

TOWNSHIP COMMITTEE MEETING – MARCH 23, 2020

(Due to pandemic, no workshop meeting was held and regular meeting started a 4:00 p.m.)

Mayor Lane called the meeting to order at 4:00 p.m. and requested the Clerk to call the roll. The following members were present: Dr. Michael Brantley (via phone), Kevin B. McMillan, Carol Rizzo (via phone), Nicholas Williams, and Mayor Robert Lane, Jr.

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

After a moment of Silent Prayer and the Flag Salute, the Mayor asked the Clerk to indicate the fire exits.

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

Mayor Lane announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press and The Coaster on January 3, 2020, a notice of change in meeting start time issued on March 19, 2020, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at www.neptunetownship.org.

APPROVAL OF MINUTES

Mr. McMillan offered a motion, seconded by Mr. Williams, to approve the minutes of the meeting held on March 9, 2020 and the budget workshop meeting held on March 18, 2020. All were in favor.

COMMENTS FROM THE DAIS

Mr. McMillan noted that he and the Mayor attended the Affirmation Service of Bishop Jerome Hubbard and presented a proclamation.

PUBLIC COMMENTS ON RESOLUTIONS

There were no public comments on resolutions.

ORDINANCE NO. 20-08 - ADOPTED

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

ORDINANCE NO. 20-08

AN ORDINANCE TO AMEND ORDINANCE NO. 19-20 WHICH AUTHORIZED ACCEPTANCE OF A DEED OF DEDICATION WITH REGARD TO LANDLOCKED PARCEL LOCATED AT BLOCK 2001, LOT 6, NEPTUNE TOWNSHIP, TO INCLUDE LOT 7

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

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

CONSENT AGENDA

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

APPOINT MEMBER TO THE NEPTUNE TOWNSHIP HOUSING AUTHORITY

BE IT FURTHER RESOLVED, that the Township Committee hereby appoints Winifred Johnson to the Neptune Township Housing Authority for a five year term expiring March 31, 2025; and,

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

AUTHORIZE AMENDED CONSENT ORDER WITH EVELYN STUMPF, JOHN WHERLE, STUMPY'S SALES AND SERVICES; NEW DEFENDANTS, JMA HOLDINGS, LLC AND MICHAEL GRAUBART, INDIVIDUALLY, IN THE LAWSUIT BEFORE THE SUPERIOR COURT OF NEW JERSEY, CHANCERY DIVISION, MONMOUTH COUNTY, DOCKET NO. C-125-16

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

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

WHEREAS, as a result of violations of the Stipulation of Settlement and Dismissal by Defendants, Evelyn Stumpf, John Wherle and Stumpy's Sales and Services, the governing body authorized a Motion for Enforcement and a Consent Order of Enforcement of a Stipulation of Settlement and Dismissal dated October 2, 2019 by Resolution of October 10, 2019; which provided the original Defendants in this matter with an additional six (6) months to either comply with the original Stipulation of Settlement and Dismissal or sell the property to a new buyer, who would either comply with the same, or demolish the subject building or submit a new Site Plan Application before the appropriate Municipal Board; and

WHEREAS, the original Defendants did sell the subject property to JMA Holdings, LLC and Michael Graubart, who are willing to enter into an amended Consent Order, along with the original Defendants, concerning the use of the subject property as set forth more fully in the Amended Consent Order on file in the Office of the Municipal Clerk,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, hereby authorize the Township Attorney to execute the aforesaid Amended Consent Order of Enforcement of the Stipulation of Settlement and Dismissal with Prejudice of October 3, 2018, a copy of which is on file in the Office of the Municipal Clerk, providing for the settlement of all claims arising from the original lawsuit, and have the same recorded in the Clerk's Office of Monmouth County so that the obligations and commitments all of the Defendants in the Amended Consent Order shall run with the land.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the Township Attorney along with a copy of the Amended Consent Order.

