

TOWNSHIP COMMITTEE MEETING – OCTOBER 26, 2020

Mayor Lane called the meeting to order at 6:00 p.m. In addition to live attendance, the Mayor announced that video and audio access to the meeting is available via townhallstreams.com/towns/neptune_nj.

The Mayor requested the Clerk to call the roll. The following members were present: Dr. Michael Brantley, 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.

The Mayor announced 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 October 22, 2020, which indicated the ability to attend the meeting in person and included instructions on accessing and participating in the meeting virtually through townhallstreams.com. 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.

The following items were discussed in open session:

Mr. Gadaleta reviewed the Best Practices Survey. He stated that this is done annually based on survey questions posed by the State. There are 29 scored questions of which the Township answered a total of 23 in the affirmative. At least 16 affirmative answers are required to receive 100% state aid. The Township scored 19 out of 20 in core competency. The single negative response was our professional contracts do not include a not to exceed amount. This can be addressed in contracts moving forward. The Township 8 out of 9 in best practices. The only negative response was the Township's anti-nepotism ordinance does not cover every possibility listed by the state; however, this is a recommendation and not a rule. Mr. Cuttrell suggested that the prior year expense for a particular professional service contract could be used as the not to exceed maximum amount in the subsequent year.

Mr. Anthony stated that he was asked by Ed Finlay, Harbor Master, and Mr. Gadaleta to prepare an ordinance requiring the removal of boats when a tropical storm or hurricane is forecast. Mr. Anthony prepared a draft ordinance for review. Mr. Williams stated that a lot of boat owners do not have trailers. The travel lift can be used to get some of the boats out, but there would not be time to get them all. After additional discussion, it was decided that this may be better addressed through the contracts with the boat owners with the possible inclusion of an indemnity clause.

Mr. Anthony reviewed his draft noise ordinance amendment. He removed the decibel numbers in the current ordinance and used a nuisance basis. He added distance from the noise source and time of day. The amendment also allows for multiple summonses in a single day. Mr. Gadaleta stated that this would address the complaints received regarding outdoor dining during the pandemic. Mr. Anthony stated the ordinance sets a maximum fine but the Municipal Judge would decide on the amount of fine based on a number of factors. Dr. Brantley stated that the Committee should have additional time to review. Mr. Anthony asked that any comments on the draft be forwarded to him.

Mr. Gadaleta stated that Wall Township now has a low/moderate income housing requirement and need an additional 300,000 gallons of sanitary sewer capacity. After discussions with the Ocean Grove Sewer Authority, it is recommended that the amount be split with OGSA and the Township providing 150,000 gallons. This will be a sale of capacity with significant revenue coming back to both entities and would assist OGSA with upgrades to their infrastructure. The Committee indicated approval to continue to negotiate.

Mr. Gadaleta recommended that the Committee consider authorizing an Area in Need of Redevelopment Study by the Planning Board for the property at Green Grove and Route 66. This property has not been used in over 30 years and is in a hospital overly zone. In addition, a Gateway Plan was developed 15 years ago for the Route 35 and 33 area. A Developer has purchased the property at the southwest corner of Route 35 and 33 with the exception of the Dunkin Donuts. Mr. Gadaleta also recommended an Area in Need of Redevelopment Study for this location. Resolutions will be prepared for consideration at the November 16th meeting.

Mr. Gadaleta stated the Developer of the remaining Schoolhouse Square site is interested in the West Lake Avenue Redevelopment Area and is finalizing a preliminary plan.

Mr. Cuttrell stated that Requests for Proposals for professionals will be available on November 5th with a return date of December 3rd. Ms. Rizzo asked for an assessment of the current

professionals.

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

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

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

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

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

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

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

Personnel – Appointments to the Police Committee
Contract negotiations – Prior Labor Attorney assignment
Personnel – Recommendation for Public Works Director appointment

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

4. This Resolution shall take effect immediately.

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

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

The Committee discussed recommendations for resident members to the Police Committee. Action was taken by resolution in the business portion of the meeting.

