

TOWNSHIP COMMITTEE MEETING – MAY 24, 2018

Mayor Williams called the meeting to order at 6:00 p.m. and requested the Clerk to call the roll. The following members were present: Robert Lane, Jr., Carol Rizzo, and Mayor Nicholas Williams. Absent: Kevin B. McMillan (Dr. Michael Brantley arrived during executive session).

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

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 and The Coaster on January 4, 2018, 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. Lane announced that the Memorial Day Parade will be held on May 28<sup>th</sup> at 10:00 a.m.

Ms. Rizzo stated that she will be spending a full day in the Engineering Department on May 31<sup>st</sup>.

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

Ms. Rizzo offered the following resolution, moved and seconded by Mr. Lane, 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 – RFP for Health Benefits Program Broker
- Potential Litigation – Amendment to certificate of inspection section of the property maintenance ordinance
- Personnel – Part-time DPW workers and part-time Public Safety Officers
- Personnel – CDBG Citizens Participation Group

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; Rizzo, aye; and Williams, aye.

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

The Committee reviewed a draft ordinance amendment to extend the end date of the summer rental certificate of inspection period from September 15<sup>th</sup> to September 30<sup>th</sup>. The Committee asked that the appropriate ordinance be placed on the June 11<sup>th</sup> meeting for consideration.

The Committee reviewed recommendations for part-time seasonal Public Works employees and part-time Public Safety Officers and took action by resolution during the regular business portion of the meeting.

(Dr. Brantley arrived)

Ms. Rizzo and Dr. Brantley indicated that they are still reviewing the proposals submitted for

Health Benefits Program Broker and will have a recommendation to the full Committee for the June 11<sup>th</sup> meeting.

The Committee will continue to seek individuals for appointment to the CDBG Citizens Participation Group.

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

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

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 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 and The Coaster on January 4, 2018, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at [www.neptunetownship.org](http://www.neptunetownship.org).

#### APPROVAL OF MINUTES

Ms. Rizzo offered a motion, seconded by Mr. Lane, to approve the minutes of the meeting held on May 14th. All were in favor.

#### COMMENTS FROM THE DAIS

Dr. Brantley attended the Police Memorial in the Auditorium on May 22<sup>nd</sup>. He stated there is a need to recognize the police officers who lost their lives protecting citizens. He looks forward to adding five new police officers tonight.

Mr. McMillan attended a Stigma Free Task Force meeting which is raising awareness of mental illness.

Mr. Lane stated May is Older American's Month and the Township honored several of our older residents. He attended the ceremony to open the new East End Avenue bridge and announced the Hooked on Fishing event on June 9<sup>th</sup> at Hamilton Fire House.

Ms. Rizzo attended the bridge opening ceremony which was a big event for Shark River Hills residents. She extended congratulations to the new police officers. She met with various Township departments including Recreation and are looking into other programs that can be done including partnering with the schools. She attended the Police Memorial which is always a somber event. She discussed a letter issued by the IRS regarding state legislation on charitable contributions to a municipality in light of the new limit on federal deductions of state and local taxes. Federal law regulates the treatment of funds controlled by state and local governments.

The Mayor stated that his tenure as an elected official started with 74 police officers. The force was increased to 79, but has fallen back to 74. It is his honor to congratulate the five new officers to bring that number back up. The Mayor read a statement regarding Emergency Services Week.

#### RECOMMENDATIONS AND PUBLIC COMMENTS ON RESOLUTION TO EMPLOY POLICE OFFICERS

Chief James Hunt introduced the five candidates recommended for employment. All were present and stood as the Chief provided the background and experience on each candidate.

The Mayor requested public comments regarding the resolution. There were no comments.

#### AUTHORIZE THE EMPLOYMENT OF FIVE POLICE OFFICERS ON A PROBATIONARY BASIS

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

WHEREAS, due to retirements and resignations, there are vacancies in the position of Police Officer; and,

WHEREAS, candidates were interviewed by the Police Department Command Staff; and,

WHEREAS, the Chief of Police has made his recommendations and the members of the Police Committee have met with each candidate; and,

WHEREAS, funds for this purpose are available in the 2018 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 employed as probationary Police Officers in the Police Department, pending favorable results of physical and psychological examinations, at an annual base salary of \$40,000.00, and to perform such other duties as prescribed by the Chief of Police effective June 1, 2018:

Ryan Calabro  
Tressa Huizenga  
Malcolm Jenkins  
Milton Roman  
Matthew Simpson

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief of Police, Chief Financial Officer, Assistant C.F.O, Human Resources Director, and P.B.A. Local #74.

