

TOWNSHIP COMMITTEE WORKSHOP MEETING – JANUARY 11, 2021 – 6:00 P.M.

In person attendance at this meeting is permitted. In addition, video and audio access to the meeting is available via townhallstreams.com/towns/neptune_nj.

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

ROLL CALL

PRESENT/ABSENT

Keith Cafferty	_____
Robert Lane, Jr.	_____
Carol Rizzo	_____
Nicholas Williams	_____
Dr. Michael Brantley	_____

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

Mayor Brantley announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 7, 2021, which indicated the ability to attend the meeting in person and included instructions on accessing and participating in the meeting virtually and through conference call. The Notice was filed with the Municipal Clerk and posted on the Township web site (www.neptunetownship.org), along with the meeting agenda, ordinances and resolutions.

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Discussion – Governing Body Sub-Committees (draft resolution attached)
2. Discussion – Amendment to ordinance regulating Township Attorney (draft ordinance attached)
3. Discussion – Amendment to ordinance governing salaries of TNSA Commissioners (draft ordinance attached)
4. Discussion – Police Committee ordinance.
5. Review Committee calendars.

Res. # 21-61 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____

Vote: Cafferty, _____; Lane, _____; Rizzo, _____; Williams, _____; Brantley, _____.

RESOLUTION #21-61 – 1/11/21

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

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

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

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

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
Contract negotiations – Status of AFSCME Local 1844 contract negotiations.
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.

RESOLUTION #21-

DRAFT

RESOLUTION AUTHORIZING SUBCOMMITTEES FOR THE GOVERNING BODY AND APPOINTMENTS TO SAID SUBCOMMITTEES

WHEREAS, the governing body of the Township of Neptune is desirous of creating 2021 Subcommittees with representatives from the governing body participating with said Subcommittees as liaisons to the various departments and activities of the Township of Neptune for the benefit of the governing body and the Township of Neptune; and

WHEREAS, Committeepersons appointed to said Subcommittees shall serve in an advisory capacity and report back to the governing body as a liaison to report on departmental activities and make recommendations for improvements as stated more fully below; and

WHEREAS, each Subcommittee, to the extent limited by State Statute and Law, may also serve as a screening committee for personnel matters that need to be decided by the entire governing body.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorizes the following subcommittees and confirms appointments to the same:

A. Code, Construction, Senior Center, Tourism, EMS and MURC

Committeeperson: (Chairperson)
Committeeperson:
Senior Center Director
Code Enforcement Supervisor
Construction Official
Chief Financial Officer
Business Administrator

B. Personnel, Court and Marina

Committeeperson: (Chairperson)
Committeeperson:
Harbor Master
Registrar of Vital Statistics
Municipal Clerk
Business Administrator

C. Finance, Administration, Economic Development and Health and Human Welfare

Committeeperson: (Chairperson)
Committeeperson:
Chief Financial Officer
Purchasing Agent
Economic Development Coordinator
Registrar
Business Administrator

D. Recreation, Community Development, OEM and Library

Committeeperson: (Chairperson)
Committeeperson:
Recreation Director
Community Projects Coordinator
OEM Director
Library Director
Business Administrator

E. Public Works, Engineering and Land Use

Committeeperson: (Chairperson)
Committeeperson:
Director of Public Works and/or other Public Works Department designee
Township Engineer
Business Administrator

F. Police Committee and Public Safety (Separate Resolution required)

BE IT FURTHER RESOLVED, that the duties and powers of the Committeepersons on Subcommittees shall be as follows:

1. All Committeepersons on Subcommittees shall be subject to N.J.S.A. 40A:63-1 et seq., as amended.
2. Committeepersons on Subcommittees shall investigate any activity relevant to the Subcommittee's Subcommittee.
3. Committeepersons shall participate and report back to the governing body on all contract negotiations, interviews, hiring and promotion and discipline actions of the department heads or members of management under the jurisdiction of the Subcommittee.
4. Committeepersons shall participated, assist in formulation and report to the governing body on all policies, budgets, proposed rules and regulations relevant to the Subcommittee and departments under the jurisdiction of the Subcommittee.
5. Committeepersons shall serve as liaison for communications between the departments under the jurisdiction of the Subcommittees and the governing body.
6. All actions of Committeepersons are subject not only to N.J.S.A. 40A:63-1, but all other NJ Statutes, ordinances and contracts of the Township of Neptune.
7. Committeepersons may, in their discretion and to the extent permitted by law, participate and observe all labor negotiations in their assigned department, and report back to the governing body, which shall make all final decisions concerning said negotiations.