The Committee approved posting of the vacant positions of Lieutenant and Sergeant in the Police Department as well as posting for police officers.

The Committee discussed the recommendation for the position of Public Works Director. . Action was taken by resolution in the business portion of the meeting.

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

Mayor Lane called the regular meeting to order at 7:00 p.m. by announcing that in person attendance 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 townhallstreams.com/towns/neptune_nj.

The Mayor requested the Clerk to call the roll. The following members were present: Dr. Michael Brantley, Kevin B. McMillan, Carol Rizzo (by 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.

The Mayor led a moment of Silent Prayer and the Flag Salute.

The Mayor announced 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 October 22, 2020, which indicated the ability to attend the meeting in person and included instructions on accessing and participating in the meeting virtually through townhallstreams.com. 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

Mr. McMillan offered a motion, seconded by Ms. Rizzo, to approve the minutes of the meeting held on October 1, 2020. All were in favor, except Dr. Brantley and Mr. Williams who both abstained.

PRESENTATION – 2020 MAYOR’S BALL

The Mayor presented the proceeds of the 2020 Mayor’s Ball, in the amount of \$66,000.00 to the Jersey Shore Dream Center.

PROCLAMATION – CURFEW

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

COMMENTS FROM THE DAIS

Dr. Brantley congratulated the Mayor on the success of the Mayor’s Ball.

Mr. McMillan thanked the Mayor for the invitation to the Mayor’s Ball. He’s was a record breaking year and most successful Ball ever. He attended the Gables Residents Association meeting where issues of speed bumps and helicopter flight paths were discussed. He attended the recent Economic Development Corporation meeting. Interest in the Route 33/35 corridor and the West Lake Avenue redevelopment area were discussed.

Mr. Williams stated that the Mayor did a phenomenal job on the Mayor’s Ball. His doctor advised him not to attend in person, but he watched on video. The marina is quieting down for the season with many boats stored for winter. The slips were 100% filled this summer. Mark Balzarano is retiring as Public Works Director so a new Director is being hired this evening.

Ms. Rizzo stated that the Mayor’s Ball raised a lot of money and she is very proud of Mayor Lane. Applications for the 2019 senior freeze has been extended to December 31st. Interested residents should go on-line to the New Jersey Treasurer of the Township web site where there is a link under the News page.

Mayor Lane announced the death of Bruce Newenhouse who will be missed. The Hooked on Fishing, not Drugs event was great. He thanked his Mayor’s Ball Committee which was live streamed for the first time. He also gave \$1,000 of the Ball proceeds to the Elks in memory of former Board of Education member Harry Smith. The Mayor announced Truck or Treat events at McDonalds and the Jersey Shore Arts Center.

PUBLIC COMMENTS ON RESOLUTIONS

Mayor Lane asked for public comments regarding resolutions on this agenda either in person or remotely via townhallstreams.com/towns/neptune_nj and they were as follows:

Richard Williams, 1 Abbott Avenue asked for information on the Wesley Lake footbridges. Dr. Brantley replied that the bridges are deteriorating. Painting is not feasible so the resolution will authorize an engineering study to determine the condition of the bridges. The Township can then move forward with repairs as necessary. This is an Interlocal Agreement with Asbury Park to share the costs equally.

Bryan Acciani, 406 Atkins Avenue, asked why the Committee reversed course and did not solicit applications from the public for the Police Committee. The Mayor replied that they received interest from individuals wanting to serve. There is only one spot being filled this evening so if anyone is interested, they should submit.