APPROVE BI-LINGUAL STIPEND TO ALISON WALBY, RECORDS CLERK

BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby approves a bi-lingual stipend to Alison Walby, Records Clerk, in the annual amount of \$639.85 effective April 1, 2020; and,

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

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 037

WHEREAS, Gurkiran Kaur is the owner of Neptune Township Taxi Medallion No. 037; and,

WHEREAS, she has notified the Taxi License Coordinator of the intent to sell and transfer ownership of said medallion to Brian Daley of BD One Transportation, LLC; and,

WHEREAS, the Taxi License Coordinator has certified that all requirements of transfer have been satisfied,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted for the transfer of Taxi Medallion License No. 037 to Brian Daley of BD One Transportation, LLC; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax License Coordinator and Municipal Clerk.

AUTHORIZE THE PURCHASE OF OFFICE FURNITURE THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Chief of Police has recommended the purchase of office furniture for the Police Department through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Laws, N.J.S. 40A:11-12; and,

WHEREAS, Kimball Office, Inc. has been awarded New Jersey State Contract No. A81628 for this item; and,

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

WHEREAS, the cost of this furniture shall not exceed \$45,000.00; and,

WHEREAS, funds for this purpose are available through Ordinance No. 19-39 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of office furniture for the Police Department through New Jersey Cooperative Purchasing Program Contract No. A81628 be and is hereby authorized at an amount not to exceed \$45,000.00; and,

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

AUTHORIZE THE PURCHASE OF A POLICE VEHICLE THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Chief of Police has recommended the purchase of a 2020 Ford Interceptor SUV police vehicle through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Laws, N.J.S. 40A:11-12; and,

WHEREAS, Winner Ford has been awarded New Jersey State Contract No. A88728 for this vehicle; and,

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

WHEREAS, the cost of this vehicle shall not exceed \$35,000.00; and,

WHEREAS, funds for this purpose are available through an insurance refund and for the first three months of 2020 in the 2020 Temporary Budget. Funds for the balance of 2020 will be provided in the Budget for the year 2020, when finally adopted, in the appropriation entitled Police O.E., and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of a 2020 Ford Interceptor SUV police vehicle through New Jersey Cooperative Purchasing Program Contract No. A88728 be and is hereby authorized at an amount not to exceed \$35,000.00; and,

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

AUTHORIZE USE OF STORM RECOVERY RESERVE FOR COSTS RELATED TO THE COVID-19 RESPONSE, RECOVERY, AND MITIGATION

WHEREAS, in accordance with N.J.S.A. 40A:4-62.1, the Township of Neptune has established a storm recovery reserve to which unexpended balances budgeted for storm recovery

may be lapsed into; and,

WHEREAS, following the declaration of an emergency by the President of the United States or the Governor of the State of New Jersey, a municipality may authorize the use of funds in the reserve for any purpose necessary to protect the safety, security, health, and welfare, of its citizens from the damage caused by the declared emergency; and,

WHEREAS, the Chief Financial Officer recommends that the use of storm recovery reserves in connection with the national emergency declared for the COVID-19 pandemic be authorized,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the use of the Township storm recovery reserve for response, recovery, and mitigation costs related to the COVID-19 pandemic as enabled by the declaration of a national emergency by the President of the United States; and,

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

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

AWARD BID FOR IMPROVEMENTS TO OXONIA AND ANELVE AVENUES

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

WHEREAS, on March 16, 2020, the Township Engineering Consultant received bids for the award of a contract for improvements to Oxonia and Anelve Avenues; and,

WHEREAS, said bids were reviewed by the Consultant and the Township Engineer who has recommended that the bid be awarded to the lowest bid submitted by Fernandes Construction 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, this project is being partially funded through a Community Development Block Grant and the Monmouth County Office of Community Development has approved the award of a contract to Fernandes Construction, Inc.; and,

WHEREAS, funds for this purpose will be provided in Ordinances 17-21 and 19-28 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 Fernandes Construction, Inc. on their lowest responsible of \$250,384.10 (which includes the base bid of \$177,359.10 and Alternate #1 bid of \$73,025.00) for improvements to Oxonia and Anelve Avenues; 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.