Dated:

ORDINANCE NO. 21-xx

DRAFT

AN ORDINANCE TO AMEND VOLUME I, CHAPTER II, SECTION 2-21 OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED "STATUTORY OFFICES – TOWNSHIP ATTORNEY", BY PROVIDING A NEW SECTION 2-21.6, ENTITLED, "ATTORNEY RECOMMENDATIONS FOR ASSIGNMENT OF LEGAL COUNSEL"

BE IT ORDAINE,D by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Neptune Township Code of Ordinances, Volume I, Chapter II, entitled "Statutory Offices", Section 2-21 entitled, "Township Attorney" shall be amended to add Section 2-21.6, entitled "Township Attorney Recommendations for Assignment of Legal Counsel:"

§2-21-6 Township Attorney Recommendations for Assignment of Legal Counsel.

All legal cases in need of legal counsel and all legal matters shall be forwarded to the Township Attorney for review prior to assignment, and the Township Attorney shall have the discretion to make assignments on legal matters where the Township has the power to do so through an appropriate Special Counsel, Labor Attorney or other designated attorney; including attorneys on JIF or insurance carrier lists, where said JIF or insurance carrier allows the Township to recommend an attorney on said list, and upon assignment, said attorney assigned for said legal matter must provide periodic status reports of their case to the Township Attorney, so as to allow the Township Attorney to report to the governing body on such matters.

All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

The amended Ordinance shall become effective immediately upon its final passage and publication as required by law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

The ordinance was first adopted in 1973 with the wording below. The salary has been \$2,000 for Commissioners and \$2,500 for the Chairman since 1973 and no increase to the wording in red below. We are respectfully requesting the wording in red (and crossed out) be removed from the ordinance.

Current Ordinance

§ 2-37.3 Appointment of Members.

[Ord. No. 873 § 3; Ord. No. 04-07 § 3; Ord. No. 04-10 § 1]

The members of the Township of Neptune Sewerage Authority shall be hereafter appointed by resolution of the Township Committee in the manner provided in Chapter 138 of the Laws of New Jersey of 1946, as amended, and each member shall receive such compensation not in excess of two thousand (\$2,000.00) dollars, and the Chairman not in excess of two thousand five hundred (\$2,500.00) dollars in any one (1) year as shall hereafter be determined by the Township of Neptune Sewerage Authority.

Revised Ordinance

The members of the Township of Neptune Sewerage Authority shall be hereafter appointed by resolution of the Township Committee in the manner provided in Chapter 138 of the Laws of New Jersey of 1946, as amended, and each member shall receive such compensation not in excess of five thousand (\$5,000.00) dollars, and the Chairman not in excess of five thousand five hundred (\$5,500.00) dollars in any one (1) year as shall hereafter be determined by the Township of Neptune Sewerage Authority.

TOWNSHIP COMMITTEE MEETING – JANUARY 11, 2021 – 7:00 P.M.

In person attendance at this meeting is permitted. In addition, video and audio access to the meeting is via townhallstreams.com/towns/neptune_nj. Questions and comments will also be accepted via conference call at 732-447-9901, Conference Code Number: 948430

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

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
Keith Cafferty	_____
Robert Lane, Jr.	_____
Carol Rizzo	_____
Nicholas Williams	_____
Dr. Michael Brantley	_____

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

Silent Prayer and Flag Salute

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

Mayor Brantley announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 7, 2021, which indicated the ability to attend the meeting in person and included instructions on accessing and participating in the meeting virtually and through conference call. The Notice was filed with the Municipal Clerk and posted on the Township web site (www.neptunetownship.org), along with the meeting agenda, ordinances and resolutions.

