

TOWNSHIP COMMITTEE MEETING – OCTOBER 10, 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: Dr. Michael Brantley, Robert Lane, Jr., Nicholas Williams, and Mayor Carol Rizzo. Absent: Kevin B. McMillan

Also present at the dais were Richard J. Cuttrell, Municipal Clerk; Vito D. Gadaleta, Business Administrator; 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:

Mr. Lane stated the Pound the Pavement 5km run will be held on October 12th and a wreath laying will occur at Veteran's Park on November 11th at 4:00 p.m.

Mr. Gadaleta stated that there be a "Boards for Bros" event on October 24th at the skatepark to coincide with the formal dedication of the park. The date is contingent upon the completion of the sidewalk and fence.

Dr. Brantley stated that Shot Spotter is being discussed this evening at a community meeting about gun violence. Mr. Gadaleta stated there is indication that the County would install Shot Spotter, but the Township would then pay \$25,000 to \$30,000 per year. The system activates when a gunshot is detected, the signal is transmitted to an operations center in California, and they contact the Monmouth County dispatch. This timeline means the Police Department may already be on scene before the notification is received from the County. Both the Mayor and Dr. Brantley indicated a need to receive more information about the system. Mr. Gadaleta said that a meeting is being held with the County and the Police Department on October 31st.

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

Dr. Brantley 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 - Vacancies on citizen boards
Contract negotiations – 2020 Requests for Proposals for various professionals
Litigation – 756 Holdings v. Board of Adjustment
Personnel – Board of Adjustment membership

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; Williams, aye; and Rizzo, aye.

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

Mayor Rizzo suggested a "meet and greet" event to try to increase public interest in serving on citizen boards.

The Mayor will review the hourly rates for the 2020 Requests for Proposals for various professionals with Michael Bascom.

Mr. Gadaleta stated that the Applicant of a townhouse project on West Bangs Avenue has filed litigation against the Board of Adjustment. The Board denied the project because the application was deemed incomplete.

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., Nicholas Williams, and Mayor Carol Rizzo. (Kevin B. McMillan arrived during the Comments from the Dais portion of the meeting)

Also present at the dais were Richard J. Cuttrell, Municipal Clerk; Vito D. Gadaleta, Business Administrator; 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. Williams offered a motion, seconded by Mr. Lane, to approve the minutes of the meeting held on September 23rd. All were in favor, except Dr. Brantley who abstained due to his absence.

PROCLAMATION - CURFEW

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

COMMENTS FROM THE DAIS

Mr. Williams stated that the marina season is winding down. The winter storage rates are good and overall it was a good year for the marina.

Dr. Brantley stated that there is a resolution on the agenda to hire on-call snow plow drivers. The Police Committee met with the Chief and Deputy Chief and the Township will be posting notice of promotions to the rank of Sergeant after the promotional policy is approved by resolution this evening. The Chief provided a report on necessary promotions to the rank of Captain and Lieutenant and the Chief will also be reporting on this overall staffing needs. The Wesley Lake Commission is looking at painting the footbridges; however, it may be advantageous to use a sealant which would require less maintenance. Mr. Gadaleta will explore options.

Mr. Lane attended the Homecoming parade and football game on October 5th. He also attended a ribbon cutting for a Yoga Center at the Waverly complex, the POW/MIA service at Veterans Park and a photo opportunity with the new Senior Center bus. He discussed upcoming events including the Pound the Pavement 5km run for pancreatic cancer, the PBA Steak Bake on October 18th at Jumping Brook Country Club and the Gables School Halloween party.

Mayor Rizzo stated that she and Mr. Gadaleta met with the NJDEP on the remediation of the property on South Riverside Drive which the Township is seeking to acquire. She met with executives from Jersey Shore University Medical Center to partner on a recruitment day on October 25th. (Mr. McMillan arrived). She is continuing to seek partnerships with community groups on health care issues. She attended the funeral of Ted Bell who authored four books about the history of Ocean Grove and was the force behind the renovation of the Founders Park fountain. She attended a meeting of the Winding Ridge Tenants Association. At the next Committee meeting, the Mayor stated that the Committee will consider a resolution to support the referendum on the November 5th election ballot to provide veterans and their widowed spouses with the \$250 property

tax deduction if they reside in a continuing care facility.

