

TOWNSHIP COMMITTEE MEETING – FEBRUARY 11, 2019

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

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

Mayor Rizzo announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press and The Coaster on January 3, 2019, 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:

Leanne Hoffmann, Township Engineer, was present to discuss the living shoreline project on South Riverside Drive. A bond ordinance to authorize funding for the project is on the agenda for introduction. Ms. Hoffmann stated the Township submitted a hazard mitigation grant application to FEMA in 2010 for the project. The funding was approved in 2016 which included bulkheading. The Township had discussions with homeowners, environmental groups, and the Shark River Clean-up Coalition regarding better alternatives than bulkheading and the concept of a living shoreline became the preferred plan. A scope modification to the project was approved by FEMA in 2018 to use the living shoreline concept. The cost of the project has not changed and the Township will meet with citizens to review the final design. The project can be done under a general permit from the NJDEP. Mr. Gadaleta stated that after adoption of the ordinance, a Coastal Engineer will be appointed, then the public will be involved with the design process.

Mr. Anthony reviewed possible amendments to the ordinance prohibiting smoking in parks and open spaces. A state statute was recently enacted which changes to the scope and enforcement of smoke free areas. The Committee asked Mr. Anthony to prepare an amendment to the current municipal ordinance as needed.

Mr. Gadaleta attended a County meeting with Mayor Rizzo and Dr. Brantley on the benefits of opportunity zones. Development in an opportunity zone qualifies for a federal tax exemption in the form of a waiver on capital gains tax for certain investment over a period of time.

Mr. Williams stated that Neptune plays its first game in the Shore Conference Basketball tournament on February 12<sup>th</sup> at the High School. Mr. Lane stated that the Veterans Memorial Park Committee is meeting to schedule a new date for the annual dinner dance.

Mr. Gadaleta stated Ajee Wilson broke the 800m American indoor track record.

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

Mr. Lane offered the following resolution, moved and seconded by Dr. Brantley, 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 – Recommendations for hire of part-time Public Safety Officers  
Litigation – Hubbard v. Township of Neptune

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

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

The Committee reviewed recommendations for the hiring of three individuals as Public Safety Officers and took action by resolution during the regular business portion of the meeting.

The Mayor recommended that the job title of Public Safety Officer be changed to Emergency Medical Technician. Mr. Cuttrell will prepare the necessary ordinance.

Mr. Anthony stated that Shaun Hubbard filed an appeal to his termination and a resolution to file a Counterclaim is on the regular agenda for consideration.

Dr. Brantley reviewed a draft of the scope of work for Police Committee Consultant which will be incorporated into the Agreement with the Consultant.

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

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

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 Rizzo announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press and The Coaster on January 3, 2019, 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

Dr. Brantley offered a motion, seconded by Mr. Lane, to approve the minutes of the meeting held on January 28th. All were in favor.

#### COMMENTS FROM THE DAIS

Mr. Williams stated that the Police Committee is meeting this week.

Dr. Brantley stated Public Works is ready for the impending snow and ice. The Police Committee is putting together things to address their goals and is monitoring at the results of the new Pitman schedule and its effect on overtime. Ajee Wilson won the 1500m race at the Millrose Games. He met with the County regarding opportunity zones in which a developer receives a federal tax credit. He is speaking to Parking Consultants to look at the Ocean Grove parking issues and funds will be included in the 2019 municipal budget.

Mr. Lane attended a meeting with the Recreation Department and ways to improve Neptune Day were discussed. The Veteran Memorial Park Committee dinner dance has been moved to April 12<sup>th</sup> from 2pm to 6pm at the American Legion on Gully Road.

Mayor Rizzo stated that the budget meetings were completed last week. She met with residents of The Plaza regarding on-going construction on one of the homes. She met with the NJDEP regarding the use of land for an environmental project and it was determined that the project cannot be done. The Ocean Grove Homeowners Association, Ocean Grove United and the Recreation Department met regarding events planned for the 150<sup>th</sup> anniversary of Ocean Grove.