ORDINANCE NO. 20-29 - ADOPTED

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

ORDINANCE NO. 20-29

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A RESIDENT ONLY HANDICAPPED PARKING ZONE ON BEACH

AVENUE AND RELOCATING AN EXISTING RESIDENT ONLY
HANDICAPPED PARKING ZONE ON BROADWAY

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

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

AUTHORIZE AN AMENDMENT TO THE 2020 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE MONMOUTH COUNTY OFFICE ON AGING/CARES ACT

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 addition of an item of revenue in the budget for the year 2020 in the sum of \$46,081.00 which is now available from the Monmouth County Office on Aging FY20 Title IIIB Older Americans Act grant/CARES Act funding in the additional amount of \$46,081.00; and,

BE IT FURTHER RESOLVED that the like additional sum of \$46,081.00 is hereby appropriated under the caption of Senior Citizens Program – Title IIIB/CARES Act; and,

BE IF FURTHER RESOLVED, that the above is the result of additional funds from the Monmouth County Office on Aging FY20 Title IIIB funding Older Americans Act grant/CARES Act in the amount of \$46,081.00; and,

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

AUTHORIZE DEED OF CONSOLIDATION FOR BLOCK 4709, LOT 2 LOCATED ON SMOCK AVENUE AND BLOCK 4709, LOT 12 LOCATED ON NORTH RIVERSIDE DRIVE

WHEREAS, the Township of Neptune owns two tracts of property contiguous to each other, also known as Block 4709, Lot 2 on the Tax Map of the Township of Neptune and located on Smock Avenue, and 4709, Lot 12 on the Tax Map of the Township of Neptune and located on North Riverside Drive; both being contiguous lots; and

WHEREAS, it was the recommendation of the Tax Assessor/Land Use Administrator of the Township of Neptune that the two contiguous lots be consolidated with the common ownership continuing as Neptune Township, and the same being confirmed by Deed of Consolidation to Block 4709, Lot 2.01 and recorded in the Clerk's Office of Monmouth County.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the Mayor and Clerk hereby authorizes the Township Attorney to prepare and aforesaid Deed of Consolidation and authorizes the Mayor and Clerk to execute the Deed of Consolidation with regard to Block 4709, Lots 2 and 12 to be consolidated into Block 4709, Lot 2.01, and to be recorded in the Clerk's Office of Monmouth County; and

BE IT FURTHER RESOLVED, that upon recording the Tax Map indicate the consolidation and that the same be confirmed by the Tax Assessor/Land Use Administrator, who shall take all actions necessary to formalize and clarify for public record said Deed of Consolidation; and

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

AUTHORIZE TERMINATION AND RELEASE OF DEVELOPER'S AGREEMENT WITH VASM, LLC, BLOCK 209, LOT 5, NEPTUNE TOWNSHIP

WHEREAS, VASM, LLC sought development of property subject to a Major Site Plan Approval by the Neptune Township Planning Board for construction and reconstruction of an existing one-story commercial building along Main Avenue in Ocean Grove, and an accessory "lean-to" structure to the rear of the commercial building, with the intent to remove the rear portion of the existing one-story commercial building and the accessory "lean-to" and pergola structures and to construct a one-story building addition along the rear of the existing building to remain on site. The existing stone driveway/parking area at the rear of the site along Heck Avenue was to be paved with one Handicapped Parking Space within said area; and

WHEREAS, VASM, LLC, received Planning Board Approval for the Major Site Plan, which was memorialized by Resolution dated July 26, 2017, pursuant to Resolution #17-14, and VASM, LLC entered into a Developer's Agreement with the Township of Neptune on November 13, 2017; approved by the Mayor and Township Committee; and

WHEREAS, the Developer, VASM, LLC, now desires not to proceed with the aforesaid project and to terminate the Developer's Agreement previously entered into, along with all rights and obligations.