Mr. McMillan attended the Prayer Vigil on gun violence this evening in Asbury Park, the Neptune homecoming festivities, and a meeting of the Economic Development Corporation. He attended a League of Municipality Legislative meeting where bills were discussed to increase the compensation of elections workers to \$300 per election, prohibit the billing of alarm companies for false alarms and permitting access to properties for lead service line replacements.

Mr. Lane asked for an update on the widening of Route 66. Mr. Gadaleta stated that there has been a delay in the time line. The schedule now calls for bids to be received at the end of 2020 with construction to begin in 2021.

BUSINESS ADMINISTRATOR'S REPORT

Mr. Gadaleta stated that he registered the Township on the new OppSites website. This website sponsored in part by NJEDA allows communities with Opportunity Zones to market their zone along with specific projects. At present, he has uploaded information about the West Lake Avenue Redevelopment Area and will add all of our other locations.

The OGCMA is obtaining quotes to repair the fire damaged boardwalk.

Schoolhouse Square Redevelopment: The Redevelopment Committee held its first meeting with a potential redeveloper to complete the Schoolhouse Square project. Our redevelopment attorneys are working with the attorney for the redeveloper to formalize a third amendment to the redevelopment agreement. There should be more information to release at the next meeting.

Redevelopment of 3501 Route 66 at Green Grove Road: The redeveloper is still awaiting a final decision by the prospective tenant. In addition, they have interest from other potential tenants at the site including a potential supermarket by Lidl, 100,000 SF corporate office, a retailer user and possible medical office user.

K. Hovnanian, owners of the former Asbury Park Press site, is continuing to finalize leasing agreements with prospective tenants for that site. Developer has authorized their engineer to do a stormwater review & site layout study for potential tenants, and moving forward in DOT process.

Schoolhouse Road: He and Captain Gualario I met with the Wall Township Business Administrator and the Chief of Police to discuss this issue. One of the primary concerns of Wall Township Police and Neptune is where the truck traffic will need to be rerouted to. There are no north/south roadways west of Schoolhouse Road thus trucks would reroute onto other residential streets in both Wall and Neptune. It was decided that Wall and Neptune PD would put together a traffic task force to study the truck traffic from early in the morning through late morning to determine traffic volume as well as departure and arrival locations of the trucks. The task force schedule will be worked out by our respective police departments and reports will be filed with both Business Administrators.

Former Coca Cola Site: Developer advises the lease with Aldi for a supermarket is with Aldi for execution. They are looking at a two week turnaround. They continue to market the site for a restaurant and other uses.

Bangs Avenue Redevelopment Area: The Township Land Use team met with the property owner, his attorney, and architect to review a proposed redevelopment project. The proposal does not meet with the requirements of the redevelopment plan. He has asked for a meeting of our redevelopment team to present the plan to them for input.

OGNED, Ocean Grove North End Development: The final redevelopment agreement has been executed. OGNED has submitted their land development application to the Planning Board. The application may be heard at the November meeting of the Planning Board.

PUBLIC COMMENTS ON RESOLUTIONS

There were no public comments on resolutions.

ORDINANCE NO. 19-33 - ADOPTED

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

ORDINANCE NO. 19-33

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING RESIDENT ONLY HANDICAPPED PARKING ZONES ON MAIN AVENUE AND STOCKTON AVENUE AND REMOVING A RESIDENT ONLY HANDICAPPED PARKING ZONE ON EMBURY AVENUE

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; Williams, aye; and Rizzo, aye.

ORDINANCE NO. 19-34 - ADOPTED

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

ORDINANCE NO. 19-34

AN ORDINANCE AUTHORIZING THE EXECUTION OF A PUBLIC ACCESS EASEMENT AGREEMENT WITH OG NORTH END DEVELOPMENT, LLC, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ.

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; Williams, aye; and Rizzo, aye.

ORDINANCE NO. 19-35 - APPROVED

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

ORDINANCE NO. 19-35

AN ORDINANCE AMENDING VOLUME I, CHAPTER IV, SECTION 4-33 OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED "BUSINESS AND LICENSING REGULATIONS CONCERNING GRANTING OF REVOCABLE LICENSE AGREEMENTS"

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

Mr. Cuttrell stated that the Public Hearing on Ordinance 19-35 will be held on Monday, October 28, 2019.