The annual Neptune Township Black History Month celebration will be held on February 16<sup>th</sup> and there is a rescheduled Martin Luther King, Jr. event on February 17<sup>th</sup> at Cathedral Church in Asbury Park.

PUBLIC COMMENTS ON RESOLUTIONS

Jack Bredin, 94 ½ Heck Avenue, in regards to the shared service agreement with Asbury Park for weed harvesting and maintenance at Wesley Lake, asked if Wesley Lake was a public facility or a recreation area and where is the money coming from. Mr. Gadaleta replied that it is both. The Lake is owned by the Township and it acts as a detention basin. The money for the agreement is coming from the municipal budget as it has in previous years. Mr. Bredin stated this is more chemicals being put into the lake by the Wesley Lake Commission.

Dorothy Argyros, 2100 Rutherford Avenue, asked if money for in agreement for Municipal Clerk services with Shrewsbury Township is being paid to Pam Howard or the Township. Mr. Anthony replied the funds are paid to the Township. Ms. Argyros asked what the funds are used for in regards to the Emergency Management Assistance grant. Mr. Gadaleta stated that the OEM management team all have a salary and these funds are used to pay those salaries. Ms. Argyros asked for more information on the Counterclaim being authorized against Shaun Hubbard. Mr. Anthony stated Mr. Hubbard was terminated from employment at the last meeting. There are allegations of domestic abuse and the Arbitrator in the matter recommended termination. Ms. Argyros asked for the need for additional Public Safety Officers. Mr. Gadaleta stated they are per diem emergency medical service personnel who respond to calls Monday to Friday from 6am to 6pm.

Joan Venezia, 107 Mt. Hermon Way, asked if the Wesley Lake shared service agreement included garbage removal. Mr. Gadaleta responded no, garbage removal is performed by the Public Works Department. Ms. Venezia asked if there is a similar agreement for Fletcher Lake. Mr. Gadaleta responded no, there is no weed maintenance in Fletcher Lake.

ORDINANCE NO. 19-02 - APPROVED

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

ORDINANCE NO. 19-02

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A LIVING SHORELINE FLOOD MITIGATION PROJECT ALONG THE SHARK RIVER, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,350,000 THEREFOR (INCLUSIVE OF AN \$835,529.25 FEMA GRANT) AND AUTHORIZING THE ISSUANCE OF \$488,000 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; Williams, aye; and Rizzo, aye.

Mr. Cuttrell stated that the Public Hearing on Ordinance No. 19-02 will be held on Monday, February 25, 2019.

CONSENT AGENDA

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

AUTHORIZE A REDUCTION IN THE PERFORMANCE GUARANTEE FILED BY HIGH POINTE AT NEPTUNE, LLC FOR SITE IMPROVEMENTS AT 774 & 778 WAYSIDE ROAD

WHEREAS, Irrevocable Letter of Credit 2874-1, in the amount of \$919,620.00 has been filed by High Pointe at Neptune, LLC guaranteeing site improvements at the High Pointe at Neptune subdivision, 774 & 778 Wayside Road (Block 2201, Lot 27); and,

WHEREAS, at the request of the Developer, the Township Engineer has inspected the site improvements and has recommended a reduction in the performance guarantee; and,

WHEREAS, the Developer will be notified to post an amended Letter of Credit reducing the amount from \$919,620.00 to \$410,755.32 and the Municipal Clerk will accept said amended Letter of Credit; and,

WHEREAS, the cash portion of the performance guarantee will also be reduced by a proportionate amount,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a reduction in the Performance Guarantee for High Pointe at Neptune subdivision, 774 & 778 Wayside Road (Block 2201, Lot 27), be and is hereby approved to the amount of \$410,755.32 and the amended Letter of Credit submitted to affect said reduction shall be accepted; and,

BE IT FURTHER RESOLVED, that the proportionate amount of cash portion of the performance guarantee in the amount of \$56,565.54 shall be refunded to the Developer; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Township Engineer and the Developer.

