

TOWNSHIP COMMITTEE MEETING – DECEMBER 19, 2019

Mayor Rizzo called the meeting to order at 6:00 p.m. and requested the Clerk to call the roll. The following members were present: Robert Lane, Jr., Kevin B. McMillan, Nicholas Williams, and Mayor Carol Rizzo. (Dr. Michael Brantley arrived during the workshop meeting)

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

Mayor Rizzo 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 3, 2019, 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:

Christina Tella, Affordable Housing Alliance gave a Powerpoint presentation on the Township's Housing Rehabilitation Program. The highlights of the presentation included the selection of a local contractors pool, income limits, a deed restriction on the property which is forgiven in full after ten years of ownership, and a review of eligible work items up to a total of \$25,000 per property.

Dr. Brantley arrived. Ms. Tella stated that in order to be eligible, a property must be owner occupied. If the property contains rental units, the owner must occupy one of the units. She reviewed the most common reasons for rejection of an application. On the contractor side of the process, Affordable Housing Alliance will maintain an eligible list of contractors. The homeowner selects three from the list and bids are submitted.

Ms. Tella then conducted the lottery from the list of applications received. The applications were randomly placed in order by a computer program and the results were displayed in public. The list will be forwarded to Mr. Gadaleta and the Program will perform rehabilitation projects on the first 25 eligible properties in 2020.

Dr. Brantley asked about the number of projects in future years and was informed that the plan is to do 25 rehabilitation projects per year for as long as funds are available. The Committee thanked Affordable Housing Alliance for the presentation and Mr. McMillan asked that before and after photographs be taken of each project.

Representatives from Verizon and the IBEW were present to provide an update on 5G technology. Assemblyman Eric Houghtaling addressed the Committee and stated that he heard some troubling things about 5G technology coming to the Township. He stated that Verizon is meeting with the Ocean Grove Camp Meeting Association about 5G installation on the boardwalk light stanchions.

Mark Bocchieri, Verizon, stated that small cell technology is like extra roads on the highway. Many people now have multiple devices and capacity is almost full. Small cell work in conjunction with the large cell towers. The output of 4G technology allowed web browsing and now everyone uses the web. 5G technology will permit the faster gathering of information, provide a clearer signal and allow for the use of driverless cars. It does not penetrate walls or windows. Verizon is not ready yet for the installation of 5G in the Township.

Jonathan Bahmani, Verizon, stated that installation is done in the right-of-way, but there are no plans as of yet for installation in the Township's right-of-way. When the time comes, most likely in the next several years, building permits will be completed. Currently, Verizon is interested in the beachfront through the Ocean Grove Camp Meeting Association. He mentioned that Asbury Park and Hoboken has small cells installed.

Kiyanna Ingram, Verizon representative, stated that Verizon takes safety very seriously. Maximum exposure limits are very conservative because the limits assume full body exposure all of the time. 5G is higher frequency but the same numbers apply. RF exposure decreases rapidly with distance. The FCC sets the exposure limits and the installations are low power to keep the public safe and well under the limits. The most you would experience is thermal or warmth to the body.

Bob Spear, President of New Jersey IBEW, stated that his union has been installing fiber on poles for years. Each worker wears a RF meter around their neck and he has never heard of anyone whose RF meter was triggered and they are working for hours every day.

Mr. Houghtaling closed by saying the future is high technology and denying 5G permits would put any town at a disadvantage.

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

Mr. McMillan 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:

Personnel – Recommendation for hiring of a Driver

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

4. This Resolution shall take effect immediately.

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

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

The Committee reviewed the application of Timothy Closius for the position of Driver and took action by resolution at the regular business portion of the meeting.

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

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

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, the Mayor asked the Clerk to indicate the fire exits.

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

Mayor Rizzo 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 3, 2019, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at www.neptunetownship.org.