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the Mayor and Clerk are hereby authorized to execute the aforesaid Termination and Release of Developer' Agreement with VASM, LLC, a true copy of which is on file in the Office of the Municipal Clerk, and the Township Committee authorizes the Municipal Attorney, upon execution of the Termination and Release Agreement by the Mayor and Clerk, to record the same in the Clerk's Office of Monmouth County; and,

BE IT FURTHER RESOLVED, that upon approval by the Mayor and Township Committee of the Termination and Release of the Developer's Agreement and execution by all parties, the Clerk shall return to the Developer any existing past guarantee and inspection fee escrows, less fees and invoices outstanding, along with cancellation of any Bond Guarantees; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Attorney and Planning Board Administrative Officer.

AMEND SALARY OF GEORGE REID, ASSISTANT DIRECTOR OF PUBLIC WORKS

WHEREAS, George Reid is currently employed in the position of Public Works Supervisor and Assistant Director of Public Works; and,

WHEREAS, the Business Administrator and Human Resources Director have made a recommendation to amend the salary of the stipend position of Assistant Director of Public Works; and,

WHEREAS, funds for this purpose will be provided in the 2020 municipal budget, in the appropriation entitled Administration of Public Works, 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 salary of George Reid in the position of Assistant Director of Public Works be and is hereby amended to the amount of \$10,000.00 annually effective October 16, 2020; and,

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

AUTHORIZE THE PURCHASE OF FOUR (4) POLICE VEHICLES THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Chief of Police has recommended the purchase of four (4) 2021 Police Interceptor SUVs 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. 20-FLEET-01189 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 total cost of these vehicles shall not exceed \$132,068.00; and,

WHEREAS, funds for this purpose are available from Ordinance No. 19-21 and in the 2020 municipal budget, in the appropriation entitled Police O.E., and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of four (4) 2021 Police Interceptor SUVs through New Jersey Cooperative Purchasing Program Contract No. 20-FLEET-01189 be and is hereby authorized at an amount not to exceed \$132,068.00 (\$33,017.00 per vehicle); 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 AN AGREEMENT BETWEEN THE TOWNSHIP OF NEPTUNE AND THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR PRELIMINARY ENGINEERING DESIGN SERVICES FOR THE FEDERAL AID PROJECT SAFETY, ACCESSIBILITY, AND MOBILITY IMPROVEMENTS TO THE JUMPING BROOK CORRIDOR

WHEREAS, the Township of Neptune received a Federal Aid Grant for Safety, Accessibility, and Mobility Improvements to the Jumping Brook Corridor; Federal Project No. TA-D00S(423); State Job No. 6734310; and,

WHEREAS, the Township qualifies for the NJDOT Federal Design Assistance Program; and,

WHEREAS, the Federal Highway Administration authorized funding for Preliminary Engineering Design through New Jersey Department of Transportation (NJDOT) Local Aid in the amount of \$202,514.58; and,

WHEREAS, the Township Engineer has reviewed the letter of Authorization and Project Agreement prepared by the NJDOT, and has recommended entering into said Agreement for Preliminary Engineering Services,

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

1. The execution of an Agreement is hereby authorized with the NJDOT to provide Preliminary Engineering Design services for the Federal Aid project Safety, Accessibility, and Mobility Improvements to the Jumping Brook Corridor.

2. The Agreement is for a period not to exceed twelve (12) months in the amount of \$202,514.58, which the NJDOT will process through the Township of Neptune as reimbursement under Section 7 of the Agreement.

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

AUTHORIZE THE PURCHASE OF TWO (2) CHEVROLET SUBURBAN 4WD VEHICLES THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Office of Emergency Management Director has recommended the purchase of two (2) 2021 Chevrolet Suburban 4WD 1500 Commercial SUVs through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

WHEREAS, Hertrich Fleet Services has been awarded New Jersey State Contract No. A89939 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 total cost of these vehicles shall not exceed \$90,000.00; and,

WHEREAS, funds for this purpose are available from Ordinance No. 19-21, in 2019 OEM budget appropriation reserves, and in the 2020 municipal budget, in the appropriation entitled OEM O.E., and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of two (2) 2021 Chevrolet Suburban 4WD 1500 Commercial SUVs through New Jersey Cooperative Purchasing Program Contract No. A89939 for the Office of Emergency Management be and is hereby authorized at an amount not to exceed \$90,000.00 (\$45,000.00 per vehicle); and,