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

The Oaths of Office were administered by Mayor Williams.

#### APPOINT CITIZENS PARTICIPATION GROUP FOR THE FY2019 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM – TABLED

Mr. McMillan offered a motion, seconded by Ms. Rizzo, to table a resolution to “Appoint Citizens Participation Group for the FY2019 Community Development Block Grant Program”. All were in favor.

#### APPOINT HEALTH BENEFITS PROGRAM BROKER/CONSULTANT - TABLED

Mr. McMillan offered a motion, seconded by Dr. Brantley, to table a resolution to “Appoint Health Benefits Program Broker/Consultant”. All were in favor.

#### PUBLIC COMMENTS ON RESOLUTIONS

Michael Golub, 305 Cliffwood Drive, asked why Mr. Colicelli was resigning from the Police Committee. The Mayor stated that this is a volunteer Committee which is looking at hiring a professional Consultant. Mr. Colicelli could potentially be the paid Consultant and the Township will be posting to fill the vacancy of the third member of the Police Committee after tonight.

Nancy Clarke, 47 Embury Avenue, asked who decides on the third member of the Police Committee. The Mayor stated that the two remaining members of the Police Committee will make the recommendation to the full Township Committee who will make the appointment. The vacancy will be placed on the web site. Ms. Clarke asked why additional funds were being authorized in the cases involving Chief Hunt and Mr. Bascom. Mr. Anthony stated that it is standard procedure that people make a claim for punitive damages in lawsuits. The Township’s insurance carrier will not provide representation for punitive damages. He met with the Chief and Mr. Bascom about the case and there has been a lot of depositions thus far that their attorneys must attend.

#### ORDINANCE NO. 18-13 - ADOPTED

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

ORDINANCE NO. 18-13

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING RESIDENT ONLY HANDICAPPED PARKING ZONES ON ATLANTIC AVENUE AND MAIN AVENUE AND A HANIDCAPPED PARKING ZONE ON UNION AVENUE

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

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

ORDINANCE NO. 18-14 - ADOPTED

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

ORDINANCE NO. 18-14

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-7.9 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY AUTHORIZING ADDITIONAL ANGLE PARKING ON THE EAST SIDE OF CENTRAL AVENUE BETWEEN BROADWAY AND CLARK AVENUE AND CLARIFYING THE EXISTING ANGLE PARKING ON THE REMAINDER OF CENTRAL AVENUE

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

Joyce Klein, 105 Mt. Hermon Way, thanked the Committee for the additional parking and asked when they will focus on the larger problem of the parking situation. She stated that three hour parking on Main Avenue will have an impact on the residents of Main Avenue. The recommendation for time restricted parking on Main Avenue was made as part of the overall permit parking plan. The Mayor stated that the three hour parking will be on a three month trial basis.

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

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

ORDINANCE NO. 18-15 - TABLED

ORDINANCE NO. 18-15

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-7.5 OF THE CODE OF THE TOWNSHIP OF NEPTUNE TO ADD A PARKING TIME LIMITATION TO A PORTION OF MAIN AVENUE

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

Peter Revel, 69 Main Avenue, strongly opposed this ordinance. He stated it will push customers and visitors off Main Avenue and it doesn't address the residents who live there. People park on Main Avenue, go to the beach, and then come back and shop. The idea of a shuttle is a good one. He commended the police officer who routinely checks on Main Avenue. Ms. Rizzo stated that the shuttle was tried, but it was not popular and was disbanded. Dr. Brantley stated that one person on the Committee didn't want to move forward with the shuttle because it did not work in the past. We could try it again and improve it. Mr. McMillan stated that a shuttle needs to be better advertised.

Theresa Checky, 74 Mt. Tabor Way, stated that if shopkeepers want this, it makes sense, but this idea did not come as a stand alone item and will make it far worse for nearby residents. She stated it was not fair and was inappropriate. Mayor Williams stated they took it seriously because that was not their motive and their motive was to listen to the residents. As the Committee they feel they should move things forward or let it go. Ms. Checky stated parking has been a problem for quite some time. Mr. Williams stated they put a plan through to use our Senior Center bus and hire

drivers but it fell through because some Committee members were not for it.