APPROVAL OF MINUTES

Mr. McMillan offered a motion, seconded by Mr. Lane, to approve the minutes of the meeting held on December 9th. All were in favor.

COMMENTS FROM THE DAIS

Dr. Brantley stated that the recent Planning Board meeting was well attended and the North End Redevelopment Project moved one step closer to reality. He highlighted resolutions on this agenda to hire another Public Works Driver and to extend the contracts for leaf collection and bulk removal. He extended wishes for a Merry Christmas and happy holidays.

Mr. McMillan wished happy holidays to all and hopes to see everyone at the January 1st Reorganization Meeting.

Mr. Lane attended the Planning Board meeting and the North End project was approved. The Sand Hill Indian dedication was held and it was great to honor their history. Wreaths were laid at Veterans Park for National Wreath Laying Day. He attended the Ocean Grove holiday breakfast where a choir gave an outstanding performance. He extended happy holidays and Happy New Year wishes.

Mayor Rizzo met with the EMS Director to discuss the 2020 budget. She met with Jersey Shore University Medical Center and they continue to want to get involved in the community. She reminded everyone that the deadline for appeals on tax assessment is January 15th. This is her last meeting as Mayor and she thanked the Township Committee for their support in 2019. She extended wishes for a Merry Christmas, Happy Chanukah, and happy holidays.

PUBLIC COMMENTS ON RESOLUTIONS

There were no public comments on resolutions.

ORDINANCE NO. 19-38 - ADOPTED

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

ORDINANCE NO. 19-38

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE EMBURY AVENUE/RIDGE AVENUE CORRIDOR, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$530,000 THEREFOR (INCLUSIVE OF A \$336,683 NJDOT TRANSPORTATION TRUST FUND GRANT) AND AUTHORIZING THE ISSUANCE OF \$193,317 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

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

ORDINANCE NO. 19-39 - ADOPTED

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

ORDINANCE NO. 19-39

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE TOWNSHIP POLICE DEPARTMENT WITHIN THE MUNICIPAL COMPLEX, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$237,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

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

CONSENT AGENDA

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

AWARD CONTRACT FOR ANIMAL CONTROL SERVICES

WHEREAS, the Business Administrator has negotiated with the organization currently supplying animal control services to the Township and he has received from the Chief of Police a satisfactory report of the organization's work over the past calendar year; and,

WHEREAS, pursuant to NJSA 40:48-5.1 a municipality may contract with an approved organization providing animal control services for a period not exceeding five (5) years; and,

WHEREAS, Monmouth County SPCA has proposed a rate of \$7,125.00 per month which is consistent with the rate provided in 2019 for the current contract; and,

WHEREAS, funds for this purpose will be provided in the 2020 Municipal Budget, when adopted, in the appropriation entitled Dog Account, 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 Mayor and Clerk be and are hereby authorized to execute an agreement with Monmouth County SPCA for animal control services for the year 2020 at a cost of \$7,125.00 per month; and,

BE IT FURTHER RESOLVED, this agreement may be renewed annually through 2024; and,

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

AUTHORIZE ASSIGNMENT OF EXISTING REVOCABLE LICENSE AGREEMENT ON 114 HIGHLAND AVENUE (BLOCK 5412, LOT 1)

WHEREAS, 114 Highland Ave., known on the Tax Map of the Township of Neptune as Block 5412, Lot 1, Neptune, New Jersey, was owned by Hilary Kavtaradze, who received authorization by Resolution #17-324 of the Township Committee on July 24, 2017 for a Revocable License Agreement with Neptune Township concerning a wooden stockade fence, vinyl fence and bushes encroaching in the municipal right-of-way; and

WHEREAS, the License Agreement was entered into between Neptune Township and Hilary Kavtaradze concerning the aforesaid encroachment on July 11, 2017; and

