

TOWNSHIP COMMITTEE MEETING – JUNE 8, 2015

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

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

Deputy Mayor McMillan 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 8, 2015, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

The following items were discussed in open session:

Chief of Police James Hunt, Police Director Michael Bascom, and the Police Department Command Staff presented the Police Department's Annual Report. Mr. Bascom stated that this is the first annual report and the Department expects accreditation this year. He also reviewed the Department's goals and programs. Chief Hunt reviewed the mission statement, core values of the Department, Internal Affairs and commendations and awards. He also reviewed numerous policies that have either been added or revised and presented the Department's organization chart. Captain Andrew Leather reviewed crime statistics, Uniform Crime Report definitions, number of calls and the Records Bureau. Captain Robert Mangold reviewed the Detective Bureau, Street Crimes Unit and Patrol Division. Captain Larry Fisher reviewed the Special Law Enforcement Officers, School Resource Officers, Traffic Bureau and Community Outreach.

Dr. Brantley questioned about the reporting of juvenile crimes in the Township versus other towns. Mr. Bascom stated that Neptune reports crimes pursuant to the definitions and requirements of the Uniform Crime Report. He added that there is a peer review through accreditation on how crimes are reported. Dr. Brantley stated that he is very proud of the department for undertaking the accreditation process. Mr. Houghtaling stated that this was a great report and he admires the work of the Police Department. He added it is great to address quality of life issues through community policing. Mr. Bishop stated that the accreditation process is always on-going and will always make us look for the best practices and policies. Mr. McMillan commended the officers on a great presentation. Mr. Bascom concluded the presentation by stating 20 Neptune Township officers received commendations from the 200 Club and the Department received a team award for its Street Crimes Unit.

Mr. Bishop offered a motion to recess for two minutes, seconded by Dr. Brantley. All were in favor.

Mr. Bishop offered a motion to return to open session workshop, seconded by Mr. Houghtaling. All were in favor.

Mr. Bascom stated that the MCIA Lease Program is ready to move forward. He re-distributed a copy of the Township Capital Plan that was reviewed during the budget review. The MCIA Program is done every two years and involved the purchase of equipment only. He asked the Committee to review the Plan and advise which projects should move forward.

Mr. Bascom reviewed correspondence from the Police Department and NJDOT regarding turn restrictions and/or signalization at the Route 33 intersections with Wakefield, Oxford and Walnut. The Township would have to incur the cost of a study and the likely result would be a lane reduction on Route 33. The Committee agreed not to proceed with a study.

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

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

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

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

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

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

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

Potential Litigation – Request for refund of Application for Development fees  
Contract negotiations – Municipal Consent to NJDOT for Shark River dredging  
Personnel – Public Safety Officer Program

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

4. This Resolution shall take effect immediately.

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

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

Mr. Anthony stated that Hovsons was before the Board of Adjustment with an application. The application was changed by the Applicant resulting in a new set of plans and a new submission to all professionals for review. Hovsons is stating that they were charged duplicate fees and is requesting a return of fees paid for the application. Mr. Anthony stated that this is a completely different re-application and the ordinance requires that a re-application is charged a fee; therefore the charging of a fee in this matter is not inconsistent with Township ordinance or prior practice.

The Committee discussed consent to utilize Township owned property on Seaview Island as a temporary dewatering site for maintenance dredging of the Shark River channels. Mr. Bascom stated that he met with NJDOT and they requested a letter of consent as soon as possible. He advised that a resolution is necessary first. The NJDOT indicated that if the project is not committed by June 30<sup>th</sup>, the money has to be re-appropriated in the next budget so there is a risk that the funding would be lost; therefore they seek to obtain approvals and permits and begin dredging in the fall. Once they have approval for the Township's site and the Belmar marina site, they can obtain DEP and Army Corps approvals and go out to bid for the project. Dr. Brantley asked if the Township has input into the process and how it is done. Mr. Bascom stated that the Township would have a say within reason and a State Project Manager would be on-site who would address any concerns. Mr. Houghtaling stated that he is concerned about assurances to the residents in the area if problems arise. He added that he wants to ensure that the public health and safety is paramount to the project. Mr. Gadaleta stated that he would convey this sentiment through a press release.

Mr. Bascom asked the Committee to proceed with a Public Safety Officer (PSO) Program. The Program would involve billing for emergency service calls through insurance, Medicare or Medicaid. Billing would only take place if the emergency services call was responded to by a paid Public Safety Officer and there would not be any billing that would result in an out of pocket expense. If volunteers respond to the call, there is no charge. There is need to create a position of PSO Program Manager who would manage this process, schedule the PSO, and ensure necessary training and compliance. Mr. Bascom also recommended the hiring of four full-time Public Safety Officers. In order to get the Program underway by January 1<sup>st</sup>, the Program Manager would have to be on staff by August 1<sup>st</sup>. Billings through insurance would cover the cost of the entire Program. Mr. Gadaleta will prepare the necessary amendments to the salary ordinance to create the position of PSO Program Manager and full-time Public Safety Officer.

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

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

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

After a moment of Silent Prayer and the Flag Salute, the Deputy Mayor asked the Clerk to

indicate the fire exits.

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

Deputy Mayor McMillan announced that the notice requirements of R.S. 10:4-18 for an "Annual Notice" have been satisfied by the publication of the required advertisement in the Asbury Park Press and The Coaster on January 8, 2015, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at [www.neptunetownship.org](http://www.neptunetownship.org).

#### APPROVAL OF MINUTES

Mr. Bishop offered a motion, seconded by Mr. Houghtaling, to approve the minutes of the meetings held on May 11<sup>th</sup> and May 21<sup>st</sup>. All were in favor.

#### REPORT OF THE CLERK

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

A letter from Barry Johnson, retiring Director of the Monmouth County Division of Mental Health & Addiction Services commending Dawn Thompson for her efforts as the Township's Municipal Alliance Coordinator.