APPROVAL OF MINUTES – Motion offered by _____, seconded by _____, to approve the minutes of the meeting held on December 21st. (Mr. Cafferty not eligible to vote)

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

PUBLIC COMMENTS ON RESOLUTIONS - Public comments regarding resolutions presented on this agenda only. The public will be permitted one visit to the microphone with a limit of five minutes. Public comments will also be accepted via conference call at 732-447-9901, Conference Code Number: 948430

ORDINANCES

ORDINANCE NO. 21-01 – An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by removing a handicapped parking zone on Broadway and a handicapped parking zone on Abbott Avenue - First Reading

Explanatory Statement: This ordinance authorizes the removal of existing handicapped parking zones in front of 86 Broadway and 97 Abbott Avenue.

Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Rizzo, _____; Williams, _____; Brantley, _____.

The Public Hearing on Ordinance 21-01 will be held at the next Township Committee meeting on Monday, January 25th.

CONSENT AGENDA

Res. #21-62 – Amend Resolution #21-55 by removing Technical Assistant to the Construction Official as a part-time position.

Res. #21-63 – Assign Township Attorney to represent employee in a Municipal Court matter arising from an accident on the job.

Res. #21-64 – Appoint member to the Local Emergency Planning Committee.

Res. #21-65 – Authorize Revocable License Agreement between the Ocean Grove Camp Meeting Association, the Wesley Lake Commission, and Neptune Township for the use of the Lake Avenue walkway adjacent to Wesley Lake for access and signage connected with an effort to deter Canada geese.

Res. #21-66 – Authorize submission by the Neptune Township Housing Authority of a Section 18 application to HUD for permission to demolish the property at 1130 Heck Avenue.

Res. #21-67 – Authorize the cancellation of grant receivable and grant reserve.

Res. #21-68 – Amend Resolution #20-361 adopted on November 16, 2020 to authorize and direct the Township of Neptune Planning Board to undertake a Preliminary Investigation to determine whether certain areas along Routes 33 and 35, known informally as the Township Crossroads and identified as Block 1106, Lots 1-7 and Lots 8-17 on the tax map of the Township of Neptune, qualify as an area in need of redevelopment (non-condemnation) pursuant to the Local Redevelopment and Housing Law.

CONSENT AGENDA Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Rizzo, _____; Williams, _____; Brantley, _____.

Res. #21-69 – Award bid for Gables sanitary sewer improvements.

Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Rizzo, _____; Williams, _____; Brantley, _____.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Members of the public may address any concern relating to the Township. The public will be permitted one visit to the microphone with a limit of five minutes. Public comments will also be accepted via conference call at 732-447-9901, Conference Code Number: 948430

ADJOURNMENT

ORDINANCE NO. 21-01

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY REMOVING A HANDICAPPED PARKING ZONE ON BROADWAY AND A HANDICAPPED PARKING ZONE ON ABBOTT AVENUE

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

SECTION 1

Volume I, Chapter VII, Section 7-21.1 – Handicapped Parking on Street, is hereby amended by *removing* the following:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Broadway	1	South side of Broadway beginning 76 feet east of the southeast intersection of Broadway and Pennsylvania Avenue
Abbott Avenue	1	North side of Abbott Avenue 93 feet east of the northeast intersection of Abbott Avenue and New Jersey Avenue

SECTION 3

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrel,
Municipal Clerk

Dr. Michael Brantley,
Mayor

RESOLUTION #21-62 - 1/11/21

AMEND RESOLUTION #21-55 BY REMOVING TECHNICAL ASSISTANT
TO THE CONSTRUCTION OFFICIAL AS A PART-TIME POSITION

WHEREAS, on January 1, 2021, the Township Committee adopted Resolution #21-55 which established salaries for part-time positions not covered by contract; and,

WHEREAS, Technical Assistant to the Construction Official was included in the list of said positions; and,

WHEREAS, the stipend for Technical Assistant to the Construction Official has been rolled into a different job title which is covered by a bargaining unit and is longer compensated as a separate job title,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby amends Resolution #21-55 by removing Technical Assistant to the Construction Official from the list of part-time stipend positions; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JANUARY 11, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-63 - 1/11/21