Jack Breden, 94 ½ Heck Avenue, stated that since 1879, Ocean Grove has been under the jurisdiction of Neptune. West Grove has always had sufficient parking, but the Township did not obey the law in Ocean Grove in regards to parking. This idea was not sent to the Planning Board and a comprehensive parking study is needed. The Committee does not know how many residents will be affected and there are not enough spaces in those two blocks to satisfy the demand. The ordinance should be tabled.

Michael Golub, 305 Cliffwood Drive, stated the parking problem will not be resolved. The shuttle does not have to be a Township vehicle. Someone in the private sector can provide a shuttle between Belmar and Long Branch as a business. He spent a lot of time at the Joint Field Office after Sandy and many times the private sector would come in and incentivize an idea. Dr. Brantley stated that he would like to see a third party get involved in a shuttle. A thorough investigation needs to be done and he has not seen anything from the Chamber of Commerce that indicates what the businesses and residents on Main Avenue want. He does not want to make the problem worse.

Rebecca Cavanaugh, Chamber of Commerce Executive Director, stated that Joyce Klein attended a Chamber of Commerce meeting and discussed time restricted parking. Two years ago, the Chamber voted unanimously to support the three hour time limit with 15 minute time limits in a few spots near the bank and hardware store. The Chamber cannot formally support this ordinance without a new vote of its members. She will not address the homeowners concerns, but it is worth a three month trial. Dr. Brantley asked if a survey of the businesses and residents would be useful. Ms. Cavanaugh stated that she can only speak for the businesses. Ms. Rizzo stated that she thought the time restricted parking would be on weekends only. The Mayor replied that the ordinance is for seven days a week during the summer months.

Laura Massaro, Chamber of Commerce President, stated that she is neutral on this. She spoke to the business owners and they do not think this will help. It is not pleasant to receive a ticket, there are not many here tonight to support it and she does not think the residents know about it.

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

Mr. Lane stated that he hoped the three hour parking was going to be in conjunction with the shuttle. Dr. Brantley stated that research needs to be done with the people who will be affected by this.

Dr. Brantley offered a motion, moved and seconded by Mr. McMillan, that Ordinance No. 18-15 be tabled. All were in favor.

#### ORDINANCE NO. 18-16 - APPROVED

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

#### ORDINANCE NO. 18-16

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 TENTH AVENUE AND REMOVING A HANDICAPPED PARKING ZONE ON OCEAN PATHWAY

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

#### ORDINANCE NO. 18-17 - APPROVED

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

#### ORDINANCE NO. 18-17

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XII, OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY AMENDING SECTION 12-5.2, ENTITLED, "DEFINITIONS RELATIVE TO

ABANDONED PROPERTY, ACTIONS CONCERNING REPAIR,  
CLOSING OR DEMOLITION, AND RELATING TO THIS  
ORDINANCE”

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

ORDINANCE NO. 18-18 - APPROVED

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

ORDINANCE NO. 18-18

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF OFFICE EQUIPMENT AND FURNITURE FOR VARIOUS DEPARTMENTS BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 18-19 - APPROVED

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

ORDINANCE NO. 18-19

BOND ORDINANCE PROVIDING FOR VARIOUS 2018 ROAD IMPROVEMENTS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$2,000,000 THEREFOR (INCLUDING \$223,374 NEW JERSEY DOT TRANSPORTATION TRUST FUND GRANT) AND AUTHORIZING THE ISSUANCE OF \$1,704,126 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 18-20 - APPROVED

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

ORDINANCE NO. 18-20

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A GARBAGE TRUCK AND A FIELD COMMUNICATIONS VEHICLE, BY AND FOR THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$427,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

Mr. Cuttrel stated that the public hearings on Ordinances 18-16 through 18-20 will be held on Monday, June 11th.

CONSENT AGENDA

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

AUTHORIZE THE CANCELLATION OF SEWER RENT (3514 HIGHWAY 33)

WHEREAS, the Tax Collector has requested the cancellation of sewer rent to the property listed below,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and hereby is authorized to cancel Sewer Rent as stated herein; and,

<b>BLOCK/LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
3102/4	Anthony Micale	3514 Highway 33	2018	1,380.00

**REASON:** Change in use – hair salon moved out

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

AUTHORIZE THE REFUND OF SEWER RENT (3514 HIGHWAY 33)

WHEREAS, the properties listed below reflect overpayments; and,

WHEREAS, they have furnished the necessary documentation and have requested a refund,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the Tax Collector be and hereby is authorized to refund the Sewer Rent as stated herein:

<b>BLOCK/LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
3102/4	Micale	3514 Highway 33	2017	60.00
3102/4	Micale	3514 Highway 33	2018	460.00

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

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT (128 SPINNAKER WAY AND 251 MYRTLE AVENUE)

WHEREAS, the properties listed below reflect overpayments; and,

WHEREAS, they have furnished the necessary documentation and have requested a refund; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to refund the taxes as stated herein; and,

<b>BLOCK</b>	<b>LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
5501	121	Galli	128 Spinnaker Way	2018	1,976.62
605	6	Collard	251 Myrtle Avenue	2018	1,062.85

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

AUTHORIZE TEMPORARY STREET CLOSING IN CONNECTION WITH NATIONAL NIGHT OUT

WHEREAS, the National Night Out event will be held on Tuesday, August 7, 2018; and,

WHEREAS, the Police Department has recommended the temporary closure of a portion of Atkins Avenue for the safety of the participants; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Atkins Avenue between Heck Avenue and Highway 33 shall be closed to vehicular traffic and designated as no parking on Tuesday, August 7, 2018 between the hours of 2:00 p.m. to 9:00 p.m.;

and,

BE IT FURTHER RESOLVED, that the Department of Public Works is hereby requested to supply the necessary barricades to close said street; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Chief of Police, Director of Public Works, and Fire Inspector.

AUTHORIZE DEVELOPER'S AGREEMENT WITH NEPTUNE DEVELOPERS, LLC BLOCK 413, LOT 4 (FORMERLY BLOCK 163, LOTS 53-57 & 59)

WHEREAS, NEPTUNE DEVELOPERS, LLC sought development of property subject to a Major Site Plan Approval by the Neptune Township Zoning Board of Adjustment for development of property for 44 residential units and commercial element, along with subsequent amendments with regard to parking, demolition due to damage and other variances and waivers on property that once held the S.S. Adams Building at 509 Memorial Drive, Neptune Township, and the Zoning Board of Adjustment having granted numerous applications filed by the applicant by Resolutions of January 30, 2013; May 7, 2014; January 12, 2016 and July 21, 2017; and

WHEREAS, NEPTUNE DEVELOPERS, LLC, has agreed to enter into a Developer's Agreement with the Township of Neptune to guarantee the faithful performance of the obligations and representations associated with the application before the Zoning Board of Adjustment of Neptune Township; and

WHEREAS, it is in the best interest of the citizens of the Township of Neptune to enter this Developer's Agreement with NEPTUNE DEVELOPERS, LLC, to ensure the proper compliance and guaranteed performance of items and improvements made on said parcel.

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 are hereby authorized to execute the aforesaid Developer' Agreement with NEPTUNE DEVELOPERS, LLC, a true copy of which is on file in the Office of the Municipal Clerk for compliance with the aforesaid Zoning Board of Adjustment's Resolutions, and representations upon submission and approval of all conditions arising from the aforesaid Resolution, and return the same to the Township Attorney for recording in the Clerk's office of Monmouth County

AUTHORIZE ADDITIONAL APPROPRIATION TO LEGAL COUNSEL REPRESENTING POLICE CHIEF JAMES M. HUNT, JR. IN LAWSUITS SEEKING PUNITIVE DAMAGES

WHEREAS, on August 14, 2017, the Township Committee adopted Resolution #17-348 (later amended by Resolution #17-409) which approved the selection of Joseph Maddaloni, Jr. to represent Police Chief James M. Hunt, Jr. in claims of punitive damages in three matters of litigation: specifically, Kyheem Davis v. Police Chief James M. Hunt, Jr.; Christine Savage v. Police Chief James M. Hunt, Jr.; and, Elena Gonzalez v. Police Chief James M. Hunt, Jr.; and,

WHEREAS, said Resolution also authorized legal fees in an amount not to exceed \$7,500.00 for the purposes of this litigation; and,

WHEREAS, on January 22, 2018, the Township Committee adopted Resolution #18-78 which authorized an additional \$15,000.00 for this purpose; and,

WHEREAS, the authorized appropriation has been exhausted and the litigation is on-going; and,

WHEREAS, the Township Attorney recommends an additional authorization of \$15,000.00 for legal fees in this matter; and,

WHEREAS, funds will be provided in the 2018 Municipal Budget, in the appropriation entitled Legal O.E., and the Chief Financial Officer has so certified in writing,

THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby amends Resolution #17-348, as amended by Resolution #17-409, to increase the appropriation authorization by \$20,000.00 for a total authorized appropriation of \$42,500.00 for legal expenses to Joseph Maddaloni, Jr. to represent Police Chief James M. Hunt, Jr. in claims of punitive damages in connection with three matters of litigation as described herein; 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 Township Attorney.