#### COMMENTS FROM THE DAIS

Dr. Michael Brantley stated on Saturday, May 30<sup>th</sup> he attended the ribbon cutting ceremony at Veterans Memorial Park. He asked everyone to recognize what it means and to look beyond the physical things. He stated also on that same day he received a lifetime achievement award from a community organization in Asbury Park. He thanked Mr. Houghtaling, Mr. Williams and Kevin for being there and supporting him. He participated in career day at Asbury Park Middle School. He also stated that the parade was fun.

Eric Houghtaling stated he marched in the Shark River Memorial Day Parade and then marched in the Township Memorial Day Parade. They had a great day. He attended the dedication of the Veterans Memorial Park. He stated he was disappointed they've not been able to get the plaques on the monuments but they are working on it. He attended a Lions Club meeting. He stated Mr. Chris Gifford and old timer passed away. He stated he was a great guy and they presented a proclamation to the family. He stated he would be missed. He went to Belmar's Mayors Ball and it was very entertaining. He attended the LGTB festivities in Asbury Park. He stated it was very festive and thanked Mr. Bishop for keeping the dredging project non-political.

Randy Bishop expressed his condolences to Chris Gifford's family. He stated he was an incredible man. He also stated his sympathies went out to Bill Bailey who lost his father Doc Bailey who was quite a gentleman and physician. He attended the Shark River Hill's Parade and stated it was fun. He also attended the Township's Parade along with Mr. Houghtaling and commended the Veterans Post for the great job they did. He stated he attended the Veterans Memorial Park ribbon cutting and it was really serene. He attended the Pride Parade and stated it was a lot of fun. As he was leaving from Doc Bailey's funeral to go to another service he was waived off to a coned off area by the Police. He stated the Township received a grant that would make sure that people were aware of pedestrians walking in the crosswalks. He received his warning for not paying attention. He also reminded everyone that Cops vs Kids would be held this Wednesday at 4pm and the Special Olympics Torch run will take place this Friday at 8am in the parking lot of the Ground Round.

Kevin McMillan stated he attended the Neptune High School sports banquet and found it to be very interesting. He also attended Shark River Hills Memorial Day Celebration and then participated in the Township Parade. He attended the Ribbon Cutting for Veterans Park. He felt it was a great event as well. He attended the ceremony in which Dr. Brantley received an award and went to the Headliner to see Boomer and Carton. He attended a luncheon that was given by Zeta Phi Beta in which they honored Lt. Eugene Stewart for his community service. He also stated it was great to see Gail Oliver in the audience.

#### CONFIRM MAYOR'S APPOINTMENT TO THE ENVIRONMENTAL/SHADE TREE COMMISSION -

## TABLED

Mr. Bishop offered a motion, seconded by Dr. Brantley, to table a resolution to "Confirm Mayor's appointment to the Environmental/Shade Tree Commission". All were in favor.

## PUBLIC COMMENTS ON RESOLUTIONS

Dorothy Argyros, 2100 Rutherford Ave., commented on Resolution #15-243. She stated she thought it was wonderful for working people to get good stuff but doesn't like for them to get it from poorer people and stick them with the cost of their generosity. She stated she would like for taxes to be stabilized. She stated she felt the benefits were Cadillacs and that was wrong. She also commented on Resolution #15-255 and stated she was glad they would not be dumping the dredge in Shark River Park but was concerned about Seaview Island. She questioned whether they've notified the residents of Seaview Island and informed them what they were doing and are the residents in agreement with it.

Mr. Gadaleta stated they've been at the table for some time as well and when this process became public they have had no feed back what so ever.

Mrs. Argyros asked for confirmation that no one from Seaview Island complained.

Mr. Gadaleta stated no one has complained.

Mrs. Argyros stated she had a picture of the tax map with the location of the site and it is near homes. She stated she was concerned because it has fecal matter and diseased pathogen and she suggested they look at that.

Dianna Harris, Willow Drive, requested an explanation for Resolution #15-256.

Mr. Anthony stated the Township has a mortgage on all of the properties there so every single time a unit is sold they have to release the mortgage in order for it to be transferred to the buyer. They've been doing this for awhile and this is not the first time this has happened. The Township is entitled to a certain payment on those mortgages at a certain time. In order for the homeowner to take that property free and clear of our mortgage we have to release that mortgage when the payment is made.

Ms. Harris questioned whether other lots have been sold from there.

Mr. Anthony confirmed that they had.

Ms. Harris went on to question what was happening with the properties that were for sale.

Mr. Gadaleta stated they had an interested party that was looking to purchase the remaining twenty parcels and develop those and build according to our specs.

Ms. Harris commented on Resolution #11-259 and stated dit was great news and questioned when the RFP would be coming out.

Mr. Anthony stated the Township had to terminate the agreement first and now the Administrator is going to come up with some recommendations and they are going to have a Workshop Session on how they are going to go forward.

Michael Fornino, 120 Fulham Place, commented on Resolution #15-242 and stated if you're doing shared services with another town and they have defective equipment then it puts the burden on the policy itself. He questioned whether they had anyway of litigating that if there claims are very large and ours are very little because the Township of Neptune is paying the principle to carry this group.

Mr. Bascom stated this is just with our two fire districts Neptune Fire and Ocean Grove Fire. It is not with any other town.

Mr. Fornino also commented on Resolution #15-250 and questioned whether the Township had automatic cancellation that if the check was not cashed that within 30 days it is invalid.

Mr. Bascom stated for audit purposes they had to formally cancel the check that they did not plan on reissuing.

Mr. Fornino commented on Resolution #15-259 and stated this project came out of the blue but did not accomplish a lot. He questioned was a reason given as to why they did not follow up on their original agreement.