ASSIGN TOWNSHIP ATTORNEY TO REPRESENT EMPLOYEE IN A MUNICIPAL COURT
MATTER ARISING FROM AN ACCIDENT ON THE JOB

WHEREAS, an individual has filed a Citizen Complaint against Joseph Leone, Public Works Driver, in connection with a vehicle accident that occurred while performing his duties as a Public Works employee; and,

WHEREAS, the employee has consented to have the Township Attorney advise and represent him in Municipal Court,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes Gene Anthony, Township Attorney, to advise and represent Joseph Leone, Public Works Driver, in a Municipal Court matter arising from a vehicle accident that occurred while performing his duties as a Public Works employee; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Chief Financial Officer, Human Resources Director and Township Attorney.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JANUARY 11, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-64 - 1/11/21

APPOINT MEMBER TO THE LOCAL EMERGENCY PLANNING COMMITTEE

WHEREAS, Doug Rowell, Neptune Fire District #1 Fire Official, has retired and no longer represents the Fire District on the Local Emergency Planning Committee,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Sean Donohue be and is hereby appointed to the Local Emergency Planning Committee for the year 2021, replacing Doug Rowell as the Neptune Fire District representative; and,

BE IT FURTHER RESOLVED; that a copy of this resolution be forwarded to the Emergency Management Coordinator.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JANUARY 11, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-65 – 1/11/21

AUTHORIZE REVOCABLE LICENSE AGREEMENT BETWEEN THE OCEAN GROVE CAMP MEETING ASSOCIATION, THE WESLEY LAKE COMMISSION, AND NEPTUNE TOWNSHIP FOR THE USE OF THE LAKE AVENUE WALKWAY ADJACENT TO WESLEY LAKE FOR ACCESS AND SIGNAGE CONNECTED WITH AN EFFORT TO DETER CANADA GEESE

WHEREAS, it is the best interest of Neptune Township and the Wesley Lake Commission to be allowed to use Block 101, Lot 2, a/k/a Lake Avenue Walkway South adjacent to Wesley Lake owned by the Ocean Grove Camp Meeting Association to provide, install, maintain, and remove at the sole discretion of the Township and Wesley Lake Commission specified signage and have access for dog geese chasers, egg addlers, and the application of Rejexit to deter geese; and

WHEREAS, in order to obtain the aforesaid arrangement, the Ocean Grove Camp Meeting Association must provide the Township with a Revocable License Agreement for access to this private property for geese deterring activities,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes a Revocable License Agreement between the Ocean Grove Camp Meeting Association, Neptune Township, and the Wesley Lake Commission, in with regard to Block 101, Lot 2, a/k/a Lake Avenue Walkway South, located in Ocean Grove adjacent to Wesley Lake to be utilized for access and signage to deter geese, as needed, and the parties are entering into this Revocable License Agreement in order for the Wesley Lake Commission and Neptune Township to perform said consideration; and,

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute the Revocable License Agreement, a copy of which is on file in the Office of the Municipal Clerk; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution, accompanied by the executed Revocable License Agreement, be forwarded to the Township Attorney, Wesley Lake Commission and Ocean Grove Camp Meeting Association.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JANUARY 11, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-66 – 1/11/21

AUTHORIZE SUBMISSION BY THE NEPTUNE TOWNSHIP HOUSING AUTHORITY OF A SECTION 18 APPLICATION TO HUD FOR PERMISSION TO DEMOLISH THE PROPERTY AT 1130 HECK AVENUE

WHEREAS, based on an environmental assessment prepared by Dominion Due Diligence Group and a request by the Neptune Township Housing Authority, there is a need to demolish an existing Housing Authority apartment complex located at 1130 Heck Avenue, Neptune Township, New Jersey; presently consisting of three (3) story apartment structures constructed in the early 1960's; and

WHEREAS, the demolition is with the intent to construct a new building in its place for the same purpose as the old building; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires submission of a Section 18 Application to HUD seeking permission to demolish the subject property, based on the engineering study that the site requires a substantial amount of funds to repair, and that a new building instead would be most beneficial to the community; and

WHEREAS, the consultant, Dominion Due Diligence Group supports the aforesaid assessment, which allows the approval by HUD and the Neptune Township Housing Authority to develop a financing strategy so the subject property can be rebuilt and continue to provide affordable housing for the community; and

WHEREAS, HUD requires the Township to approve of the aforesaid Application for Demolition and goal to proceed for reconstruction of affordable housing by execution of the "Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects."