AUTHORIZE ADDITIONAL APPROPRIATION TO LEGAL COUNSEL REPRESENTING MICHAEL J. BASCOM IN LAWSUITS SEEKING PUNITIVE DAMAGES

WHEREAS, on August 14, 2017, the Township Committee adopted Resolution #17-347 (later amended by Resolution #17-410) which approved the selection of Joseph Maddaloni, Jr. to represent Michael J. Bascom in claims of punitive damages in three matters of litigation: specifically, Kyheem Davis v. Michael J. Bascom; Christine Savage v. Michael J. Bascom; and, Elena Gonzalez v. Michael J. Bascom; and,

WHEREAS, said Resolution also authorized legal fees in an amount not to exceed \$7,500.00 for the purposes of this litigation; and,

WHEREAS, on January 22, 2018, the Township Committee adopted Resolution #18-77 which authorized an additional \$15,000.00 for this purpose; and,

WHEREAS, the authorized appropriation has been exhausted and the litigation is on-going; and,

WHEREAS, the Township Attorney recommends an additional authorization of \$15,000.00 for legal fees in this matter; and,

WHEREAS, funds will be provided in the 2018 Municipal Budget, in the appropriation entitled Legal O.E., and the Chief Financial Officer has so certified in writing,

THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby amends Resolution #17-347, as amended by Resolution #17-410, to increase the appropriation authorization by \$20,000.00 for a total authorized appropriation of \$42,500.00 for legal expenses to Joseph Maddaloni, Jr. to represent Michael J. Bascom in claims of punitive damages in connection with three matters of litigation as described herein; 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 Township Attorney.

EMPLOY TEMPORARY SEASONAL PERSONNEL IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township has a need to employ seasonal workers in the Department of Public Works for the summer season; and,

WHEREAS, the Director of Public Works and Human Resources Director have forwarded their recommendations; and,

WHEREAS, funds for this purpose are available in the 2018 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 the following individuals be and are hereby employed in the Department of Public Works as temporary seasonal employees to perform various tasks within the Department, from May 25, 2018 to August 31, 2018, not to exceed forty (40) hours per week, at a salary of \$15.00 per hour with no health benefits:

Sy'Kear Westbrook  
John Fritz, Jr.

Ryan Balzarano  
Brandon Cottman

Elijah Dennis

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 Director of Public Works.

AUTHORIZE THE PURCHASE OF A MORPHO TRAK LIVE SCAN SYSTEM THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Police Department has recommended the purchase of a MorphoTrak Live Scan System for the Identification Bureau 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, MorphoTrak, LLC has been awarded New Jersey State Contract No. 81520 for this equipment; 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 the equipment shall not exceed \$32,032.04; and,

WHEREAS, funds for this purpose are available from Ordinance No. 15-33 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 MorphoTrak Live Scan System for the Police Department Identification Bureau through New Jersey Cooperative Purchasing Program Contract No. 81520 be and is hereby authorized at an amount not to exceed \$32,032.04; 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.

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>
412/18	511 Atkins Avenue	270.00
2912/6	420 Prospect Place	2,026.00

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

AUTHORIZE THE CANCELLATION OF A CREDIT BALANCE ON PROPERTY OWNED BY NEPTUNE TOWNSHIP

WHEREAS, a property known as Block 198, Lot 767, assessed to the Township of Neptune, reflects a credit balance for taxes as indicated; and,

WHEREAS, the property is owned by the Township of Neptune; and,

WHEREAS, the Tax Collector has recommended canceling said credit to fund balance,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to cancel a credit balance as described herein,

<u>BLOCK/LOT</u>	<u>OWNER</u>	<u>YEAR</u>	<u>AMOUNT</u>
198/767	Neptune Township	2009	\$ 1.66

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

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

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

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

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

WHEREAS, funds for this purpose are available in the 2018 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 Aidan Supp be and is hereby employed as a part-time Special Law Enforcement Officer - Class I, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, at an hourly rate of \$16.91, effective upon successful completion of the SLEO I police academy; and,