Mr. Anthony stated they did not have the financial ability to finish it.

Mr. Fornino stated he thought they had the finances in place for it.

Mr. Anthony stated things change.

Gail Oliver, Neptune City, commented on Resolution #15-243 and questioned whether this was the first time that the Township has offered this program.

Mr. Gadaleta confirmed that it was.

Ms. Oliver questioned what brought this about.

Mr. Gadaleta stated there were global issues relating to our employees and we felt we should provide assistance. It will improve productivity.

Mr. Bishop stated there was a middle ground where people may need to speak with someone.

Ms. Oliver stated it was really needed.

Hank Coakley, Valley Road, referred to Resolution #15-255 and stated he was elated to see small steps being done with the dredging. He stated his family grew up and played near that river and a lot of people have to say thanks. He stated he hoped it would start soon and felt it would be an economic benefit to whoever uses it.

Joan Venezia, 107 Mt. Hermon Way, commented on Resolution #239 and questioned what streets were involved and how many parking spots would be eliminated.

Mr. Cuttrell stated it was just the block of McClintock between Central and Pilgrim Pathway and one side of Ocean Pathway. He stated it was a small area.

Ms. Venezia questioned whether any of the liens mentioned in Resolution #15-240 were in Ocean Grove.

Mr. Cuttrell stated there were none in Ocean Grove.

Ms. Venezia asked if a resident of Seaview Island wanted more information on Resolution #15-255 who would they contact.

Mr. Gadaleta stated they could reach out to Administration.

Ms. Venezia stated she was also a proponent of the employee assistance program.

#### ORDINANCE NO. 15-22 - ADOPTED

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

#### ORDINANCE NO. 15-22

#### AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-9 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY DESIGNATING DIVISION STREET AS A ONE-WAY STREET

The Deputy Mayor requested comments on the above ordinance, and they were as follows:

Dianna Harris, Willow Drive, questioned in which direction was this.

Mr. Gadaleta stated it was Westerly from Atkins to Ridge.

Ms. Harris questioned whether they would be widening the street as well.

Mr. Gadaleta stated they were working on that specific issue right now to see exactly what

they could do there.

There being no further comments, the Deputy Mayor closed the public hearing.

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

ORDINANCE NO. 15-23 - ADOPTED

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

ORDINANCE NO. 15-23

AN ORDINANCE TO AMEND VOLUME I, CHAPTER III, SECTION 3-13 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADOPTING AN UPDATED DRUG-FREE ZONE MAP

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

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

ORDINANCE NO. 15-24 - APPROVED

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

ORDINANCE NO. 15-24

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

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

ORDINANCE NO. 15-25 - APPROVED

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

ORDINANCE NO. 15-25

AN ORDINANCE PROVIDING FOR THE SALE OF PROPERTY, KNOWN AS BLOCK 503, LOT 7, WITH AN ADDRESS OF 1308 HECK AVENUE, OWNED BY THE TOWNSHIP OF NEPTUNE, NO LONGER NEEDED FOR THE PUBLIC USE, BEING LESS THAN THE MINIMUM SIZE REQUIRED FOR DEVELOPMENT UNDER THE MUNICIPAL ZONING ORDINANCE TO OWNERS OF CONTIGUOUS LAND

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

ORDINANCE NO. 15-26 - APPROVED

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

ORDINANCE NO. 15-26

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XII, OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING TO

SECTION 12-5.2, ENTITLED, "DEFINITIONS RELATIVE TO ABANDONED PROPERTY, ACTIONS CONCERNING REPAIR, CLOSING OR DEMOLITION, AND RELATING TO THIS ORDINANCE"

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

Mr. Cuttrell stated that the Public Hearings on Ordinances 15-24, 15-25 and 15-26 will be held on Monday, June 22, 2015.

CONSENT AGENDA

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

AUTHORIZE TEMPORARY NO PARKING ON CERTAIN STREETS IN CONNECTION WITH OCEAN GROVE CAMP MEETING ASSOCIATION EVENTS

WHEREAS, the Ocean Grove Camp Meeting Association has numerous events scheduled during the late Spring and Summer that will require temporary no parking restrictions for pedestrian safety and access by large buses; and,

WHEREAS, the Police Department has reviewed and approved this action,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the posting of temporary no parking at the following locations during the dates and times indicated:

Auditorium Events

Date & Time: July 17<sup>th</sup> - 11:00 p.m. to July 18<sup>th</sup> - 11:00 p.m.  
July 23<sup>rd</sup> - 11:00 p.m. to July 24<sup>th</sup> - 11:00 p.m.  
July 31<sup>st</sup> - 11:00 p.m. to August 1<sup>st</sup> - 11:00 p.m.  
August 7<sup>th</sup> - 11:00 p.m. to August 8<sup>th</sup> - 11:00 p.m.  
August 21<sup>st</sup> - 11:00 p.m. to August 22<sup>nd</sup> - 11:00 p.m.

Location: Northside of McClintock Street between Pilgrim Pathway and Central Avenue

Annual Choir Festival

Date: July 12<sup>th</sup>  
Time: 5:00 pm to 10:00 p.m.  
Locations: Southside of westbound Ocean Pathway from Ocean Avenue to Central Avenue and Westside of Central Avenue between the Ocean Pathways.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Sgt. Zarro, Director of Public Works, Fire Inspector, Business Administrator, and Ocean Grove Camp Meeting Association.