WHEREAS, Hilary Kavtaradze sold the subject property to Joel and Kimberley Bernstein, who desired to continue with the same License Agreement by assignment, per the Municipal Ordinance authorizing Revocable License Agreements between property owners and Neptune Township,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes an assignment of a Revocable License Agreement, originally dated July 11, 2017; recorded in the Clerk's Office of Monmouth County on August 31, 2017 in Book No. 9245, Page 9505, from Neptune Township to Joel and Kimberley Bernstein, now owners of 114 Highland Avenue, Neptune Township, New Jersey; and,

BE IT FURTHER RESOLVED, that the Mayor and Township Committee hereby authorize the Township Attorney to prepare and have executed said Assignment of Revocable License Agreement to Joel and Kimberley Bernstein, a true copy of which is on file in the Office of the Municipal Clerk; subject to all the conditions of the Revocable License Agreement of July 11, 2017, with an Assignment Fee of \$100.00 for preparation of the Assignment and Resolution, paid to the order of Neptune Township; plus costs of recording of said Assignment in the Clerk's Office of Monmouth County made payable to the Law Office of Gene J. Anthony, Esq., and subject to all other requirements in the aforesaid Revocable License Agreement; and,

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute the Assignment and return to the Township Attorney for recording.

AUTHORIZE A PERSON TO PERSON/PLACE TO PLACE TRANSFER OF THE PLENARY RETAIL CONSUMPTION LICENSE PRESENTLY ISSUED TO ATLANTIC COAST FOOD SYSTEMS, LLC TO FERRINELLA, LLC D/B/A DELVETTO'S LOCATED AT 3701 ROUTE 33

WHEREAS, Ferrinella, LLC has applied for a person-to-person/place-to-place transfer of Plenary Retail Consumption License #1334-32-025-010 which is presently issued to Atlantic Coast Food Systems, LLC and held "in-pocket"; 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/place-to-place transfer of Plenary Retail Consumption License #1334-32-025-010 as stated herein to Ferrinella, LLC d/b/a Delvetto's located at 3701 Route 33 effective December 20, 2019; 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.

AUTHORIZE ISSUANCE OF DUPLICATE TAX SALE CERTIFICATE

WHEREAS, Clearview Equities, LLC has taken assignment from 54 Golf LLC who took assignment from TL Five LLC a Tax Sale Certificate comprising a lien on the following property:

Certificate #	Block	Lot	Address	Property Owner
2015-093	605	15	213 Myrtle Ave	Bonner Quillie, Cora Jane & Irving

(Block and Lot were formerly known as block 195, Lot 16)

WHEREAS, Clearview Equities, LLC has filed a duly executed affidavit swearing that they are still the lawful owners of said certificate but have lost the same;

WHEREAS, the Tax Collector has recommended the issuance of a duplicate tax sale certificate pursuant to Chapter 99, P.L. 1997,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and hereby is authorized to issue a duplicate tax sale certificate to be marked "Duplicate Certificate" to Clearview Equities, LLC upon payment of the sum of \$100.00; and,

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

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT

WHEREAS, the properties listed below reflect overpayments; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to refund the taxes as stated herein; and,

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
1104	4	Kirms Printing	1520 Washington Ave	2019	3,413.73
219	11C327	DeFilippis	65 Whitefield Ave	2019	1,583.98
2601	75	McMillan	20 Colleen Way	2019	2,351.73
4913	6	Hooper	200 Hillside Dr	2019	2,313.97

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

AUTHORIZE THE CANCELLATION OF TAXES AS A RESULT OF THE GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION (22 CREST DRIVE)

WHEREAS, the property known as Block 1902, Lot 1C333, with an address of 333 Graham Ave, assessed to Albert R Jr & Felece P Weedon is eligible for a Totally Disabled Veteran Exemption effective November 30, 2018; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against the above property effective November 26, 2019 in accordance with N.J.S.A. 54:4-3.32; and,

WHEREAS, the amounts to be cancelled and refunded are as follows:

YEAR	AMOUNT TO CANCEL	AMOUNT TO REFUND
2019	\$ 463.05	\$ 463.03

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Tax Collector be and hereby is authorized to cancel and refund taxes as stated herein; and,

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

EMPLOY SPECIAL LAW ENFORCEMENT OFFICER CLASS II – SCHOOL RESOURCE OFFICER IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

WHEREAS, there is a need for a Special Law Enforcement Officer Class II - School Resource Officer in the Police Department on a part-time hourly basis; and,

WHEREAS, the position was duly posted and applicants have been interviewed; and,

WHEREAS, the Chief of Police and Police Committee have made their recommendation; and,

WHEREAS, funds for this purpose will be provided in the 2020 municipal budget, when finally adopted, 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 Michael Bonanno be and is hereby employed as a part-time Special Law Enforcement Officer Class II - School Resource Officer 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 of \$30.00, effective January 1, 2020; and,

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

AUTHORIZE THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT WITH THE BOROUGH OF BRADLEY BEACH FOR USE OF THE TOWNSHIP'S SALT STORAGE FACILITY

WHEREAS, the Township of Neptune and the Borough of Bradley Beach find it necessary to continue the agreement for use of the Township's salt storage facility by the Borough; and,

WHEREAS, the Township of Neptune and the Borough of Bradley Beach desire to enter into an Interlocal Service Agreement pursuant to N.J.S.A. 40:8A-1 et seq. to serve the best interests of residents in both municipalities by enjoying the benefits of economies of scale through this arrangement; and,

WHEREAS, the Borough and Township will jointly order materials, the Township will load Borough vehicles during de-icing operations, and the Borough will pay the Township \$2,000.00 per year for these services; and,

WHEREAS, this Interlocal Service Agreement shall be effective for five (5) years beginning on January 1, 2020,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Interlocal Services Agreement with the Borough of Bradley Beach, a copy of which is on file in the Office of the Municipal Clerk, providing for use of the Township's salt storage at the Township Public Works Yard by the Borough for five (5) years beginning January 1, 2020 with the Borough making payment of \$2,000.00 annually to the Township; and,

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

AUTHORIZE THE CANCELLATION OF A MORTGAGE IN CONNECTION WITH A FAÇADE IMPROVEMENT PROGRAM LOAN ISSUED TO LOU DINO PROPERTIES, LLC D/B/A ASBURY CIRCLE CAR WASH (707 HIGHWAY 35)

WHEREAS, the Township of Neptune holds a mortgage dated April 16, 2014 in connection with a Façade Improvement Program Loan issued to Lou Dino Properties, LLC d/b/a/ Asbury Circle Car Wash at 707 Highway 35; and,

WHEREAS, the loan has been paid in full and the façade has been maintained for the required five year period; and;

WHEREAS, the Township desires to cancel said mortgage in accordance with the terms of the mortgage note,

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 cancellation of mortgage in connection with the Façade Improvement Program Loan issued to Lou Dino Properties, LLC d/b/a/ Asbury Circle Car Wash at 707 Highway 35; and,

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

AUTHORIZE THE TRANSFER OF 2019 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:

<u>GENERAL BUDGET LINE ITEM</u>	<u>TO</u>	<u>FROM</u>
Administration O.E.	\$35,000.00	
Historic Preservation Comm. O.E.	14,000.00	
Office of Emergency Mgmt. O.E.	29,000.00	
Landfill O.E.	55,000.00	
Court O.E.	4,500.00	
Administration S&W		\$35,000.00
Group Insurance O.E.		98,500.00
Court S&W		4,000.00
TOTAL	137,500.00	137,500.00

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, that 2019 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.