AUTHORIZE TEMPORARY NO PARKING ON CERTAIN STREETS IN CONNECTION WITH EVENTS CELEBRATING THE 150<sup>TH</sup> ANNIVERSARY OF OCEAN GROVE

WHEREAS, the Ocean Grove Camp Meeting Association has several events scheduled this Summer in celebration of the 150<sup>th</sup> anniversary of the founding of Ocean Grove that will require temporary no parking restrictions for pedestrian safety; and,

WHEREAS, the Police Department has reviewed and approved this action,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the temporary closure and posting of temporary no parking on the following streets at the times indicated:

July 6, 2019 – 8:00 a.m. to 11:00 p.m.  
Pilgrim Pathway between Bath Avenue and Pitman Avenue  
McClintock Street between Central Avenue and Pilgrim Pathway

July 27, 2019 – 8:00 a.m. to 11:00 p.m.  
Central Avenue between eastbound Ocean Pathway and westbound Ocean Pathway

August 10, 2019 – 8:00 a.m. to 11:00 p.m.  
Central Avenue between eastbound Ocean Pathway and westbound Ocean Pathway  
Beach Avenue between eastbound Ocean Pathway and westbound Ocean Pathway

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Lt. Zarro, Director of Public Works, Fire Inspector, and Ocean Grove Camp Meeting Association.

RESCIND OFFER OF EMPLOYMENT EXTENDED TO KEVIN MARTER FOR THE POSITION OF DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, on January 28, 2019, the Township Committee adopted Resolution #19-95 which extended an offer of employment to Kevin Marter for the position of Driver in the Public Works Department; and,

WHEREAS, Kevin Marter has declined the offer of employment,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an offer of employment extended to Kevin Marter for the position of Driver in the Department of Public Works, be and is hereby rescinded; 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.

AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE CITY OF ASBURY PARK FOR MAINTENANCE OF WESLEY LAKE

WHEREAS, the Township of Neptune and City of Asbury Park desire to share its best

practices and resources for weed harvesting and maintenance at Wesley Lake; 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 engaging in activities to maintain Wesley Lake; and,

WHEREAS, the Township and City agree to share equally in the costs of these activities and the Township will act as the lead entity in the procurement of services; and,

WHEREAS, this Agreement shall be effective on the date of the signing of said Agreement through December 31, 2023,

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 weed harvesting and maintenance activities at Wesley Lake, at a cost not to exceed \$6,000.00 per year for each municipality; and,

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

AUTHORIZE OCEAN GROVE CAMP MEETING ASSOCIATION'S ANNUAL INDEPENDENCE DAY PARADE

WHEREAS, the Ocean Grove Camp Meeting Association coordinates and sponsors an annual Independence Day Parade through the streets of the Ocean Grove Historic District that attracts thousands of residents and visitors each year; and,

WHEREAS, the Township participates in the parade as well as providing traffic support and a contribution toward parade expenses,

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

1. Permission is hereby granted for Ocean Grove Camp Meeting Association to hold their annual Independence Day Parade on Wednesday, July 6, 2019.

2. Temporary no parking will be designated from 7:00 A.M. to 1:00 P.M. on July 6, 2019 on the following streets:

- Both sides of Whitefield Avenue from Stockton Avenue to Main Avenue
- Both sides of westbound Ocean Pathway from Central Avenue to Ocean Avenue
- West side of Central Avenue from westbound Ocean Pathway to McClintock Street

3. A contribution in the amount of \$1,000.00 toward expenses incurred in connection with the parade is hereby authorized and funds for this purpose will be available in the 2019 municipal budget in the appropriation entitled Celebration of Public Events and the Chief Financial Officer has so certified in writing.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Ocean Grove Camp Meeting Association, Director of Public Works, Chief of Police, and Lt. Zarro.