PLACE LIEN ON VARIOUS PROPERTIES

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>
1513/5	505 Mayfair Lane	345.00
713/17	505 Fisher Place	345.00
415/30	604 Ridge Avenue	270.00
1507/7	10 Brixton Place	121.50
601/13	404 Myrtle Avenue	345.00
175/516	1205 Embury Avenue	270.00
1111/26	1517 7 <sup>th</sup> Avenue	135.00
1111/26	1517 7 <sup>th</sup> Avenue	614.00
618/6	1805 Columbus Avenue	270.00
611/40	1710 West Lake Avenue	345.00
605/12	229 Myrtle Avenue	270.00
611/13	225 Fisher Avenue	270.00

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

AUTHORIZE THE EXECUTION OF A SHARED SERVICE AGREEMENT FOR AREA NETWORK SHORE WATER EMERGENCY RESPONSE (ANSWER) TEAM

WHEREAS, the Township of Neptune and several neighboring municipalities have developed a joint offshore water rescue group known as Area Network Shore Water Emergency Response Team ("ANSWER") for the purpose of providing a joint rescue effort in response to any offshore water emergency within the boundaries of the respective municipalities; and,

WHEREAS, the Township of Neptune, the Borough of Avon-By-The-Sea, the Borough of Bradley Beach and the Borough of Neptune City desire to enter into a Shared Service Agreement pursuant to N.J.S.A. 40A:65-1 et seq. to allow the four municipalities to provide this emergency service to its residents; and,

WHEREAS, this Shared Service Agreement shall remain in full force and effect until specifically repealed by an affirmative act of the respective governing bodies,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Shared Service Agreement with the Borough of Avon-By-The-Sea, the Borough of Bradley Beach, and the Borough of Neptune City, a copy of which is on file in the Office of the Municipal Clerk, which provides for a joint rescue effort in response to any offshore water emergency within the boundaries of the respective municipalities; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Emergency Management Coordinator, Business Administrator, Grant Coordinator, the Borough of Avon-By-The-Sea, the Borough of Bradley Beach, and the Borough of Neptune City.

AUTHORIZE THE EXECUTION OF A SHARED SERVICE AGREEMENT FOR THE PURCHASE OF LIABILITY, PROPERTY, AND WORKERS COMPENSATION INSURANCE

WHEREAS, the Township of Neptune and the two Neptune Township Fire Districts desire to coordinate the purchase of liability, property and workers compensation insurance to achieve economies of scale for the taxpayers of the Township; and,

WHEREAS, the Township of Neptune, Neptune Township Fire District #1 and Neptune Township Fire District #2 desire to enter into a Shared Service Agreement pursuant to N.J.S.A. 40A:65-1 et seq. for the purchase of liability, property and workers compensation insurance; and,

WHEREAS, this Shared Service Agreement shall remain in full force and effect until specifically repealed by an affirmative act of the respective governing bodies,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Shared Service Agreement with Neptune Township Fire District #1 and Neptune Township Fire District #2, a copy of which is on file in the Office of the Municipal Clerk, which provides for the purchase liability, property and workers compensation insurance for the Township and fire districts; and,



BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Business Administrator, Grant Coordinator, Neptune Township Fire District #1 and Neptune Township Fire District #2.

AUTHORIZE AN EMPLOYEE ASSISTANCE PROGRAM AND WORK-LIFE SERVICES

WHEREAS, the Township Committee desires to provide an Employee Assistance Program and Work-Life Services to its employees; and,

WHEREAS, the Business Administrator recommends that Mental Health Consultants, Inc. be authorized to provide an Employee Assistance Program at a cost of \$20.16 per employee per year and Work-Life Services at a cost of \$7.32 per year for a three year period; and,

WHEREAS, funds will be provided in the 2015 municipal budget in the appropriation entitled Employee Group Insurance O.E. and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Mental Health Consultants, Inc. be and is hereby authorized to provide an Employee Assistance Program at a cost of \$20.16 per employee per year and Work-Life Services at a cost of \$7.32 per year for a three year period effective July 1, 2015; 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 Human Resources.

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY GILMAN LAND, LLC IN CONNECTION WITH IMPROVEMENTS AT 112 ROBIN ROAD

WHEREAS, on May 30, 2014, Gilman Land, LLC filed a cash performance bond in the amount of \$35,883.60, guaranteeing site improvements at 112 Robin Road (Block 802, Lot 30); and,

WHEREAS, said performance bond was subsequently reduced and currently is in the amount of \$11,550.78; and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of May 22, 2015 and said performance bond can be released; and,

WHEREAS, Gilman Land, LLC has provide authorization to hold the amount of \$5,537.34 in escrow to serve as a Maintenance Guarantee to guarantee said site improvements for a period of two years,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Maintenance Guarantee as stated above be and is hereby accepted and the performance guarantee is authorized to be released; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee and inspection fee escrow deposited with the Township be and is hereby authorized to be refunded (with \$5,537.34 being retained for the two year maintenance period); and,

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

CORRECT HOURLY RATE FOR VIOLATIONS CLERKS HIRED ON MAY 11, 2015

WHEREAS, on May 11, 2015, the Township Committee adopted Resolutions #15-218 & 15-219 which authorized the employment of Deanna Owens and Erin Mascarelli as Violations Clerks in the Municipal Court; and,

WHEREAS, the hourly rate in both resolutions was stated as \$12.00 per hour; however, the correct hourly rate for Violations Clerk in 2015 is \$12.24 per hour,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the hourly rates in Resolutions #15-218 & 15-219, which authorized the employment of Deanna Owens and Erin Mascarelli as Violations Clerks in the Municipal Court, is hereby corrected to \$12.24 per hour; and,

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

ACCEPT THE RESIGNATION OF SHIRLEEN DORMAN AS A PART-TIME TOURISM REPRESENTATIVE

WHEREAS, the Township Committee has received a letter from Shirleen Dorman resigning as a part-time Tourism Representative effective June 9, 2015,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Shirleen Dorman as a part-time Tourism Representative is hereby accepted effective June 9, 2015; 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 Human Resources.