CONSENT AGENDA

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

APPOINT ECONOMIC DEVELOPMENT CORPORATION SECRETARY

WHEREAS, there is a vacancy in the position of Economic Development Corporation Secretary; and,

WHEREAS, the Business Administrator has made a recommendation to appoint a current employee to the position who has been serving in this capacity since July 1, 2019; and,

WHEREAS, funds in the 2019 Municipal Budget in the appropriation entitled Economic Development 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 Alexis Perez be and is hereby appointed to the position of Economic Development Corporation Secretary at an annual salary of \$3,500.00 effective July 1, 2019; and,

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

RELEASE ALL SURETY BONDS AND DEVELOPERS ESCROW FOR IMPROVEMENTS AT 112 ROBIN ROAD (BLOCK 802, LOT 30)

WHEREAS, Gilman Land, LLC filed a cash maintenance bond in the amount of \$5,537.34, guaranteeing the maintenance of site improvements for two years at 112 Robin Road (Block 802, Lot 30); and,

WHEREAS, the two year maintenance period has expired and the Township Engineer has conducted an inspection; and,

WHEREAS, on September 24, 2009, the Township Engineer certified that all site work has been completed and said maintenance bond may be released,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the release of the cash maintenance bond as stated herein; and,

BE IT FURTHER RESOLVED, that all remaining balances in the Developer's cash guarantee account and inspection escrow account be and are hereby authorized to be refunded; and,

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

GRANT UNPAID LEAVE OF ABSENCE UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, Police Officer Carrie Bartlett has requested an unpaid leave of absence under the provisions of the Family Medical Leave Act; and,

WHEREAS, the Human Resources Director has approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that Police Officer Carrie Bartlett is hereby granted an unpaid leave of absence under the provisions of the Family Medical Leave Act from October 18, 2019 to January 1, 2020; and,

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

AUTHORIZE CONSENT ORDER WITH EVELYN STUMPF, JOHN WHERLE AND STUMPY'S SALES AND SERVICE IN THE LAWSUIT BEFORE THE SUPERIOR COURT OF NEW JERSEY, CHANCERY DIVISION, MONMOUTH COUNTY, DOCKET NO. C-125-16

WHEREAS, Neptune Township, based on authorization by Resolution, brought a lawsuit in the Superior Court of New Jersey, Chancery Division, Equity Part of Monmouth County seeking Injunctive Relief against the Defendants from continuing the use of their business property for any use other than preexisting, nonconforming uses, and seeking removal of an expanded nonconforming structure at the subject site, as well as other relief in 2016; and

WHEREAS, on October 3, 2018, the parties entered into a Stipulation of Settlement and Dismissal with Prejudice, which required the Defendants to take certain action before the Planning Board or Zoning Board of Adjustment within 90 days of entering into the Stipulation of Settlement and Dismissal; and

WHEREAS, despite numerous letter requests made by the Township Attorney to the Defendants' attorney as to the status of the aforesaid application before the appropriate Board, no such application was ever made, and the Township Attorney filed a Motion for Enforcement on August 14, 2019; and

WHEREAS, the parties have agreed to reach an amicable settlement with regard to the violation of the prior Stipulation of Settlement by entering into a Consent Order of Enforcement, which guarantees and represents that Defendants will take the necessary actions per the prior Stipulation of Settlement and Dismissal within 6 months of the Consent Order and/or, if the property is sold to a Third Party, that said Third Party will be subject to the original Stipulation of Settlement and Dismissal entered into between the parties on October 3, 2018, and that the Consent Order will be recorded in the Monmouth County Clerk's Office and run with the land in terms of obligations and commitments,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, hereby authorize the Township Attorney to execute the aforesaid Consent Order of Enforcement of the Stipulation of Settlement and Dismissal with Prejudice previously entered into between the parties on October 3, 2018, a true copy of said Consent Order is attached hereto and made a part hereof as Exhibit A, enforcing all claims arising from the aforesaid lawsuit, and have the same recorded in the Clerk's Office of Monmouth County so that the obligations and commitments of the Stipulation of Settlement and Dismissal shall run with the land; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Attorney.

