

TOWNSHIP COMMITTEE MEETING – OCTOBER 5, 2017

Deputy Mayor Williams called the meeting to order at 6:20 p.m. and requested the Clerk to call the roll. The following members were present: Robert Lane, Jr., Kevin B. McMillan, and Nicholas Williams. Absent: Carol Rizzo and Mayor Michael Brantley.

Also present at the dais were Pamela D. Howard, Deputy Municipal Clerk; Vito D. Gadaleta, Business Administrator; and Gene Anthony, Township Attorney.

Deputy Mayor Williams 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 on January 5, 2017 and The Coaster on January 12, 2017, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

The following items were discussed in open session:

Mr. Gadaleta advised the Committee that the East End Avenue bridge linking Neptune City and Shark River Hills will close and be replaced by the County starting October 10th. Completion is anticipated by Memorial Day 2018.

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

Mr. Lane 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:

Contract negotiations – Proposals received in connection with Microgrid project

Personnel – Employee personnel matter

Personnel – Recommendation for hiring of Driver

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: Lane, aye; McMillan, aye; and Williams, aye.

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

Mr. Gadaleta reviewed the submissions to the Microgrid RFQ. TB Technology ranked the highest and is therefore recommended for appointment. The Committee took action by resolution during the regular meeting.

Mr. Gadaleta reviewed his recommendation for the position of Driver. The Committee took action by resolution during the regular meeting.

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

Deputy Mayor Williams called the meeting to order and requested the Clerk to call the roll. The following members were present: Robert Lane, Jr., Kevin B. McMillan, and Nicholas Williams. Absent: Carol Rizzo and Mayor Michael Brantley.

Also present at the dais were Pamela D. Howard, Deputy Municipal Clerk; Vito D. Gadaleta,

Business Administrator; 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 Williams 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 on January 5, 2017 and The Coaster on January 12, 2017, 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. Lane, to approve the minutes of the meeting held on September 25th. All were in favor.

REPORT OF THE CLERK

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

Notices of public hearings on amendments to the Land Development Ordinance of the Township of Wall.

PROCLAMATION

The Deputy Mayor will proclaim October 10th as "Put the Brakes on Fatalities Day" in the Township of Neptune.

INTRODUCTION – POLICE COMMITTEE CHAIRMAN

Deputy Mayor Williams stated at the last meeting Barry Colicelli was appointed to the Township Police Committee as the third civilian member. Mr. Colicelli was interviewed and approved by the entire Township Committee by Resolution #17-237 at the September 28th meeting. Mr. Colicelli has an extensive Law Enforcement career with a command level background as a retired Newark Captain of the detective bureau and also a Special Assistant to former Mayors Palmer and Muschal of Trenton, NJ. In 2004, Mr. Colicelli opened up his private Police consulting and investigation company assisting various Police Departments and Chiefs with management, gang and gun violence and other areas, for setting goals and strategies for the sworn officers of the police departments he has worked with.

He stated it was his pleasure to introduce Mr. Colicelli and have him come up and say a few words.

Mr. Colicelli thanked the Committee for the opportunity and stated he was impressed with trying to move the Township forward. He stated he intended to bring his law enforcement experience with him and this would be a team effort and he would serve to the best of his ability.

COMMENTS FROM THE DAIS

Mr. McMillan thanked the Clerk's office and Assemblyman Houghtaling for preparing resolutions for him this past weekend.

Mr. Lane thanked Mr. Colicelli for coming aboard and will put residents first. He attended Night for Sight with the Lions Club and the Veteran's Memorial. He stated the Pancreatic Cancer race is this Saturday and the Harvest Festival will be in Ocean Grove. He also stated the Jersey Shore Dream Center was doing a night of dreams to help the less fortunate.

Mr. Williams stated security cameras were going up at the marina within a week or two. He stated the holiday schedule would be used in DPW for the Columbus Holiday schedule. He stated he also attended the Lions Club Night for Sight Party.

RESOLUTION - TABLED

Mr. Lane offered a motion, seconded by Mr. McMillan, to table a resolution to “Urge the State Legislature to extend the 2% cap on police and fire arbitration contract awards”. All were in favor.

PUBLIC COMMENTS ON RESOLUTIONS

Michal Golub, Cliffwood Drive, commented on Resolutions #'s 17-403 & 406. He questioned the nature of the study.

Mr. Gadaleta stated the Township submitted a grant for \$150,000 for a microgrid feasibility study and we had the highest ranked application because of our campus for a stand alone grid.