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY 66 NEPTUNE REALTY, LLC FOR SITE IMPROVEMENTS IN CONNECTION WITH BRICKHOUSE TAP & TAVERN ON ROUTE 66

WHEREAS, on May 2, 2013, 66 Neptune Realty, LLC filed performance bond FP0018879, written by First Indemnity of America Insurance Company in the amount of \$831,492.00, guaranteeing site improvements at Brickhouse Tap & Tavern on Route 66 (Block 1508, Lot 1); and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of May 6, 2015 and said performance bond can be released; and,

WHEREAS, 66 Neptune Realty, LLC has filed Maintenance Bond #FP0018879M written by First Indemnity of America Insurance Company guaranteeing said site improvements for a period of two years; and,

WHEREAS, the Township Attorney has reviewed and approved said maintenance bond,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Maintenance Guarantee as stated above be and is hereby accepted and the performance bond is authorized to be released; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee and inspection fee escrow deposited with the Township be and is hereby authorized to be refunded (with \$1,000.00 being retained for final inspection at the end of the maintenance period; and,

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

AUTHORIZE AN AMENDMENT TO THE 2015 MUNICIPAL BUDGET TO REALIZE MONIES FROM A DIVISION OF ALCOHOLIC BEVERAGE CONTROL COPS IN SHOPS GRANT

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2015 in the sum of \$2,000.00 which is now available from a NJDL&PS Division of Alcoholic Beverage Control Cops in Shops – Summer Shore Initiative 2015 Grant in the amount of \$2,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$2,000.00 is hereby appropriated under the caption of Cops in Shops - Summer Shore Initiative 2015; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from a NJDL&PS Division of Alcoholic Beverage Control Cops in Shops 2015 Summer Shore Initiative Grant in the amount of \$2,000.00; and,

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

AUTHORIZE EXTENSION OF COUNTY OF MONMOUTH WORKFORCE INVESTMENT BOARD  
"COUNT ME IN" JOB READINESS PROGRAM

WHEREAS, the Township of Neptune/Midtown Urban Renaissance Corporation is presently under contract with the County of Monmouth Workforce Investment Board to provide a "Count Me In" Job Readiness Program (the "Contract"); and,

WHEREAS, the Contract expires on June 30, 2015; and,

WHEREAS, it would be in the best interest of those served under this Contract to extend the Contract through September 30, 2015,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the contract with the County of Monmouth Workforce Investment Board for the "Count Me In" Job Readiness Program be and is hereby extended from June 30, 2015 through September 30, 2015; and,

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute an agreement to effectuate said extension and that all remaining aspects of the existing Contract remain unchanged.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator and Community Programs Coordinator.

CANCEL CHECKS OUTSTANDING FOR OVER NINETY DAYS

WHEREAS, the Finance Department has advised that there are a number of outstanding checks that are over ninety (90) days old; and,

WHEREAS, the cancellation of said checks must be approved by resolution of the Township Committee,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following checks outstanding for greater than ninety (90) days be and are hereby approved for cancellation:

General Account	CHECK NO.	PAYABLE TO	AMOUNT
	020061	Cablevision	\$ 234.88
	020833	NJ MVC	60.00
	021438	Tom Arnone Plumbing	185.00
	021540	Gold Crest Abstract LLC	1,163.65

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

AUTHORIZE REPLACEMENT AND INSTALLATION OF THE PUMP CONTROL AT BEVERLY WAY SANITARY SEWER LIFT STATION

WHEREAS, the Purchasing Agent solicited quotes for the replacement and installation of the pump control at the Beverly Way sanitary sewer lift station; 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 Purchasing Agent and Sewer Department Supervisor 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. 12-14 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 replacement and installation of the pump control at the Beverly Way sanitary sewer lift station be and is hereby authorized through Pumping Services pursuant to their quote of not to exceed \$25,000.00; and,

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

EMPLOY TEMPORARY SEASONAL PERSONNEL FOR THE NEPTUNE SUMMER RECREATION PROGRAM

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

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

WHEREAS, funds will be provided in the 2015 Municipal Budget in the appropriation entitled Recreation S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following persons be and are hereby employed in the Neptune Summer Recreation Program from June 25, 2015 through August 10, 2015, for the number of hours and days as specified herein, with the understanding that staffing levels will be based on final enrollment and this resolution does not guarantee either employment or number of hours; and,

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

Teesha Robinson                      Monik Suit                      Eileen L'Heureux (sub)

Bus Drivers                                      \$12.00/hour                      6.5 hours/day 30 days

Janiesue Masco                      Betty Andrews (sub)

Role Models                                      \$10.50/hour                      6.5 hours/day 30 days

Barbara Carter                      Andrew Wildeman                      Bruce Hodges  
Miles Daniels                      Asya Robinson                      Alison Curry  
Kai Inman

Role Models                                      \$10.00/hour                      6.5 hours/day 30 days

Nykell Lane                      Lemuel Walker                      Kaitlyn Oates  
Kerryn Hughley

Substitute Role Models                      \$10.50/hour                      6.5 hours/day 30 days

Jacob Thompson

Substitute Role Models                      \$10.00/hour                      6.5 hours/day 30 day

Kyle Lewis                      Victoria Wildeman                      Ayana Williams  
Caityln Coyle                      Kayla Archer-Buckley                      Brianna Bell

CITs (Counselors / Role Models in Trailing) no pay / experience only

Alaina Cooper                      Aaliyah Harris                      Jaidin Jones  
Mylah Eammons

(Substitutes will be employed based on enrollment)

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

EMPLOY TEMPORARY SEASONAL PERSONNEL FOR THE MUNICIPAL ALLIANCE SUMMER PROGRAM

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

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

WHEREAS, funds will be provided in the 2015 Municipal Budget in the appropriation entitled DEDR – Drug and Alliance Grant and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following persons be employed in the Municipal Alliance Summer Program from June 29, 2015 to July 28, 2015 for the number of hours as specified herein,

