WHEREAS, the Township of Neptune desires to undertake a project to replace sanitary sewer lines under Heck Avenue between Ridge Avenue and Memorial Drive; and,

WHEREAS, it is necessary for a Township Engineer Consultant, from the approved list of 2018 Engineering Consultants appointed via Request for Proposals, to perform professional engineering services including preparation of design, plans, specifications, permitting, and construction administration in connection with this project; and,

WHEREAS, CME Associates has submitted a proposal for this work to the Township Engineer; and,

WHEREAS, funds for this purpose will be provided in General Sewer Capital, 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 CME Associates to perform the services as stated herein as Township Engineering Consultant at an amount not to exceed \$69,545.00; and,

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

RESOLUTION #18-61 - 1/8/18

APPLY FOR A GREEN ACRES PROGRAM GRANT FOR  
FLOOD PRONE PROPERTY ACQUISITION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to non-profit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and,

WHEREAS, the Township of Neptune desires to further the public interest by obtaining a loan of \$40,000 and/or a grant of \$960,000 from the State to fund the following project: #1335-17-002 Flood Prone Property Acquisition; and,

NOW, THEREFORE, the Township Committee of the Township of Neptune resolves that Nicholas Williams or the successor to the office of Mayor is hereby authorized to,

1. Make application for such a loan and/or such a grant
2. Provide additional application information and furnish such documents as may be required
3. Act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and,

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Flood Prone Property Acquisition; and,

- A. The applicant has its matching share of the project, if a match is required in the amount of \$280,000; and,
- B. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and,
- C. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
- D. This resolution shall take effect immediately.

I, Richard J. Cuttrell, Municipal Clerk of the Township of Neptune do hereby certify that the foregoing is a true copy of a resolution adopted by the Township Committee of the Township of Neptune at a meeting held on the 8th day of January, 2018.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body

this 8<sup>th</sup> day of January, 2018.

Seal

Richard J. Cuttrell, Municipal Clerk

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