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

AUTHORIZE RENOVATIONS TO THE POLICE DEPARTMENT OFFICES THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY PURCHASING PROGRAM

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

WHEREAS, the Chief of Police wishes to authorize the renovations to the Police Department offices utilizing pricing through the Educational Services Commission of New Jersey Purchasing Program; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Laws, N.J.S. 40A:11-12; and,

WHEREAS, the Educational Services Commission of New Jersey Purchasing Program has

awarded Contract 16/17-54 GC3 to Murray Paving and Concrete - Gordian Job Order Contract #077391.00 for this purpose; and,

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

WHEREAS, the cost of these goods and services shall not exceed \$175,000.00; and,

WHEREAS, funds for this purpose are available from Ordinance No. 19-39 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 renovations to the Police Department offices be and are hereby authorized through the Educational Services Commission of New Jersey Purchasing Program Contract 16/17-54 GC3 to Murray Paving and Concrete - Gordian Job Order Contract #077391.00 at an amount not to exceed \$175,000.00; and,

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

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

INTRODUCE 2020 MUNICIPAL BUDGET

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

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2020; and,

BE IT FURTHER RESOLVED, that said Budget be published in The Coaster in the issue of April 2, 2010,

General Appropriations

Appropriations within "CAPS" for Municipal Purposes	\$35,834,462.00
Appropriations excluded from "CAPS" for Municipal Purposes	\$7,683,078.65
Reserve for Uncollected Taxes based on Estimated 97.29% of Tax Collections	\$2,400,000.00
 Total General Appropriations	 \$45,917,540.65

General Revenues

Anticipated Revenues Other Than Current Property Tax	\$13,297,530.22
Amount to be Raised for Taxes for Support of Municipal Budget	\$31,220,939.43
Minimum Library Tax	\$1,399,071.00
 Total General Revenues	 \$45,917,540.65

Notice is hereby given that the Budget and Tax Resolution was approved by the Township Committee of the Township of Neptune, County of Monmouth, on March 23, 2020. A hearing on the Budget and Tax Resolution will be held at the Neptune Township Municipal Complex, Township Meeting Room, 2nd Floor, 25 Neptune Blvd., Neptune NJ on April 27, 2020 at 7:00 P.M. at which time and place objections to said Budget and Tax Resolution for the year 2020 may be presented by taxpayers or other interested persons.

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

AUTHORIZE THE PAYMENT OF BILLS

Mr. McMillan offered the following resolution, moved and seconded by Ms. Rizzo, 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	4,481,335.24
GRANT FUND	10,484.50
TRUST FUND	6,365.81
GENERAL CAPITAL FUND	188,915.00
SEWER OPERATING FUND	1,026,015.39
MARINA OPERATING FUND	703.48
DOG TRUST	69.60
LIBRARY TRUST	5,723.24
BILL LIST TOTAL	\$5,719,612.26

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

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Joan Venezia, 107 Mt. Hermon Way, asked if there a requirement for the Township Committee to conduct a certain number of meetings or if you have to meet within a required timeframe. Mr. Anthony responded that there is no set requirement on how frequently to hold meetings but the Committee must meet to adopt resolutions and other official action. Ms. Venezia asked if the April 27th meeting will be held via teleconference. Mr. Gadaleta stated that the Township is trying to expedite the necessary installation of cameras for teleconferencing. Ms. Venezia stated that the Planning Board resolution to approve the North End projects lists conditions for approval but does not contain reference to the Historic Preservation Commission (HPC). Mr. Gadaleta stated that the Planning Board memorialized the approval resolution so the process before the Planning Board is complete. The HPC approval is required along with all of the other listed conditions before construction permits are issued. Ms. Venezia asked for additional details on how a teleconferencing meeting would work. Mr. Gadaleta responded that those issues will be worked out prior to the April 27th meeting.

Dianna Harris, Willow Drive, stated that she heard the announcement regarding the release of prisoners from County jails. She asked if anyone knows how many of the released prisoners will be in Neptune. Mr. Gadaleta replied that this was just announced so the Township does not have any information on this matter. She asked if the World Changers initiative will still be held. Mr. Gadaleta replied that World Changers will still take place in July. He will look into extending the deadline for applications.

Mr. Gadaleta stated that in light of the state of emergency, there will be paid staffing at the fire departments and first aid squads that will remain for the duration of the health crisis.

Mayor Lane asked if the various job openings have been posted on the web site. Mr. Gadaleta stated that the listing are posted and he has heard that the hospital, Shop-Rite and Amazon are hiring. Ms. Rizzo added that the hospital has a lot of job openings and she is compiling a list.

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

Richard J. Cuttrell,
Municipal Clerk