<u>Coordinator</u>	<u>\$15.00/hour</u>	<u>67 hours</u>
Tom Shields		
<u>Bus Driver</u>	<u>\$14.00/hour</u>	<u>60 hours</u>
Danny Theliska	Janie Sue Masco (sub)	
<u>Role Models</u>	<u>\$14.00/hour</u>	<u>60 hours</u>
Kyle Lewis Teesha Robinson	Andrew Wildeman Miles Daniels	Rodney Taylor Bruce Hodges
<u>Substitute Role Models</u>	<u>\$14.00/hour</u>	<u>3 hours per day</u>
Barbara Carter Kai Inman	Kerryn Hughley Eileen L'Heureux	Allison Curry

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

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

WHEREAS, there is a need for an additional Special Law Enforcement Officer – Class I in the Police Department on a part-time hourly basis; and,

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

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

WHEREAS, funds will be provided in the 2015 municipal budget in the appropriation entitled Police S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Jordan Loiodice be and is hereby employed as a part-time Special Law Enforcement Officer - Class I, effective June 16, 2015, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, at an hourly rate as established by prior resolution of the Township Committee; and,

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

AUTHORIZE THE USE OF TOWNSHIP OWNED PROPERTY LOCATED AT BLOCK 5503, LOTS 18 & 19 (FORMERLY BLOCK 563, LOTS 1 & 2), ON SEAVIEW CIRCLE, AS A TEMPORARY DEWATERING SITE FOR MATERIALS DREDGED FROM THE SHARK RIVER CHANNELS

WHEREAS, the New Jersey Department of Transportation has indicated their willingness to seek a contract under the Public Contract Law for the dredging of the Shark River Channels, subject to the use and consent of use of Township Property to dewater the materials dredged; and

WHEREAS, the recommended site is municipal owned property located at Block 5503, Lots 18 & 19 on Seaview Circle; and

WHEREAS, the authorized consent letter requested by the NJDEP/OMR is to allow a dredging plan between September 7, 2015 through December 31, 2016 in the Shark River; and

WHEREAS, the contractor hired by the State will be required to return the site to the preexisting conditions as part of the NJDOT contract, and will protect the site under the supervision of the NJDOT during all activities,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, hereby authorizes and consents to the use by NJDOT/OMR or its contractor, Block 5503, Lots 18 & 19 of Neptune Township (Seaview Circle), which is Neptune Township owned property, as a dewatering site based on the conditions and assurances set forth above; and,

BE IT FURTHER RESOLVED, that the Township Committee hereby authorizes the Mayor or Deputy Mayor to execute a letter of consent setting forth the aforesaid conditions and expectations of this Resolution, and to supply the Resolution along with the letter of consent to the New Jersey Department of Transportation/OMR.

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

AUTHORIZE THE EXECUTION OF A RELEASE OF PART OF MORTGAGED PROPERTY WITH TRF DP RIDGE AVENUE, LLC IN CONNECTION WITH THE SCHOOLHOUSE SQUARE PROJECT

WHEREAS, the Township of Neptune holds a mortgage dated April 8, 2009 in the amount of \$400,000 with TRF DP Ridge Avenue, LLC in connection with the Schoolhouse Square project; and,

WHEREAS, Block 197.01, Lot 19, with an address of 13 Ridge Lane Avenue is included in the properties bound by said mortgage; and,

WHEREAS, said property is being sold as a housing unit and TRF DP Ridge Avenue, LLC is requesting that this property be released from the mortgage,

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 Release of Part of Mortgaged Property to release Block 197.01, Lot 19, with an address of 13 Ridge Avenue, from the properties bound by the existing mortgage dated April 8, 2009 in the amount of \$400,000.00; and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

Mr. Houghtaling offered the following resolution, moved and seconded by Mr. Bishop, 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	\$1,683,338.64
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FEDERAL & STATE GRANT FUND	50,281.96
TRUST OTHER	52,085.19
GENERAL CAPITAL FUND	147,420.67
SEWER OPERATING FUND	82,127.37
MARINA OPERATING FUND	31,904.28
DOG TRUST	930.60
LIBRARY TRUST	1,045.36
BILL LIST TOTAL	\$2,049,134.07

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

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

AUTHORIZE TERMINATION OF THE REDEVELOPMENT AGREEMENT BETWEEN NEPTUNE TOWNSHIP AND CITYWORKS, WEST LAKE, LLC, AND AUTHORIZE THE TOWNSHIP TO SEARCH FOR A NEW REDEVELOPER FOR THE WEST LAKE REDEVELOPMENT AREA

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

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (“Redevelopment Law”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, in order to stimulate redevelopment, by Resolution #05-212, the Township designated certain properties in the Township known as the West Lake Avenue Redevelopment Area as a redevelopment area in accordance with the Redevelopment Law referred to herein as the “Redevelopment Area”; and

WHEREAS, by Ordinance #05-20, the Township adopted the West Lake Avenue Redevelopment Plan to address the redevelopment of the properties within the Redevelopment Area (as may be amended, the “Redevelopment Plan”); and

WHEREAS, the Township Committee adopted Resolution #05-258 designating the Committee as the Redevelopment Entity for the West Lake Avenue Redevelopment Zone; and

WHEREAS, the Township Committee desired that the redevelopment of the area be redeveloped by CityWorks West Lake, LLC in accordance with the Redevelopment Plan; and

WHEREAS, on June 13, 2005 the Neptune Township Committee adopted Resolution #05-306 which authorized the execution of the Redevelopment Agreement with CityWorks West Lake, LLC; and

WHEREAS, said Redevelopment Agreement was amended by Resolution #06-157 on February 27, 2006 to add additional properties to the agreement that were already included in the West Lake Avenue Redevelopment Zone; and

WHEREAS, said Redevelopment Agreement was amended a second time by Resolution #07-64 on January 8, 2007 to provide for an alternative ownership structure for the planned office building; and