AUTHORIZE THE PURCHASE OF TWO 2020 FORD FUSION SEDANS THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Business Administrator has recommended the purchase of two 2020 Ford Fusion sedans to be assigned to the Administration vehicle pool for use by all Township departments 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, Hertrich Fleet Services, Inc. has been awarded New Jersey State Contract No. 19-FLEET-00953, Item #7 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 two vehicles shall not exceed \$34,462.90; and,

WHEREAS, funds for this purpose are available in the 2019 municipal budget in the appropriation entitled Administration 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 the purchase of two 2020 Ford Fusion sedans for the Administration vehicle pool through New Jersey Cooperative Purchasing Program Contract No. 19-FLEET-00953, Item #7, be and is hereby authorized at an amount not to exceed \$34,462.90 (\$17,231.45 per vehicle); 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.

EXTEND CONTRACT FOR BULK WASTE DISPOSAL

WHEREAS, by adoption of Resolution #17-488 on December 21, 2017, the Township awarded a contract to Mazza Recycling, Ltd. for bulk waste removal services for a two year period through December 31, 2019; and,

WHEREAS, the Purchasing Agent has recommended an extension of this contract for a period of three years from January 1, 2020 through December 31, 2022 pursuant to N.J.S.A. 40A:11-15(3); and,

WHEREAS, funds will be provided in the annual municipal budget, in the appropriation entitled Solid Waste Disposal, 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 a three (3) year extension of the current contract with Mazza Recycling, Ltd. for bulk waste removal services from January 1, 2020 through December 31, 2022 at \$85.68 per ton, which represents an increase of 2% from the 2019 amount; and,

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

EXTEND CONTRACT FOR REMOVAL OF LEAVES

WHEREAS, by adoption of Resolution #17-487 on December 21, 2017, the Township Committee awarded a contract to Britton Industries, Inc. for removal of leaves for a two year period through December 31, 2019; and,

WHEREAS, the Purchasing Agent has recommended an extension of this contract for a period of three years from January 1, 2020 through December 31, 2022 pursuant to N.J.S.A. 40A:11-15(3); and,

WHEREAS, funds will be provided in the annual municipal budget, in the appropriation entitled Solid Waste Disposal, 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 a three (3) year extension of the current contract with Britton Industries, Inc. for removal of leaves from January 1, 2020 through December 31, 2022 at \$5.04 per cubic yard, which represents an increase of 2% from the 2019 amount; and,

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

AUTHORIZE PURCHASE AND PLANTING OF TREES AND SHRUBS AT THE MUNICIPAL BUILDING

WHEREAS, the Township Engineer solicited quotes for the purchase and planting of trees and shrubs in the front and back of the Municipal Building; and,

WHEREAS, the cost of said item is less than the bid threshold but exceeds \$17,500.00 and therefore must be awarded by Resolution of the governing body; and,

WHEREAS, said quotes were reviewed by the Township Engineer and the Purchasing Agent who have recommended that the low quote be accepted in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 19-28 in the amount of

\$16,055.22 and the Tree Preservation Trust Fund in the amount of \$9,279.56, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune hereby authorizes the purchase and planting of trees and shrubs at the Municipal Building by Down to Earth Landscaping, Inc. pursuant to their quote of \$25,334.78; and,

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

AUTHORIZE THE UPFIT OF FIVE POLICE VEHICLES THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, it is necessary to upfit five police vehicles, previously authorized for purchase by resolution, utilizing pricing 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, Major Police Supply has been awarded New Jersey State Contract No. A81330 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 to upfit five vehicles shall not exceed \$66,000.00; and,

WHEREAS, funds for this purpose are available from Ordinance No. 19-21 and in the 2019 municipal budget in the appropriation entitled Police 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 the upfit of five police patrol vehicles through New Jersey Cooperative Purchasing Program Contract No. A81330 be and is hereby authorized at an amount not to exceed \$66,000.00; and,

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

AUTHORIZE THE CANCELLATION OF THE UNEXPENDED BALANCE OF VARIOUS ORDINANCES

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed or no longer required; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus, and unused debt authorizations may be canceled; and

WHEREAS, there are grant and other receivables related to these cancellations, and as such, the finance department is authorized to cancel all associated receivables;