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

AUTHORIZE AN AMENDMENT TO THE 2020 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE MONMOUTH COUNTY OFFICE ON AGING

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 addition of an item of revenue in the budget for the year 2020 in the sum of \$4,000.00 which is now available from the Monmouth County Office on Aging FY20 Title IIIB Older Americans Act grant in the additional amount of \$4,000.00; and,

BE IT FURTHER RESOLVED that the like additional sum of \$4,000.00 is hereby appropriated under the caption of Senior Citizens Program – Title IIIB; and,

BE IF FURTHER RESOLVED, that the above is the result of additional funds from the Monmouth County Office on Aging FY20 Title IIIB funding Older Americans Act grant in the amount of \$4,000.00; and,

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

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

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

WHEREAS, the Chief of Police and Police Committee have made their recommendation to employ a current Special Law Enforcement Officer – Class I in this position; and,

WHEREAS, funds will be provided in the 2020 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 Kylee Jazikoff be and is hereby employed as a part-time Special Law Enforcement Officer - Class II as of January 11, 2021, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, and effective upon successful completion of the Special Law Enforcement Officer – Class II training at the Monmouth County Police Academy at an hourly rate of \$21.64; and,

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

AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE CITY OF ASBURY PARK FOR ENGINEERING SERVICES IN CONNECTION WITH THE REHABILITATION OF THE FOOTBRIDGES OVER WESLEY LAKE

WHEREAS, the Township of Neptune and City of Asbury Park, with input from the Wesley Lake Commission, have engaged in a project to rehabilitate the two Wesley Lake footbridges; and,

WHEREAS, it is necessary for a professional engineer to perform engineering services including a condition assessment and maintenance recommendation to determine necessary rehabilitation and repair needs to the two bridges; and,

WHEREAS, the Township of Neptune and the City of Asbury Park desire to enter into a Shared Services Agreement pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. to serve the best interests of residents in both municipalities by sharing in the cost of these services to improve Wesley Lake and surrounding environs; and,

WHEREAS, T&M Associates has submitted a proposal for these services and the Township and City agree to share equally in these costs,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Shared Services Agreement with the City of Asbury Park, a copy of which is on file in the Office of the Municipal Clerk, for engaging the services of T&M Associates to perform a condition assessment and maintenance recommendation to determine necessary rehabilitation and repair needs on the two Wesley Lake footbridges at a cost of \$31,442.00 to be shared equally by the two municipalities; and,

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

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

APPOINT DIRECTOR OF PUBLIC WORKS AND PRINCIPAL PUBLIC WORKS MANAGER

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

WHEREAS, due to the pending retirement of Mark Balzarano, a vacancy exists in the position of Director of Public Works and Principal Public Works Manager; and,

WHEREAS, the position was duly posted and advertised and interviews were conducted; and,

WHEREAS, the Business Administrator and Human Resources Director have made their recommendation; and,

WHEREAS, N.J.S.A. 40A:9-154.6 requires municipalities to appoint a Principal Public Works Manager that holds the certification of Certified Public Works Manager; and,

WHEREAS, funds for this purpose will be provided in the 2020 municipal budget, in the appropriation entitled Administration of Public Works, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that David Milmo be and is hereby appointed Director of Public Works/Principal Public Works Manager and Recycling Coordinator of the Township of Neptune effective November 2, 2020 at an annual salary of \$120,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Division of Local Government Services, Chief Financial Officer, Assistant C.F.O., Human Resources Director, and the Division and Department Heads Association.