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby approves of the submission of a Section 18 Application to HUD for permission to demolish the existing apartment structures at 1130 Heck Avenue, Neptune Township, New Jersey, and have the Neptune Township Housing Authority seek financing to rebuild and construct new affordable housing units for the community at the aforesaid site; and,

BE IT FURTHER RESOLVED, that the governing body hereby authorizes the Mayor to sign as the Responsible Entity Agency on the "Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects" and return the same to the appropriate authority with this resolution of approval; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the NTHA, and the Business Administrator. **CERTIFICATION**

**HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JANUARY 11, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-67 - 1/11/21

AUTHORIZE THE CANCELLATION OF GRANT RECEIVABLE
AND GRANT RESERVE

WHEREAS, a Grant Receivable and Grant Reserve balance remains open for the FY18 Federal Bulletproof Vest Program which was not used and has since expired; and,

WHEREAS, it is necessary to formally cancel said balance,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the following grant receivable and grant reserve be and is hereby authorized to be cancelled:

GRANT NAME	APPROPRIATION CANCELLED	RECEIVABLE CANCELLED
FY18 Bulletproof Vest Partnership Program	\$ 633.46	\$ 633.46

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JANUARY 11, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-68 – 1/11/21

AMEND RESOLUTION #20-361 ADOPTED ON NOVEMBER 16, 2020 TO AUTHORIZE AND DIRECT THE TOWNSHIP OF NEPTUNE PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN AREAS ALONG ROUTES 33 AND 35, KNOWN INFORMALLY AS THE TOWNSHIP CROSSROADS AND IDENTIFIED AS BLOCK 1106, LOTS 1-7 AND LOTS 8-17 ON THE TAX MAP OF THE TOWNSHIP OF NEPTUNE, QUALIFY AS AN AREA IN NEED OF REDEVELOPMENT (NON-CONDEMNATION) PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW

WHEREAS, on November 16, 2020, the Township Committee of the Township of Neptune ("Township Committee") adopted Resolution #20-361 (the "Prior Resolution") authorizing and directing the Township of Neptune Planning Board ("Planning Board") to undertake a preliminary investigation (the "Study") to determine whether certain areas along Routes 33 and 35 identified on the Tax Map of the Township of Neptune as Block 1106, Lots 1-7 and Lots 8-17 and Block 1107, Lots 1-12 qualify as an area in need of redevelopment (non-condemnation) pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Act"); and

WHEREAS, the real property identified as Block 1107, Lots 1-12 on the Township of Neptune Tax Map was inadvertently included in the description of the area to be subject to the Study and the Township Committee wishes to amend the Prior Resolution to remove Block 1107, Lots 1-12 from the area to be subject to the Study and affirm that only the real property identified as Block 1106, Lots 1-7 and Lots 8-17 shall be subject to this Study; and

WHEREAS, Article VIII, Section III of the Constitution of the State of New Jersey establishes that the clearance, replanning, development or redevelopment of certain areas within the State shall constitute a public purpose and public use; and

WHEREAS, the Legislature of the State of New Jersey (the "Legislature") has adopted a comprehensive set of redevelopment laws, the centerpiece of which is the allowing for, *inter alia*, the substantial improvement to underutilized, unused, fragmented deteriorated or general blighted properties through the careful design, writing and implementation of redevelopment plans; and

WHEREAS, the Act provides a mechanism to assist local governments in their efforts to promote such programs of redevelopment; and

WHEREAS, the Act sets forth the procedures for a municipality to declare an area in need of redevelopment and to develop and effectuate a redevelopment plan; and