WHEREAS, the Redevelopment Agreement was amended a third time on September 13, 2010 to provide for the incorporation of specific affordable housing units in accordance with the Third Round Housing Plan Element and Fair Share Plan adopted by the Township Committee by Resolution #09-457 on October 26, 2009 as part of the Township’s petition to the New Jersey Committee on Affordable Housing for substantive certification; and

WHEREAS, since the adoption of the Redevelopment Agreement, as amended, closing documents for two parcels of the West Lake Redevelopment Area, namely 1820 West Lake Avenue and 232 Highway 35 were completed in August, 2008, and there were some property transfers to the Redeveloper in September, 2008 with a mixed use building completed (Midtown Commons) at 1820 West Lake Avenue in July of 2012; and

WHEREAS, in 2011 the Township Committee did pass a Resolution on January 10, 2011 concerning the sublease to the State of New Jersey with regard to the property located at 1820 West Lake Avenue; and

WHEREAS, other than the aforesaid development, little development has taken place pursuant to the Redevelopment Agreement between the parties, as amended, with the Redeveloper failing to follow the project schedule for commencement of construction on Phase 2 properties within one year of commencement of construction on an office building; failure for completion of the project improvements on the office building pursuant to project schedule; failure to complete the project improvements on Phase 2 properties within three years of commencement of construction of Phase 2 properties and failing to pay on a UDAG Loan from the Township since November, 2014; and

WHEREAS, the Township sent to CityWorks a Default Notice on the UDAG Loan on February 17, 2015 for the months of November, 2014 through February, 2015 and late fees totaling \$2,609.48; and

WHEREAS, the Township Committee of Neptune Township has requested CityWorks on a number of occasions provide status reports as to the progress and scheduling of the redevelopment of the balance of West Lake, and as of October 7, 2014, they indicated financial issues concerning continued redevelopment of the area, with a proposed schedule stretched to March 31, 2017; totally dependent upon uncertain financing and uncertain progress on the final redevelopment of the area; and

WHEREAS, due to the fact that the governing body had no further confidence in CityWorks West Lake, LLC in completing the project at any time in the foreseeable future, and due to the fact that the Redeveloper was in violation of the agreement in terms of the schedule and continuation of redevelopment and payment of the UDAG Loan, which represented a default in the agreement, the Township Committee adopted Resolution #15-116 on February 23, 2015, authorizing a Notice of Default and authorizing the Township Attorney to send said Notice of Default to the Redeveloper to allow the Redeveloper ninety (90) days to remedy and cure the default as required by Article II, Section 11.1 of the Redevelopment Agreement; an

WHEREAS, the Township Attorney sent out a Notice of Default and Termination on February 24, 2015 by certified mail/rrr to President David Scheck of CityWorks, which based on the greed card receipt was received on March 3, 2015. The ninety (90) day time period for the Redeveloper to cure the default has passed without any action, and therefore, a Notice of Termination would be appropriate.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey hereby authorizes termination of the Redevelopment Agreement between the Township of Neptune and CityWorks West Lake, LLC, entered into on June 13, 2005 as a result of the Redeveloper not curing and remedying the defaults on the aforesaid agreement as set forth by Resolution #15-116, adopted by the Township Committee on February 23, 2015.

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey hereby authorizes the Township Attorney to send a Notice of Termination to the Redeveloper, City Works West Lake, LLC, and authorizes the Township Administrator to proceed in supervising the efforts to take action to seek a new Redeveloper in such a manner as the Township shall find feasible and consistent with the objectives of State Law and the Redevelopment Plan, make a recommendation to the Township Committee on the qualified, responsible new Redeveloper to assume the obligations of completing the project, and to make all reasonable efforts to recommend a replacement Redeveloper for the project.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Chief Financial Officer, Township Planner, Business Administrator, Director of Engineering and Planning, Planning Board Administrator, Township Attorney and to the Redeveloper, CityWorks West Lake, LLC.



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

#### PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Andrew Wildeman, 4 Brixton Avenue, expressed his concerns regarding the cost of the summer recreation program stating the amount of kids signing up has declined. He requested the fee be reduced to allow the kids that could not afford to come could attend. He also suggested that a police officer should attend one of their sessions so that he could interact with the kids.

Mr. Bascom advised him to let Dawn Thompson know when he would need an officer.

Mr. Gadaleta stated they have reduced the registration cost and have even given away free registrations to those that qualify.

Kathy Arlt, 106 Abbott Avenue, stated she was glad to see that there was a tab on the website that has the abandoned property list and it also has a link to the ordinance but unfortunately the copy it's linked to is wrong because it doesn't contain the change that you made from ten months to six months. She stated it needed to be fixed. She stated she also understood that the Township might make the signs but will the Township be paying for them. She went on to state that she was worried a owner might come in and get their sign and not prove they complied with the ordinance. The citizens need to see the sign and know that the owners have complied with other provision. She stated at the last meeting Mr. Anthony stated there was a filing problem with the Clerk. She stated she was a little confused as to why there was a filing.

Mr. Anthony stated it was required by the statute and the ordinance.

Ms. Arlt stated it's required by the ordinance and it's only required by the statute if you plan on taking over the building or if you intend to pass it off to an approved development authority.

Mr. Anthony stated his reading was that they have to give notice.

Ms. Arlt spoke regarding the new amendment that defines vacant properties. She pointed out to the Township Committee that the ordinance doesn't have anything to do with vacant properties. It has to do with abandoned properties.

Mr. Anthony stated that was not exactly true.

Ms. Arlt stated she was told that they could not go any further than the statute. She felt this amendment goes further than the statute because there were requirements in the statute about what criteria a seasonal property has to meet in order to be considered abandoned and vacant is not in the statute. She stated it's assumed the property is vacant because it can't be abandoned unless they are vacant.