Mr. Golub questioned what Resolution #14-406 was all about.

Mr. Anthony stated it involves a matter from 2016 where he was suspended with out pay and was found not guilty but there are administrative hearings to be held. He stated suspension must be with pay until administrative hearing. He stated he would not be in municipal hall and he would not be carrying a weapon. He will be suspended until the end of the disciplinary hearing.

Dorothy Argyros, 2100 Rutherford Drive, questioned whether it was a police officer that was suing the Township.

Mr. Anthony stated he sued to get paid for back pay. He's suspended until final hearing.

Mrs. Argyros questioned what was he suspended for.

Mr. Anthony stated he was suspended for assault & domestic abuse but he was found not guilty.

Mrs. Argyros commended the Committee for Resolution #14-401 but it was tabled.

ORDINANCE NO. 17-40 - ADOPTED

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

ORDINANCE NO. 17-40

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING SECTION 7-7.16 ENTITLED “ABANDONED VEHICLES”

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

Nancy Clarke, 47 Embury Avenue, stated she supported the ordinance and questioned how would they let all of the residents know about it.

Mr. Gadaleta stated it would go out on all media outlets, homeowner meetings, etc.

Mrs. Clarke urged them to please try and reach out to everyone including renters.

Mr. Williams asked Mr. Gadaleta if the Township could do small mailigs.

Mr. Gadaleta stated yes.

Mr. Golub questioned whether they were saying that the majority of the people causing the problem were renters.

Mr. Williams stated it was across the board.

Mr. Golub suggested contacting realtors.

Jennifer Sulwall, 24 Central Avenue, questioned the second paragraph of the ordinance and stated she had a second vehicle and questioned whether it would be towed if she didn't move it in 30 days. She stated her property has been in her family for a long time.

Mr. Anthony informed her that she must move the vehicle every thirty days.

Ms. Sulwall stated this would break her and questioned when has this become a crime.

Jack Braeden, 94 ½ Heck Avenue stated this was another excuse to pick the pockets of residents in Ocean Grove and questioned how could they tell whether a car hasn't been moved for 30 days. He stated he did not think that it could be done. He stated he felt this was absurd. He felt that Ocean Grove would be the only one affected. He suggested they table it and give it more consideration.

Dorothy Argyros stated she felt it was outrageous that a lady cannot park her car in front of her home. She stated it hits poor people who cannot keep their Rolls Royce in a garage. She questioned whether residents could park their cars on their lawn to fix it.

Mr. Anthony stated there was another ordinance that addressed that issue but stated you could not have a repair shop on your lawn.

James McNamara, 86 Asbury Avenue, stated one of his neighbors was a renter and had a flat bed load a non working vehicle in front of their home. He told her about this ordinance and she said she knew how to get around it.

Hank Coakley stated the ordinance did not sound legitimate and he did not think that it could be done.

Annabelle Bissett, 77 Heck Avenue, stated someone took up two parking spots one winter and it was very annoying. She stated this was meant to help the residents and the Township was trying to do their best. She stated she did not feel that it was a big deal.

Jen Coombs questioned how were they going to enforce the ordinance.

Mr. Anthony stated it exists in other towns and they would have to rely on the Police Department.

Dianna Harris stated this ordinance would affect parts of Midtown and basically their neighbors would have to complain.

There being no further no further comments, he closed the public hearing.

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

ORDINANCE NO. 17-41 - APPROVED

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

ORDINANCE NO. 17-41

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 ABBOTT AVENUE

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

Ms. Howard stated that the public hearing on Ordinance 17-41 will be held on Monday, October 23rd.

CONSENT AGENDA

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

ACCEPT THE RESIGNATION OF KATHLEEN MUSCILLO AS A CUSTOMER SERVICE REPRESENTATIVE

WHEREAS, the Business Administrator has received a letter from Kathleen Muscillo resigning as a Customer Service Representative in the Code/Construction Office effective September 26, 2017,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Kathleen Muscillo as a Customer Service Representative in the Code/Construction Office is hereby accepted effective October 10, 2017; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Construction Official, Chief Financial Officer, Assistant C.F.O., Human Resources Director, and AFSCME Local #1844.

ACCEPT THE RESIGNATION OF ROBERTO SANCHEZ, JR. AS A SPECIAL LAW ENFORCEMENT OFFICER – CLASS I

WHEREAS, the Chief of Police has received a letter from Roberto Sanchez, Jr. resigning as a Special Law Enforcement Officer – Class I effective September 25, 2017,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Roberto Sanchez, Jr. as a Special Law Enforcement Officer – Class I is hereby accepted effective September 25, 2017; 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 Chief of Police.