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

EMPLOY PUBLIC SAFETY OFFICERS IN THE EMERGENCY MEDICAL SERVICES DEPARTMENT ON A PART-TIME BASIS

WHEREAS, there is a need for additional Public Safety Officers on a part-time hourly basis; and,

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

WHEREAS, the EMS Manager and Human Resources Director have made their recommendations; and,

WHEREAS, funds for will be provided in the 2018 municipal budget in the appropriation entitled Emergency Medical Services 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 as part-time Public Safety Officers, effective June 1, 2018, contingent upon successful completion of a background investigation and medical evaluation, at an hourly rate of \$17.43:

Sean Boyle  
George Breslin  
Ralph Noriega

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

ACCEPT THE RESIGNATION OF BARRY COLICELLI AS A MEMBER OF THE POLICE OVERSIGHT COMMITTEE

WHEREAS, the Mayor has received a letter from Barry Colicelli resigning as a member of the Police Oversight Committee effective May 24, 2018,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Barry Colicelli as a member of the Police Oversight Committee is hereby accepted effective May 24, 2018; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief of Police and Police Oversight Committee.

EMPLOY TEMPORARY SEASONAL PERSONNEL FOR THE NEPTUNE SUMMER RECREATION PROGRAM

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

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

WHEREAS, funds will be provided in the 2018 Municipal Budget in the appropriation entitled Recreation S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following persons be and are hereby employed in the Neptune Summer Recreation Program from June 21, 2018 through August 3, 2018, for the number of hours and days as specified herein, with the understanding that staffing levels will be based on final enrollment and this resolution does not guarantee either employment or number of hours; and,

<u>Bus Drivers</u>	<u>\$12.00/hour</u>	<u>6.5 hours/day 30 days</u>	
Janiesue Masco	Tina Onderdonk (substitute)		
<u>Assistant Director</u>	<u>\$11.50</u>	<u>6.5 hours/day 30 days</u>	
D’Naja Jeffries			
<u>Role Models</u>	<u>\$10.50/hour</u>	<u>6.5 hours/day 30 days</u>	
Marajiah Bacon	Jaidin Jones*	Meisha Bacon	Brianna Love
Barry Brown	Tom Shields*	Mickenna Church	Ralph Mclean
Arien Harris	Stephanie Hogarth	Sierra Hollins	Megan Zabarsky*
<u>Role Models</u>	<u>\$10.00/hour</u>	<u>6.5 hours/day 30 days</u>	
Alexis Bennett	Hailee Carpenter	Shanya Hunt	
Lydia Clancy	Ayana Williams	Marvin Morgan	
<u>Substitute Role Models</u>	<u>\$10.50/hour</u>	<u>6.5 hours/day 30 day</u>	
Alfred Reneau	Alison Curry	Briana Brown	
<u>Substitute Role Models</u>	<u>\$10.00/hour</u>	<u>6.5 hours/day 30 day</u>	
Indya Clarke			
<u>CITs (Counselors / Role Models in Trailing) no pay / experience only</u>			
Soleil Walker	Jacob Mascarelli		

(Employees are hired from the list as needed based on enrollment)  
\* - Group Leaders

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

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

AWARD BID FOR TREMONT DRIVE FORCE MAIN REPLACEMENT PROJECT

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

WHEREAS, on May 16, 2018, the Township Engineer received bids for the award of a contract for the Tremont Drive Force Main Replacement Project; and,

WHEREAS, said bids were reviewed by the Township Engineer and who has recommended that the bid be awarded to the lowest bid submitted by Jo-Med Contracting; 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. 18-07 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 Jo-Med Contracting on their lowest responsible of \$392,590.10 for the Tremont Drive Force Main Replacement Project; 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; Lane, aye; McMillan, aye; Rizzo, aye; and Williams, aye.