Mr. Anthony stated that's the problem vacancy is a criteria for reaching abandonment and there was no definition in the statute or ordinance of what vacant was. So Bill Doolittle met with him and Mr. Gadaleta and his point was that if we didn't have a definition of what vacant meant then someone could challenge it. There's also a provision in the ordinance that deals with owners and lien holders which can have conditions that are imposed if the property is vacant and may lead to abandonment.

Ms. Arlt stated they should have been putting up the signs within 30 days of the ordinance taking effect.

Mr. Anthony stated that was correct but they did not have a definition of vacant.

Kennedy Buckley, Broadway, stated he was at the Historic Preservation Conference last Thursday and a piece of paper was handed out and it was by the Housing & Community Development Network of New Jersey and they discussed using the abandoned property tool. A statement was made that the most effective tool was fees. The benefit was revenues. He questioned why weren't they using it.

Mr. Bishop stated it was the decision of this Committee not to go after registration because they have a hard enough time going after the people to pay what they are suppose to pay. They've actually amended it so they can go after people in terms of foreclosure and getting higher rates from some than others. He questioned what was the point of having something that you could not enforce. He went on to state that there were some properties were they could not fine people to

register so how could they collect.

Mr. Buckley stated absolutely they could collect money. He questioned what percentage would you get them to start collecting money. he stated he would start the process. He also discussed the Township's decision not to collect for park and snow removal. He went as far as to discuss the lack of personnel in the Code Enforcement Department.

Mr. Bishop stated that both he and Mr. Doolittle have asked to increase personnel for Code & Construction and basically its been denied due to budget constraints.

Mr. Buckley stated this was a bad state of affairs.

Michael Fornino, 120 Fulham Place, stated he was glad to see that the Township was listing the addresses along with the block and lots. He commended Mr. Bishop for the letter to the press. He felt he was on target. He discussed the new sewers in the Gables and the hi grass that was located at 1407 Sixth Avenue.

Joan Venezia, 107 Mt. Hermon Way, stated at the May 21<sup>st</sup> meeting she brought up discrepancies to the North End Plan and questioned when would she see an update.

Mr. Bishop stated there was an error and it will be updated. He assured her that he would get a new copy.

Ms. Venezia questioned whether WAVE has given financial and principles.

Mr. Anthony confirmed that they had.

Ms. Venezia stated she need the start and end date for the Broadway lighting. She also questioned whether there was a Broadway drainage plan. She also requested a status on the signs as related to Ordinance #15-26.

Mr. Gadaleta stated the meter was set at Lawrence Avenue/Broadway and it could be any day now. He stated the signs have been printed and they will give them to the property owner. They will be given a sign that they must maintain and if it is damaged they must pay for it and any subsequent ones after that.

Jim McMichael, 111 ½ Asbury Avenue, stated his issue was parking on the North End of Ocean Grove. He stated he would like to have the gates closed at 10pm because people are parking in his neighborhood and waling to Asbury Park. He went on to state that there were forces in Asbury Park that would like to get rid of the gates.

Mr. Houghtaling assured him that the gates would not be coming down.

Dorothy Argyros, 2100 Rutherford Avenue, read an excerpt of June 11<sup>th</sup> news article about the police and their brutal attack on civilians. She stated she's being doing a study and there's been very little in house discipline of police officers. She's seen a list of exonerated officers, one after another to the point where people have had to file lawsuits. She stated she was concerned when the Committee chose a police chief who had three police brutality lawsuits against him. She stated she looks forward to accreditation and asked whether it has gone out.

Mr. Bascom stated they were reviewing the final proofs with the consultants and once they feel they have the proof that says they do what they say they do then they will go to the accrediting agency and it takes eight weeks for them to review their paperwork.

Mrs. Argyros asked whether it would be before Christmas.

Mr. Bascom stated he was hoping by the end of summer, maybe September.

Mr. McMillan told Mrs. Argyros every time something happens in the world she tried to bring it back to Neptune.

Mrs. Argyros it was apart of this country and part of this countries problem and this is the tip of the iceberg.

Mr. McMillan asked her what was her experience with the Neptune Township Police Department.

Mrs. Argyros stated she was white and not an oppressed minority.

Jack Bredin, 94 ½ Mt. Hermon Way, discussed the North End redevelopment plan and the tools used to develop it.

Gail Oliver, Neptune City stated 1308 Heck Avenue was referenced in the ordinance. She questioned whether it was in Neptune or in Ocean Grove.

Mr. Cuttrell confirmed that it was in Neptune.

Ms. Oliver stated on the corner of Heck and Fisher the grass has to be cut. Also another Property near West Lake Avenue on Drummond and Fisher where the house sits way back. The house is an eyesore and the grass needs to be cut. She asked whether she should call Public Works about this.

Mr. Gadaleta stated Code and Public Works is out there but we do have residents who file complaints with our Code Enforcement Department. He assured her that they would follow up with these two properties in the morning.

Ms. Oliver also reported that skateboarders were in the mid-town park. she did call the shift commander and two officers came out. She stated tickets were issued but questioned whether they would have to appear in court.

Mr. Anthony stated they probably have to appear. He would have to look at the ordinance because he didn't know how it works or how it's treated in the courts.

Ms. Oliver asked if anyone was keeping a record of this and questioned when would this all end.

Mr. Bishop asked Mr. Anthony to see how they treat this ordinance and suggested they strengthen it and also require them to appear in court.

Ms. Oliver stated there should be a deterrent and a special officers are suppose to ride by periodically to see if skateboarders are there.

Mr. Anthony stated this was a problem everywhere. He related an experience that took place in Red Bank.

Mr. Bascom stated there CO2 officers will be walking the parks . It's just that time of the year.

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

Richard J. Cuttrell,  
Municipal Clerk