WHEREAS, the Act specifically provides that no area of a municipality shall be deemed a redevelopment area unless the governing body of the municipality shall, by Resolution, authorize the planning board to undertake a preliminary investigation to determine whether a proposed area qualifies as an area in need of redevelopment by meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, pursuant to N.J.S.A. 40A:-12A-6, "[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area

determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condensation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a "Condensation Redevelopment Area"); and

WHEREAS, the Township Committee of the Township of Neptune reiterates that it is in the best interest of the Township and its residents to authorize and direct the Planning Board, pursuant to N.J.S.A. 40A:12A-4 and N.J.S.A. 40A:12A-6, to undertake such a preliminary investigation of the real properties listed below which lie along Routes 33 and 35, in an area known informally as the Township Crossroads, which are identified as Block 1106, Lots 1-7 and Lots 8-17 on the Tax Map of the Township of Neptune (collectively, the "Study Area"), with the primary objective being to improve the quality of life of the Township's residents and to improve the economic foundation of the Township so that long term tax stability is achieved for all of the Township residents; and

WHEREAS, it appears that the parcels within the Study Area, by reason of faulty arrangement of design, deleterious land use, obsolescence, obsolete layout, and/or other factors, have remained stagnant, unproductive, underutilized and undervalued and as a result, may be detrimental to the health, safety, or welfare of the Township's residents and are specifically recommended to be studied by the Planning Board as set forth herein.

NOW, THEREFORE, it is hereby resolved by the Township Committee of Neptune as follows:

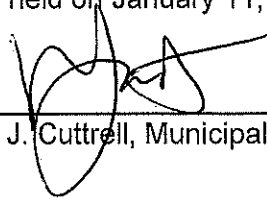
1. Pursuant to N.J.S.A. 40A:12-1, et seq., the Planning Board is hereby authorized and directed to undertake an investigation to determine whether the real property set forth below in the Property List, and as it is designated on the Tax Map of the Township of Neptune (collectively referred to herein as the Study Area), or any portion thereof, qualifies as an area in need of redevelopment in accordance with the criteria set forth at N.J.S.A. 40:12A-5.
2. The Planning Board shall conduct a public hearing regarding the Property and said public hearing shall be conducted after public notice has been given in accordance with N.J.S.A. 40:12A-6 and after completing the public hearing and deliberation, the Planning Board shall submit a recommendation to the Township Committee whether or not the Study Area, or any portion thereof, should be determined and designated to be an area in need of redevelopment.
3. In the event that the Property or any portion thereof shall be determined and designated to be an area in need of redevelopment, the Township of Neptune shall be authorized to use all powers, except for the power of eminent domain, provided by the Legislature of the State of New Jersey for use in such a redevelopment area in order to accomplish the goals of redevelopment.
4. The Business Administrator and Staff of the Township of Neptune are hereby authorized and directed to take all actions as shall be deemed necessary or desirable to implement this Resolution.

5. This Resolution shall be effective immediately upon adoption, according to law.

Property List (collectively referred to herein as the Study Area):

Block 1106, Lots 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17.

I hereby certify that the foregoing Resolution was adopted by the Township Committee of the Township of Neptune at a Regular Meeting held on January 11, 2021.

A handwritten signature in black ink, appearing to read 'Richard J. Cuttrell', is written over a horizontal line. The signature is stylized and somewhat cursive.

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-69 - 1/11/21

AWARD BID FOR GABLES SANITARY SEWER IMPROVEMENTS

WHEREAS, on January 5, 2021, the Township Engineer received bids for the award of a contract for Gables Sanitary Sewer Improvements; and,

WHEREAS, said bids were reviewed by the Township Engineer and Township Attorney who have recommended that the bid be awarded to the lowest bid submitted by Lucas Brothers, Inc.; and,

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

WHEREAS, funds for this purpose will be provided in Ordinances No. 19-32 and No. 20-21 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 Lucas Brothers, Inc. on their lowest responsible bid of \$1,471,965.30 (which includes the base bid of \$1,230,230.00 and Alternate #1 bid of \$241,735.30) for Gables Sanitary Sewer Improvements; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JANUARY 11, 2021



Richard J. Cuttrell, Municipal Clerk