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the unexpended and dedicated balances of General Capital Appropriations and associated receivables be canceled:

ORDINANCE	FUNDED	UNFUNDED
General 12-17	\$ 3,817.16	
General 13-40	\$ 15,825.19	

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

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

AUTHORIZE THE PURCHASE OF A HEAVY RESCUE TRUCK THROUGH THE HOUSTON-GALVESTON AREA COUNCIL PURCHASING PROGRAM

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

WHEREAS, the Township Committee wishes to authorize the purchase of a Cinder Extruded NON Walk-in Heavy Rescue Truck for the Office of Emergency Management utilizing pricing through the Houston-Galveston Area Council Purchasing Program; 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, the Township of Neptune, is authorized pursuant to N.J.S.A. 52:34-6.2(b)(3) to use procurement methods by entering into a nationally recognized cooperative agreement; and;

WHEREAS, the Houston-Galveston Area Council has a nationally recognized cooperative agreement and has awarded Contract No. FS12-19 to Ferrara Fire Apparatus, Inc. for this equipment; and,

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

WHEREAS, the cost to purchase this equipment shall not exceed \$435,000.00; and,

WHEREAS, funds for this purpose are available from Ordinances 19-21 and 15-38 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township of Neptune Committee of the Township of Neptune that the purchase of a Cinder Extruded NON Walk-in Heavy Rescue Truck for the Office of Emergency Management through Ferrara Fire Apparatus, Inc. be and is hereby authorized through the Houston-Galveston Area Council Purchasing Program at an amount not to exceed \$435,000.00; and,

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

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

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, there is a vacancy in the position of Driver in the Public Works Department; and,

WHEREAS, the position was duly posted and applicants have been interviewed; and,

WHEREAS, the Human Resources Director and Public Works Director have made their recommendation; and,

WHEREAS, funds for this purpose will be provided in the 2019 Municipal Budget in the appropriation entitled Solid Waste Collection 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 an offer of employment be and is hereby extended to Timothy Closius for the position of Class A Driver in the Department of Public Works, on a probationary basis for a period of not less than 90 days and not exceeding one year, contingent upon favorable results of the required pre-employment testing, effective December 26, 2019, at an annual salary of \$32,200.00; 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., AFSCME Local #2792, and Human Resources Director.

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

AUTHORIZE THE PAYMENT OF BILLS

Mr. McMillan offered the following resolution, moved and seconded by Mr. Lane, 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	3,505,937.10
GRANT FUND	17,258.96
TRUST FUND	34,653.71
GENERAL CAPITAL FUND	302,465.29
SEWER OPERATING FUND	963,476.14
SEWER CAPITAL FUND	129,828.75
MARINA OPERATING FUND	10,251.70
DOG TRUST	24.00
LIBRARY TRUST	979.19
BILL LIST TOTAL	\$4,964,874.84

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

The resolution was adopted on the following vote: Brantley, aye; Lane, aye, except abstain on his conference reimbursement check; McMillan, aye, except abstain on his conference reimbursement check; and Rizzo, aye, except abstain on her conference reimbursement check.

AUTHORIZE THE PURCHASE OF A CHEVROLET TAHOE THROUGH THE CRANFORD COOPERATIVE PURCHASING PROGRAM

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

WHEREAS, the Purchasing Agent recommends the purchase of a 2020 Chevrolet 4WD for the Office of Emergency Management through an authorized vendor under the Cranford Township Cooperative, #47-CPCPS State of New Jersey approved cooperative; 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, Gentilini Motors Fleet has been awarded Cranford Township Cooperative #47-CPCPS, for this vehicle; and,

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

WHEREAS, the cost of this vehicle shall not exceed \$37,358.68 (three year lease \$12,452 per year); and,