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> |
|------------------|-------------------------|---------------|
| 714/25 | 1706 Summerfield Avenue | 186.19 |
| 605/15 | 213 Myrtle Avenue | 719.00 |
| 611/9 | 235 Fisher Avenue | 150.00 |
| 504/16 | 45 Ridge Avenue | 295.00 |
| 503/21 | 21 Atkins Avenue | 540.00 |

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 CHANGE ORDER #1 (FINAL) IN CONNECTION WITH SUNSHINE FIELD TRACK IMPROVEMENTS

WHEREAS, on February 27, 2017, a contract was awarded to Down to Earth Landscaping, Inc. in the amount of \$376,645.00 in connection with Sunshine Field Track Improvements; and,

WHEREAS, changes to the contract have been experienced as a result of removal of additional existing blacktop, curb and sidewalk as well as final as-built quantities; and,

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

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 Change Order #1 (final) in the contract with Down to Earth Landscaping, Inc. in connection with Sunshine Field Track Improvements resulting in a net decrease of \$17,443.72 revising the total contract amount to \$359,201.28; and,

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

DECLARE THE SUNSHINE FIELD TRACK IMPROVEMENTS PROJECT AS COMPLETE

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Township of Neptune entered into a Municipal Open Space Program Grant Agreement with the County of Monmouth on July 17, 2015 that provided \$232,000 for Sunshine Field Track Improvements under Application No. 14-07 that required certain conditions be met by the Township of Neptune prior to receipt of the aforesaid funds; and

WHEREAS, the Monmouth County Park System requires a certified copy of a resolution of the governing body determining that the project aforesaid was finally complete and a closing statement of "Final Change Order" adopted by the governing body,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Neptune that all conditions of the July 17, 2015 Grant Agreement have been satisfied by the Township of Neptune and that the project known as Sunshine Field Track Improvements has been completed; and

BE IT FURTHER RESOLVED, that the Township of Neptune made final payment to the contractor Down to Earth per the letter of the consultant engineer Lisa R. DiFranza, PE, CME of Master Consulting, dated September 28, 2017, and that payment was made per voucher on October 5, 2017 under Check No. 030309, voucher and check are hereby attached and also on file in the Municipal Clerk's Office; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Engineer and Monmouth County Park System.

AUTHORIZE A PUBLIC AUCTION OF SURPLUS VEHICLES AND EQUIPMENT

WHEREAS, there are vehicles and equipment owned by the Township of Neptune which are no longer of use to the Township and the Director of Public Works, Purchasing Agent and Business Administrator have recommended that they be sold; and,

WHEREAS, the Township of Neptune will auction said vehicles through an on-line auction in compliance with state rules and regulations for a period of five days; and,

WHEREAS, the Municipal Clerk shall provide proper advertisement and notice in accordance with state statute in addition to posting the auction information on the Township's web site; and,

WHEREAS, said vehicles and trailers to be sold are as follows:

| VIN # | YEAR | MAKE |
|-------------------|------|----------------|
| 6G1MK5U24CL662067 | 2012 | CHEVY |
| 2FAFP71W52X134269 | 2002 | FORD CROWN VIC |