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

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

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

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

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

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

WHEREAS, funds will be provided in the 2020 municipal budget, in the appropriation entitled Solid Waste S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an offers of employment be and is hereby extended to Yasin Parrish for the position of Class A Driver in the Department of Public Works at an annual salary of \$32,200.00, on a probationary basis for a period of not less than 90 days and not exceeding one year, contingent upon favorable results of the required pre-employment testing, effective November 2, 2020; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Public Works Director, Chief Financial Officer, Assistant C.F.O., AFSCME Local #2792, and Human Resources Director.

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

APPOINT MEMBERS TO THE POLICE COMMITTEE

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

WHEREAS, on October 1, 2020, the Township Committee adopted Ordinance No. 20-28 which expanded the membership and added terms to members of the Police Committee; and,

WHEREAS, the Township Committee desires to make appointments to conform to the requirements of the ordinance while retaining the three members who currently serve on the Police Committee,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby appoints the following members to the Police Committee effective October 27, 2020:

Robert Lane, Jr., Township Committee member, for a two year term expiring October 26, 2022

Carol Rizzo, Township Committee member, for a two year term expiring October 26, 2022

Vito D. Gadaleta, Business Administrator, non-voting member, to serve concurrently with the title of Business Administrator.

Rev. Nancy Jackson-Johnson, non-employee resident for a two year term expiring October 26, 2022

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

The resolution was adopted on the following vote: Brantley, no, adding that he does not agree with the manner in which the Police Committee was formed; McMillan, aye; Rizzo, aye; Williams, no; and Lane, aye.

AUTHORIZE THE PAYMENT OF BILLS

Mr. Williams 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	5,289,790.48
GRANT FUND	81,861.17
TRUST FUND	49,579.09
GENERAL CAPITAL FUND	1,260,337.87

SEWER OPERATING FUND	62,887.37
SEWER CAPITAL FUND	17,149.64
MARINA OPERATING FUND	15,842.72
DOG TRUST	63.60
LIBRARY TRUST	25.00
BILL LIST TOTAL	\$6,777,536.94

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

The Mayor announced that public may address any concern relating to the Township by either in person or remotely via townhallstreams.com/towns/neptune_nj. Comments were as follows:

Jill Cox, 20 Waterview Court, stated that the Headliner should be included in any updates to the noise ordinance. The quality of life in her neighborhood is being affected by the music and noise that goes on until 2am. She also cited instances of public urination, speeding, and drug use by people leaving the Headliner. She recommended that outdoor music must stop by 10pm. She and her neighbors complained much more frequently in 2019 but were told they needed to get a lawyer and file a complaint. She has owned her house for 20 years and since Oasis started outside of the Headliner, the situation has gotten very bad.

Frank Gaciofano, 4 Spray Avenue, asked how long it will take to get anything accomplished at the North End. The property is a mess. Mr. Gadaleta stated that a summons has been issued to OGNED because not all of the issues have been resolved. OGNED has indicated that they will cut the weeds. The temporary fence panels will be taken down by the Township and Public Works will be removing bicycles that have been left locked to the fence.

Nancy Clarke, 47 Embury, asked why the name of the resident appointed to the Police Committee was not read before the resolution was considered. She asked for information on the person and the criteria for making the selection. The Mayor stated that the individual is a Pastor who has been in the community for a long time. He spoke to her regarding her interest in serving but did not receive a commitment until late Friday (October 23rd). In regards to criteria, the Mayor stated the need is for community based members who can provide input in their area of the Township.

Joyce Klein, 105 Mt. Hermon Way, stated it is difficult to hear when a member of the public speaks at the microphone.

Joan Venezia, 107 Mt. Hermon Way, asked to confirm the meeting dates for the balance of 2020. She stated she was glad that a summons was issued to OGNED and she plans to send more pictures of the conditions to Bill Doolittle. She asked for a brief background on the Police Committee member. Mr. Cuttrell stated that the meeting dates will be November 16th, December 7th, and December 21st. Mr. Gadaleta stated that the Mayor provided information on the Police Committee appointee.

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

Richard J. Cuttrell,
Municipal Clerk