RESCIND APPOINTMENT OF SCHOOL CROSSING GUARD

WHEREAS, on September 23, 2019, the Township Committee adopted Resolution #19-346 which appointed three individuals as School Crossing Guards for the 2019-2020 school year; and,

WHEREAS, the Human Resources Director has indicated that the employment of John Crook be rescinded,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the appointment of John Crook as a School Crossing Guard for the 2019-2020 school year, as authorized by Resolution #19-346, be and is hereby rescinded; and,

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

EXTEND OFFER OF EMPLOYMENT FOR SEASONAL/ON-CALL DRIVERS IN THE DEPARTMENT OF PUBLIC WORKS FOR SNOW PLOWING

WHEREAS, the Township desires to create a pool of individuals with commercial drivers license who would be called upon during major snowfalls to operate snow plows as a supplement to the full-time Public Works staff; and,

WHEREAS, the Director of Public Works has forwarded his recommendations to employ workers for this purpose; and,

WHEREAS, funds will be provided in the 2019 municipal budget in the appropriation entitled Streets & Roads 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 individuals be and are hereby employed in the Department of Public Works as part-time employees on an on-call basis only for snow plowing during major snow/ice events during the 2019-2020 winter season at an hourly rate of \$25.00; and,

Greg E. LaFrance	Raymond Koeppel	William Burge
Samar Reid	Sidney Chasey	Caesar Cowart
Frank Martuscelli, Sr.	Mark Maxwell	Kyle Reid
John Matthews	Kevin Marter	Dennis Jemaly

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

EMPLOY TEMPORARY PART-TIME ATTENDANT FOR THE ADULT BASKETBALL RECREATION PROGRAM

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

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

WHEREAS, funds will be provided in the 2019 Municipal Budget in the appropriation entitled Recreation S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Bridget James be and is hereby employed as a temporary part-time Attendant for the Neptune Recreation Adult Basketball Program for two hours per week from November 1, 2019 through March

31, 2020 at an hourly rate of \$15.00; and,

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

PLACE LIEN ON 45 RIDGE AVENUE

WHEREAS, Ordinance #843 of the Township of Neptune states that where a violation or condition exists on any property in the Township of Neptune that is of such a nature as to constitute an immediate threat to life, health, safety and the well being of residents in this township unless abated without delay, the Code Enforcement Supervisor may abate the violation or condition immediately or order the owner, operator or occupant to correct the violation or condition within a three-day period; and

WHEREAS, the Code Enforcement Supervisor determined that the condition of the properties listed below constituted such a threat; and,

WHEREAS, the Code Enforcement Supervisor has notified the Township Committee of the Township of Neptune that the owners of said property have failed to correct the condition/violation as ordered; and

WHEREAS, the Code Enforcement Supervisor has had the condition corrected in accordance with Article IV, Section 6.2 (a) of Ordinance #843 at a total cost as indicated below,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Tax Collector be and is hereby authorized to place the following costs as a lien against the following properties; and,

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
504/16	45 Ridge Avenue	722.50

BE IT FURTHER RESOLVED, that a copy of this resolution along with the Code Enforcement Supervisor's report be forwarded to the Tax Collector.

AMEND STANDARD OPERATING PROCEDURE FOR PROMOTION IN THE NEPTUNE TOWNSHIP POLICE DEPARTMENT ADOPTED BY THE TOWNSHIP COMMITTEE ON DECEMBER 11, 2017

WHEREAS, the Chief of Police issued a Standard Operating Procedure (hereinafter referred to as "SOP") for promotion within the Neptune Township Police Department on October 7, 2019 to amend the SOP issued September 13, 2017; and

WHEREAS, the Police Committee, as the appropriate authority, believes that the aforesaid Order (SOP), a true copy of which is attached hereto and made a part hereof as Exhibit A, as an appropriate amendment to the SOP of September 13, 2017, and recommends that the Mayor and Township Committee adopt said operating procedures, as amended; and

WHEREAS, the Township Committee previously adopted a recommended Standard Operating Procedure for promotion of the Neptune Township Police Department by Resolution #17-483 on December 11, 2017, supporting the SOP issued September 13, 2017; and

WHEREAS, the Police Committee, by recommendation, has requested that the Township Committee adopt an amendment to all prior SOP's involving promotions by adopting and accepting the SOP issued on October 7, 2019 as attached hereto and made a part hereof as Exhibit A; and