AWARD BID FOR IMPROVEMENTS TO BRIGHTON AVENUE FORCE MAIN

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

WHEREAS, on May 16, 2018, the Township Engineer received bids for the award of a contract for Improvements to Brighton Avenue Force Main; and,

WHEREAS, said bids were reviewed by the Township Engineer and who has recommended that the bid be awarded to the lowest bid submitted by Earle Asphalt Company; 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. 17-19 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 Earle Asphalt Company on their lowest responsible of \$356,913.13 (total for the base bid and Alternate Item A) for Improvements to Brighton Avenue Force Main; 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; Lane, aye; McMillan, aye; Rizzo, aye; and Williams, 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	7,148,001.29
GRANT FUND	528.00
TRUST FUND	16,249.16
GENERAL CAPITAL FUND	42,831.12
SEWER OPERATING FUND	49,558.24
SEWER CAPITAL FUND	217.40
MARINA OPERATING FUND	22,868.38
BILL LIST TOTAL	\$7,280,253.59

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

#### PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Michael Golub, 305 Cliffwood Drive, reviewed documents he received via an OPRA request for reimbursements to the Chief of Police for a conference he attended in Philadelphia. He detailed receipts that were for meals and other activities during the convention hours and indicated that there were no receipts provided for reimbursement for expenses at a conference in San Diego. He stated there is no justification and a lack of itemization for receipts. He stated that an invoice submitted by Michael Bascom shows two flights for a conference in Miami and one ticket arrived early and left early. The Mayor stated that Mr. Bascom purchased a round trip ticket to attend the funeral for Molly Berkowitz. The Mayor asked Mr. Golub to provide him with copies of the documents.

Jack Bredin, 94 ½ Heck Avenue, stated that T&M did a study on the North End to declare it an area in need of redevelopment. He asked if the Ocean Grove Camp Meeting Association is a redeveloper of the property and has a Memorandum of Understanding been signed between the Camp Meeting Association and WAVE indicating that the Camp Meeting Association is being removed as a redeveloper. Mr. Anthony stated that the Camp Meeting Association owns the property. They need to agree to a redeveloper first before the Township declares a redeveloper.

Nancy Clarke, 47 Embury Avenue, asked for a status on Certified Local Government, the RFQ for Historic Architect and the timeline on when a RFP will be issued. Mr. Gadaleta stated that the Township has received no response from Trenton on Certified Local Government other than they will get to us when they get to us. The Township received four responses to the Historic Architect RFQ. Interviews are being scheduled and Bernard Haney, Dawn Crozier, Leanne Hoffmann, and he will conduct the interviews. The Historic Preservation Commission (HPC) will then review the comments made by the interview group. After that, Administration and the HPC will prepare a RFP which will be issued to the qualified applicants.

Joan Venezia, 107 Mt. Hermon Way, questioned the recent street sweeping Ocean Grove and stated that once again the sweepers went down the middle of the street because no one was notified. Mr. Gadaleta stated that one small section of the Ocean Grove was done for the Police Memorial and the balance of the town will be done soon. Ms. Venezia stated that an email should be sent to everyone to notify them of street sweeping. She agrees with the additional angle parking on Central Avenue, but a Consultant still should be hired and a shuttle should be done and if it is it should be advertised better and have longer hours. She went on to state that she was disappointed with CLG and questioned when was the last time someone spoke to Trenton. Mr. Gadaleta stated it was around the first quarter of the year. He stated he would reach out to Mr. Haney regarding it and request that he make a phone call. She asked whether the Township felt that the Camp Meeting should be responsible for the North End. Mr. Gadaleta stated the Camp Meeting was the owner of the property and he felt they were responsible. She questioned whether the Neptune redevelopment lawyer reviewed the April 2011 HOA North End priority document. Mr. Gadaleta stated it was provided to all of the members of the redevelopment team including our redevelopment attorney. She continued with questions pertaining to the redevelopment of the North End and questioned the location for the process of redevelopment.

Joyce Klein, 105 Mt. Hermon Way, asked if the Ocean Grove Camp Meeting Association is still a co-redeveloper for the North End. Mr. Anthony stated the Township has not adopted a resolution to release the Camp Meeting Association as a redeveloper of the property. The Township is waiting for them to sign an agreement with a redeveloper. Ms. Klein stated it was a good idea to hear from the affected residents on Main Avenue about three hour parking, but the Homeowners Association does not have contact information for tenants so they cannot help in performing a survey.

David Johnson, 213 Audrey Place, asked if anything has been done about the hostile work environment at the Senior Center. Mr. Lane stated that there has been no complaints filed with Human Resources. Mr. Johnson stated that his wife has to decide whether or not to return to work, but will not as long as three employees are still there. He stated someone wrote a letter to the Coaster about the environment at the Senior Center and he feels bad for the seniors that have been abused by the staff. Mr. Lane stated a manager is needed to handle everyone on the staff. He knows of no other issues and the interview process for Director starts next week.

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

Richard J. Cuttrell,  
Municipal Clerk