| | | |
|-------------------|------|--|
| 2G1WD5EM2B1217797 | 2011 | CHEVY |
| 1G8JL54R74Y509618 | 2003 | SATURN L300 |
| 2G1WD5EM3B1138834 | 2011 | CHEVY |
| 1GCDT19W71K173140 | 2001 | CHEVY S10 PICK UP |
| 1FTNF21L32EB82968 | 2002 | FORD F250 PICK UP |
| 1D8HB38P57F537293 | 2007 | DODGE DURANGO |
| 2G1WF52E749379615 | 2004 | CHEVY IMPALA |
| 2G1WB58K689205906 | 2008 | CHEVY IMPALA |
| 1FTNF21L71EB06538 | 2001 | FORD F250 PICK UP |
| 1FDSE35L31HA50582 | 2001 | FORD E350 BUS |
| 1FDXE45P06DA85416 | 2006 | FORD E450 AMBULANCE |
| 1HTWGAAT14J019647 | 2004 | INTERNATIONAL 7400 ONE ARM GARBAGE TRUCK |
| 1HTSEANOSH669712 | 1995 | INTERNATIONAL 4800 4X4 RESCUE TRUCK |
| 1HTWGAZT55J132975 | 2005 | INTERNATIONAL 7400 ON ARM GARBAGE TRUCK |
| 1M2AC07CXYM003287 | 2000 | MACK LEU REAR LOAD GARBAGE TRUCK |
| 1FDAF57P54EB32758 | 2004 | FORD F550 MASON DUMP |
| 1M2P296C4XM043527 | 1999 | MACK RD688S ROLLOFF |
| 2G1WF52E749381283 | 2004 | CHEVY IMPALA |
| 1GDP7H1J9TJ503732 | 1996 | GMC TOPKICK DUMP TRUCK |
| 1J9VM3H686C172017 | 2006 | JOHNSTON SWEEPER |
| 1P9F820D1PL017650 | 1993 | TRAILER |
| 1GHCB1212PP004224 | 1993 | TRAILER |
| 1S9TF1327YC088695 | 2000 | TRAILER AND ROLLER |
| 3GNGK26G42G193882 | 2002 | CHEVY SUV |
| 12415A | 1993 | SULLIVAN AIR COMP. |
| JKJ153537 | 1995 | CASE 4210 TRACTOR |
| 6G3N55U29EL924874 | 2014 | CHEVY CAPRICE |
| 1H9SPYG247W138215 | 2007 | BOAT MOVER TRAILER |
| | | TWO CEMENT MIXERS |
| | | TWO METAL DUMPSTERS |
| | | 100 KW GENERATOR (NG) |
| 1FTPE2421XHA64566 | 1998 | FORD VAN (TNHA) |
| 4ENDAAA89S1005449 | 1995 | E-ONE PUMPER (NTFD) |
| 2FAFP71V38X105210 | 2008 | FORD CROWN VIC (OGFD) |

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

1. that the above listed vehicles are declared as surplus and not needed for public use,
2. that the execution of a contract with Auction Liquidation Services to provide on-line auction services is hereby approved,
3. that the sale of the above vehicles is hereby authorized through an on-line auction at www.usgovbid.com, the details of which will be provided in the required legal advertisements and on the Township web site,
4. that the said vehicles are being offered "as is - where is";
5. that should any vehicle be unsuccessfully sold at auction, disposal of such vehicle is hereby authorized in accordance with state law,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Purchasing Agent, Chief Financial Officer, and Director of Public Works.

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

WHEREAS, the Township desires to create a pool of individuals with commercial drivers

license who would be called upon during major snowfalls to operate snow plows as a supplement to the full-time Public Works staff; and,

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

WHEREAS, funds will be provided in the 2017 municipal budget in the appropriation entitled Streets & Roads S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following individuals be and are hereby employed in the Department of Public Works as part-time employees on an on-call basis only for snow plowing during major snow/ice events during the 2017-2018 winter season at an hourly rate of \$25.00; and,

| | | |
|------------------------|-----------------|---------------|
| Greg LaFrance | Raymond Koeppel | William Burge |
| Samar Reid | Sidney Chasey | Caesar Cowart |
| Frank Martuscelli, Sr. | Mark Maxwell | Kyle Reid |
| John Matthews | | |

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

REAPPOINT SPECIAL LAW ENFORCEMENT OFFICERS IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

WHEREAS, in accordance with state regulations, it is required that existing Special Law Enforcement officers be reappointed on an annual basis; and,

WHEREAS, the Chief of Police has made his recommendation on the reappointment of existing Special Law Enforcement Officers; and,

WHEREAS, funds will be provided in the 2017 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 the following individuals be and are hereby reappointed as part-time Special Law Enforcement Officers (SLEO) and to perform such other duties as prescribed by the Chief of Police, for the period September 1, 2017 through August 31, 2018, at an hourly rate as established by prior resolution of the Township Committee:

SLEO Class I – Kristen Narciso, Terrell Brown, Hector Bueso-Martinez, Jacob Hartranft, Andrew Todd, Brad Dougherty, Syessence Davis, and Matthew Simpson

SLEO Class II – John Mattia, William Fabian, Darrell Furman, Malcom Jenkins, Tressa Huizenga, Joseph Siciliano, Richard Cuttrell, Louis Esposito, Lorenzo Pettway, Morgan Holland, Chalres Theodora, and Marcus Neal