WHEREAS, the newest SOP of October 7, 2019 reflects, among other terms, a preference to residents of Neptune Township over non-residents in cases of tied scores for promotional examinations and process with the restoration of the Chief of Police as the evaluating/grading party for all phases of the promotional process that require his review, to ensure a full and complete review of the personnel records and disciplinary history of the officer seeking promotion, with the continued service of the Police Committee as the evaluating and deciding entity in the case of an appeal or allegation of conflict of interest of the review and examination process.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that based on the recommendation of the Police Committee of the Township of Neptune, the Governing Body hereby adopts an amended Standard Operating Procedure issued on October 7, 2017, a true copy of which is attached hereto as Exhibit A, from that previously adopted by the Township Committee on December 11, 2017, as well as prior adopted SOP's.; and,

BE IT FURTHER RESOLVED, that in the event of any conflict between this adopted SOP and any prior SOP's or Orders, the SOP issued October 7, 2019 and attached hereto as Exhibit A shall be considered the controlling authority based on its wording and intent; and,

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Police Committee and the Chief of Police.

AUTHORIZE EXECUTION OF A HOLD HARMLESS AGREEMENT WITH THE TOWNSHIP OF NEPTUNE SEWERAGE AUTHORITY AND THE TOWNSHIP OF NEPTUNE BOARD OF EDUCATION CONCERNING ACCESS AND USE OF THE SUMMERWOODS TRAIL PROPERTY AND EASEMENT

WHEREAS, the Township of Neptune transferred ownership and necessary easement of the Jumping Brook trunk sewer line to the Township of Neptune Sewerage Authority on July 7, 1983, while retaining ownership of the property under which the trunk line is located; and,

WHEREAS, the Township of Neptune Sewerage Authority has permitted the Township of Neptune Board of Education use of the easement to access Summerwoods Trail; and,

WHEREAS, in exchange for making the easement available to the Board of Education to access the Summerwoods Trail, the Board of Education and the Township desire to hold harmless the Authority from any claims and/or litigation arising out of the Board's use of said easement,

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 a Hold Harmless Agreement, subject to review and amendments by the Township Attorney, with the Township of Neptune Sewerage Authority and the Township of Neptune Board of Education to hold harmless the Authority from any claims or liability of any kind arising out of the use of the easement and property over the Jumping Brook trunk line to access Summerwoods Trail by the Board of Education; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be attached to the Hold Harmless Agreement and forwarded to the Township of Neptune Sewerage Authority, Township of Neptune Board of Education and the Municipal Clerk.

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

AUTHORIZE EXECUTION OF AGREEMENTS TO DESIGNATE AFFORDABLE HOUSING ALLIANCE AS THE TOWNSHIP'S AFFORDABLE HOUSING ADMINISTRATIVE AGENT AND TO PROVIDE FOR THE ADMINISTRATION OF THE TOWNSHIP'S HOUSING REHABILITATION PROGRAM

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

WHEREAS, under authorization of the New Jersey Fair Housing Act, the Township is implementing a program to rehabilitate up to 100 properties throughout the Township which will be occupied by certified low and moderate income households; and,

WHEREAS, the Township will use municipal housing trust funds to facilitate the rehabilitation plan; and,

WHEREAS, the State has promulgated affordability controls to assure that the units are occupied by low and moderate income households for the appropriate period of time which may be administered by an Administrative Agent acting on behalf of the Township; and,

WHEREAS, the Township has selected Affordable Housing Alliance to serve as the Administrative Agent and to facilitate the Township's Housing Rehabilitation Program; and,

WHEREAS, funds for this purpose will be provided in the Township's Affordable Housing Trust Fund 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 are hereby authorized to execute agreements to designate Affordable Housing Alliance as the Township's Affordable Housing Administrative Agent under the Fair Housing Act at an annual fee of \$25,000.00 and to set forth the terms and conditions of the administration of the Township's Housing Rehabilitation Program at a per unit rehabilitation fee of \$2,975.00; and,

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

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

AWARD BID FOR MOBILE BOAT HOIST

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

WHEREAS, on September 18, 2019, the Harbor Master and Purchasing Agent received bids for the award of a contract for a mobile boat hoist for the Municipal Marina; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that the bid be awarded to the lowest bid submitted by Marine Travelift – Mid Atlantic, LLC; 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 Ordinance No. 19-21 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 Marine Travelift – Mid Atlantic, LLC on their lowest responsible bid of \$246,900.00 for a 25 BFMII mobile boat hoist for the Municipal Marina; and,

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

The resolution was adopted on the following vote: Brantley, aye; Lane, aye; McMillan, aye; Williams, aye; and Rizzo, aye, adding that the cost comes from marina utility funds and not the taxpayers.