WHEREAS, funds for this purpose are available in the 2019 municipal budget in the appropriation entitled Office of Emergency Management 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 the purchase of a 2020 Chevrolet 4WD for the Office of Emergency Management through the Cranford Cooperative, #47-CPCPS, State of New Jersey approved cooperative, be and is hereby authorized at an amount not to exceed \$37,358.68; and,

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

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Jack Bredin, 94 ½ Heck Avenue, stated that the North End Redevelopment Project contained no variances and the Planning Board members were told they could not vote no. The Applicant sought approval of the Redevelopment Plan not a general plan approval. A Redevelopment Plan has a different set of rules. There are no variances because the variances were baked into the Redevelopment Plan. The question is whether or not the proposal is consistent with the 2008 Plan. There is ambiguity in the Redevelopment Agreement in regards to language that the performance bonds may be required, not shall be required. The Planning Board members should not speak to the applicants or their attorney. The Board is judicial and the process is now tainted. The Planning Board was arbitrary and unreasonable and the OG Camp Meeting Association selected WAVE before the Redevelopment Plan was adopted.

Andy Levine, Ocean Grove, thanked the Committee for the last workshop meeting at which the Better Parking Alliance presented a plan for a pilot parking permit plan for the north side of Ocean Grove. He recommended next steps to keep the process moving. CME Associations, Traffic Engineer, should review the BPA proposal and there is a need for community discussion groups because everyone should have the chance to weigh in. He asked the Township to send a mailing to the entire community to notify them of the meetings with Township Committee participation in one of the meetings. The Neptune Library will host the discussions on January 31st and February 1st. Dr. Brantley stated that the mailing could be costly and the Township Committee has not taken ownership of the proposal. Mr. Levine stated that the BPA would not be pushing the proposal at the meetings, just seeking input. The Mayor stated that the BPA, Chamber of Commerce, and Camp Meeting Association all need to come together on a compromise.

Donna Fromhold appeared with her mother Beverly Hemmer and her sister Linda Hemmer. Her mother is the owner of 102 Highland Avenue. Ms. Fromhold stated that her mother signed a contract with James Burke to lift her house after Hurricane Sandy. Bill Doolittle, Construction Official, issued a letter that the job was not in compliance and cannot issue a Certificate of Occupancy. The Township prosecuted Mr. Burke and he was fined \$122,000. Mr. Burke declared bankruptcy just prior to an appeal before the Superior Court. The Township decided not to contest the bankruptcy. Ms. Fromhold stated that her family is disappointed and feels it is a slap in the face because her mother since her mother still cannot get a certificate to occupy her home.

Mr. Anthony stated that he pursued this case more than any other matter in his 13 years as Township Attorney. The Township can only pursue code violations in court, not personal claims. There were numerous court trials in this matter and he gave all of the information to the NJ Department of Community Affairs to pursue this as a consumer fraud. The Township cannot pursue the fraud because the fraud was committed against the homeowner, not the Township. The Township is still a preferred creditor in the bankruptcy. There is a stay on the matter and the Township has pursued this to the maximum. Ms. Fromhold stated that she believes the Township was negligent in some areas during the construction. Mayor Rizzo stated that she feels for them in this situation, but she is obligated by her oath to take the advice of the Township Attorney. Mr. Anthony stated that the Certificate of Occupancy requirement relies on the homeowner to obtain the certificate. He cannot go to Mr. Doolittle and tell him to issue the certificate. The Township tried to get the contractor to make the repairs but the Department of Community Affairs is the best option to pursue consumer fraud.

James McNamara, Ocean Grove, stated that he agrees that the three groups need to come together in regards to Ocean Grove parking, but the Township Committee needs to be the leader and the facilitator. Mr. Anthony stated that any letter from the Township implies endorsement of the plan. Dr. Brantley wants to wait for the input of the Traffic Engineer. Mayor Rizzo stated that the Camp Meeting Association is also hiring a traffic specialist. Her aim is for a majority solution among the three groups.

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

Richard J. Cuttrell,
Municipal Clerk