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

APPOINT CONSULTANT FOR TOWN CENTER DISTRIBUTED ENERGY RESOURCE MICROGRID FEASIBILITY STUDY PROGRAM

WHEREAS, the Board of Public Utilities established the Town Center Distributed Energy Resources (TCDER) Microgrid Program to provide funding for feasibility study applications; and,

WHEREAS, the Board of Public Utilities has provided a grant award to the Township in the amount of \$150,000 for a Phase I feasibility study of the Neptune Township Advanced Microgrid Project; and,

WHEREAS, the Township Committee desires to appoint a firm to perform the feasibility study through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Township accepted Requests for Proposals for said position on September 20, 2017 and will a selection from the proposals received; and,

WHEREAS, funds will be provided in the 2017 municipal budget through a BPU Microgrid Feasibility Study Incentive Program Grant in the amount of \$150,000.00,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes to appoint and engage the services of TB Technologies, LLC to serve as Consultant for the Phase I feasibility study of the Neptune Township Advanced Microgrid Project in connection with the Board of Public Utilities Town Center Distributed Energy Resources Microgrid Program; and,

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

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

AWARD BID FOR REFUSE TRUCK

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

WHEREAS, on November 10, 2016, the Purchasing Agent received bids for a 33 cubic yard refuse truck; and,

WHEREAS, said bids were reviewed by the Purchasing Agent and Public Works Director who have recommended that the bid be awarded to the lowest responsible bid submitted by Bergey's Truck Center; and,

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

WHEREAS, funds for this purpose will be provided in Ordinance No. 17-31 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby awards a bid Bergey's Truck Center to supply a Mack LR613 Labrie Expert 33cy Refuse Truck on their lowest responsible base bid of \$313,792.00; and,

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

The resolution was adopted on the following vote: Lane, aye; McMillan, aye; and Williams, 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. Lane, 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 Business Administrator have made their recommendation; and,

WHEREAS, funds will be provided for the 2017 municipal budget in the appropriation entitled Solid Waste Collection 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 offer of employment be and is hereby extended to Levar Wright for the position of Driver in the Department of Public Works, 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 October 10, 2017, at an annual salary of \$31,200.00; 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: Lane, aye; McMillan, aye; and Williams, aye.

AUTHORIZE SETTLEMENT AGREEMENT AND GENERAL RELEASE BETWEEN SHAUN HUBBARD AND THE TOWNSHIP OF NEPTUNE; DR. MICHAEL BRANTLEY, MAYOR OF THE TOWNSHIP OF NEPTUNE; TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE; JAMES HUNT, JR., CHIEF OF POLICE OF THE TOWNSHIP OF NEPTUNE AND MICHAEL BASCOM, PRIOR POLICE DIRECTOR OF THE TOWNSHIP OF NEPTUNE

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

WHEREAS, on or about September 26, 2017, the Plaintiff, Shaun Hubbard filed or submitted a Verified Complaint in the Superior Court of New Jersey, Monmouth County, Law Division, arising from an unpaid suspension from the Neptune Township Police Department pending resolution of charges against him; and

WHEREAS, a Settlement Agreement negotiated by the Labor Attorney, Jonathan Cohen, was reached and reviewed by the Police Committee, which returned Plaintiff to paid status while remaining out of work on paid suspension pending resolution of all disciplinary charges against Plaintiff; and

WHEREAS, the aforesaid Settlement Agreement has resulted in withdrawal or dismissal of the lawsuit aforesaid with prejudice, with the understanding that the written agreement shall remain confidential to the extent permitted by law; and

WHEREAS, the Police Committee, after review of the aforesaid Settlement Agreement, recommends to the Township Committee approval of said Settlement Agreement.

NOW, THEREFORE, BE IT RESOLVED, that subject to the parties' request for confidentiality to the extent permitted by law, the Mayor and Township Committee of the Township of Neptune hereby authorize the aforesaid Settlement Agreement and execution of said Settlement Agreement by the Chairman of the Police Committee.

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

AUTHORIZE THE PAYMENT OF BILLS

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

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

| | |
|-----------------------|----------------|
| CURRENT FUND | \$1,069,469.72 |
| GRANT FUND | 9,633.86 |
| TRUST FUND | 43,677.88 |
| GENERAL CAPITAL FUND | 117,877.51 |
| SEWER OPERATING FUND | 992,567.78 |
| MARINA OPERATING FUND | 4,144.29 |
| MARINA CAPITAL FUND | 125.50 |
| UDAG TRUST | 2,915.67 |
| LIBRARY TRUST | 14,464.60 |

BILL LIST TOTAL

\$2,254,876.81

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: Lane, aye; McMillan, aye; and Williams, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Annabelle Bissett, 77 Heck Avenue, stated the Committee should have a workshop on resident parking and perhaps a pilot study to discourage people from parking here for free.