AUTHORIZE ADDITIONAL ARCHITECTURAL SERVICES IN CONNECTION WITH PUBLIC WORKS FACILITY RENOVATIONS

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

WHEREAS, on May 22, 2017, a contract was awarded to Netta Architects in the amount of \$238,800.00, later amended on December 11, 2017 to the amount of \$258,200.00, in connection with architectural services for renovations to the Township’s Public Works Facility; and,

WHEREAS, the Township desires to change the design and scope of the project from two one-story buildings to one two-story building which necessitates additional architectural services and an additional bid cycle; and,

WHEREAS, this change has been approved by the Township Engineer; and,

WHEREAS, funds for this purpose are available in Ordinance No. 16-27 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 additional services in the contract with Netta Architects in connection with renovations to the Public Works Facility for additional architectural services and bid cycle due to a change in design and scope of the overall project resulting in an additional appropriation of \$97,000.00 which revises the total contract amount to \$355,200.00; and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

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

adopted:

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

CURRENT FUND	1,865,829.66
GRANT FUND	35,012.69
TRUST FUND	66,406.20
GENERAL CAPITAL FUND	7,242.46
SEWER OPERATING FUND	110,604.01
SEWER CAPITAL FUND	855.00
MARINA OPERATING FUND	9,978.75
LIBRARY TRUST	1,493.81
BILL LIST TOTAL	\$2,097,422.58

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

AUTHORIZE A PERSON TO PERSON/PLACE TO PLACE TRANSFER OF THE PLENARY RETAIL CONSUMPTION LICENSE PRESENTLY ISSUED TO EAST COAST COOKERY, LLC TO CHATHAM 1100 LIQUOR, LLC LOCATED AT 3548 ROUTE 66

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

WHEREAS, Chatham 1100 Liquor, LLC has applied for a person-to-person/place-to-place transfer of Plenary Retail Consumption License #1334-33-012-015 which is presently issued to East Coast Cookery, 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 #1334-33-012-015 as stated herein to Chatham 1100 Liquor, LLC located at 3548 Route 66 effective October 11, 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.

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Marty Martino, Bryant Avenue, Ocean Township, complimented the Township on the

Municipal Building and Veterans Memorial Park. He stated that in 2007, a paper was issued that declared the water in Deal Lake as unfit for human consumption. He requested that the Committee adopt a resolution that the Deal Lake Commission televise their meetings so that information about the lake can get out to the public. The Chairperson of the Commission is not in favor of it. He spoke to Assemblyman Eric Houghtaling, who is the Township's representative to the Commission, who stated that he would support the majority opinion. Mr. Martino presented resolutions adopted by Asbury Park and Ocean Township that support televising the Commission meetings. The Mayor stated she will share the resolutions with Committee members and Township Attorney.

Allyson Clark, 214 Wayside Road, spoke on the dangers of 5G technology. She presented an ordinance from the Borough of Little Silver which restricts cell towers to business zones only. She stated cell towers have a negative impact on property values and the environment. Workers who install the towers are required to wear full radiation suits/protective gear. Mayor Rizzo stated that the FCC has the say over the installation of cell towers and an ordinance does not prevent the installation of towers. There is no proof about health effects of cell towers. The Township does not have a legal right to refuse the installation of cell towers by Verizon.

Noel & Ronald Clark, 101 Monmouth Avenue, stated they have lived at this address for 46 years and there is speeding on Monmouth Avenue. Last year, a speed sign was put up but it did not help. Mr. Gadaleta will follow up with the Police Chief. Mr. Clark added that there are now more cars on the street due to the new skatepark.

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

Richard J. Cuttrel,
Municipal Clerk