Mr. Golub stated as Ms. Harris stated the Township was encouraging neighbors to drop the dime on one another. He felt this would cause a lot of problems and a lot of man hours on our police.

Kennedy Buckley, 65 Broadway, questioned whether there was any interest in generating revenue with meters.

Mr. Anthony stated there was no change because he was on vacation.

Mrs. Argyros stated she thought the Committee was going to introduce Mr. Colicelli to the residents.

Mr. Williams stated he was introduced earlier and was here the whole time sitting next to her.

Mrs. Argyros stated it appears to her that the reform was to stop certain things from happening and not by getting a sharp shooter. She stated they needed to de-escalate things. She stated she was afraid that they would be getting into city life policing and she did not want anyone getting mistreated because of their color and because they were poor.

Connie Holmes, 62 Winding Ridge Drive, questioned whether the Police Committee was overseeing the Township or the Police Department.

Mr. Williams stated the Committee would be overseeing the Police Department. He stated he would be out so that people will know who he was.

Mr. Anthony stated it was an appropriate authority to make sure the Police was following what they were suppose to.

Mrs. Holmes questioned why a woman wasn't chosen.,

Mr. Williams explained that seven people applied and three dropped out. One woman applied but took a position as a Police Director elsewhere, one was an Asbury Park Police officer and Mr. Colicelli. He stated they could not appoint someone not In the running.

Mrs. Holmes stated she felt they were back to the good old boys and it is all men.

Nancy Clarke, 43 Embury Avenue, thanked the Committee for adopting the ordinance . She thanked Mr. Gadaleta for reaching out to her and Deb Osepchuk for the RFQ for the historic district. She suggested the language be clear and wanted a professional to review and make recommendations to professionals. She also wanted them to get better input from the residents and suggested the RFQ be widened from architect and include other professionals. She requested the search be deferred until assessment of the project is completed.

Jack Braeden read what he felt the redevelopment sub-committee should have worked on and stated they could not have what happened in Asbury Park happen to Ocean Grove.

Dianna Harris questioned the proper name for the Police Committee.

Mr. Anthony stated the ordinance says Police Committee.

Ms. Harris stated she spoke with Mayor Brantley and she would like to have Mr. Colicelli at their meeting on October 19th. She questioned what would happen with the Police Commissioner position.

Mr. McMillan stated it would still exist.

Ms. Harris questioned whether the Police Commissioner would ever be a part of this Committee.

Mr. Anthony stated in the near future.

Ms. Harris questioned whether they would ever have women and how much were the legal fees on lawsuits so far including the Hubbard matter.

Mr. Gadaleta stated a lot was covered by the insurance carrier and they could put the numbers together.

Courtney Atkins, 45 Tremont Avenue, stated she was here for the mitigation project and she did not know why they would have a problem with paying for the cleaning of their storm water. She asked why couldn't they let FEMA give the money to Puerto Rico and let Shark River remain beautiful. She suggested making the ordinance for towing the vehicles seasonal.

Jennifer Coombs questioned what the Police Committee's duties were.

Mr. Anthony provided an explanation.

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

Pamela D. Howard,
Deputy Municipal Clerk

EXECUTIVE SESSION – OCTOBER 5, 2017

Contract Negotiations- Proposal received in connection with Microgrid Project.

Mr. Gadaletta stated we had to prepare the RFQ and received 4 responses of the four. TB Technology ranked the highest and the sub-contractor actually wrote our grant for us. Based on Point criteria and all we should award bid to them. The Committee agreed to award bid to TB Technology.

Personnel – Recommendation to Hire Driver.

Mr. Gadaletta Levar Wright was one of the individuals they hired seasonally this summer and at the end of the season Public Works Supervisors liked him and he went out and got his own CDL at his own expense to work for us.

Personnel – Hubbard (Police Department)

Barry Colicelli entered the Room @ 6:31pm. When he was suspended without pay he brings lawsuit to be reinstated with pay. We are addressing the settlement on the superior case and not the administrative case. We are discussing the settlement regarding back pay. He should have been suspended with pay until the administrative is completed or light duty.

Mr. Colicelli stated he spoke to Mr. Williams and Mayor Brantley and based on the summary from Cohen they all agreed he stay out of the Department with pay.