AUTHORIZE THE TOWNSHIP OF NEPTUNE AND THE NEPTUNE JOINT VETERANS ASSOCIATION TO CO-SPONSOR A MEMORIAL DAY PARADE

WHEREAS, the Township Committee desires to continue the tradition of co-sponsoring a Memorial Day parade with the Neptune Joint Veterans Association to honor those who gave the ultimate sacrifice in defense of our Nation,

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

1. Permission is hereby granted to conduct the annual Memorial Day Parade on Monday, May 28, 2018.

2. Temporary no parking will be designated the north side of Surf Avenue between Central Avenue and Ocean Avenue from 8:00 A.M. to 1:00 P.M. on May 27, 2019

3. A contribution in the amount of \$1,500.00 toward expenses incurred in connection with the parade is hereby authorized and funds for this purpose will be available in the 2019 municipal budget in the appropriation entitled Celebration of Public Events and the Chief Financial Officer has so certified in writing.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Parade/Special Events Committee, Director of Public Works, Chief of Police, and Lt. Zarro.

AUTHORIZE EXECUTION OF A SHARED SERVICE AGREEMENT WITH THE TOWNSHIP OF SHREWSBURY FOR MUNICIPAL CLERK SERVICES

WHEREAS, the Township of Shrewsbury is in need of a part-time Municipal Clerk to provide services of a Municipal Clerk for Shrewsbury Township; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes municipalities to contract with each other for shared services; and

WHEREAS, the Township of Shrewsbury wishes to enter into a Shared Service Agreement with Neptune Township in order to share Neptune Township's Deputy Clerk, Pamela Howard, for one 7-hour day per week during regular business hours, namely Tuesdays, at a hourly fee of \$30.00 per hour or \$210.00 per Tuesday; while allowing Ms. Howard to work privately for Shrewsbury Township under a contract separate and distinct from this Agreement for other hours outside of Tuesday, such as evenings and Saturdays, so as not to conflict with her position in Neptune Township; and

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the governing body hereby authorizes the Township of Neptune enter into a Shared Service Agreement with Shrewsbury Township for the shared services aforesaid and the terms set forth above; and,

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

ACCEPT A FFY18 EMERGENCY MANAGEMENT ASSISTANCE/EMERGENCY MANAGEMENT PERFORMANCE GRANT FROM THE NJ DEPARTMENT OF LAW & PUBLIC SAFETY

WHEREAS, the Township received notification from the New Jersey Department of Law & Public Safety of a FFY18 Emergency Management Performance Grant/EMAA sub-award; and,

WHEREAS, the FFY18 Emergency Management Performance Grant/EMAA, sub-award #FFY18-EMPG-EMAA-1335, CFDA#: 97.042 is for the performance period from July 1, 2018 to June 30, 2019; and,

WHEREAS, the sub-grant, consisting of a total amount of up to \$24,282.53, including up to \$10,000.00 Federal Award and up to \$14,282.53 local matching funds is for the purpose of enhancing Neptune Township's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and;

WHEREAS, the funds will be used for salary, wages, and fringe benefits, and the funds for the local match will be provided for in the 2019 municipal budget, when adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune does hereby accept the FFY18 Emergency Management Performance Grant/EMAA sub-award; and,

BE IT FURTHER RESOLVED, that the Township of Neptune is accepting the specific grant of funds for the purpose described in the application; and,

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

AUTHORIZE COUNTERCLAIM AGAINST SHAUN HUBBARD IN THE NEPTUNE TOWNSHIP  
ADV. SHAUN HUBBARD MATTER

WHEREAS, the Township Committee, based on the decision and recommendation of Retired Judge O'Hagan on January 8, 2019, decided to terminate Shaun Hubbard from the Neptune Township Police Department as being "not fit for police duty" and the Township Committee accepted said recommendation and on January 28, 2019 passed a Resolution terminating Shaun Hubbard's employment as a permanent Police Officer, with cause; and

WHEREAS, upon receiving the aforesaid Resolution, Shaun Hubbard's attorney filed a Complaint in Lieu of Prerogative Writs seeking to overturn the termination; and

WHEREAS, legal counsel handling the Shaun Hubbard matter, Jonathan Cohen, Esq., has recommended that the Township file a Counterclaim based on the difference between the amount of money Shaun Hubbard received after he was put back on the payroll in June/July versus the amount of money he would have earned had the Township not suspended him without pay from January, 2017 to June 6, 2018; and,

WHEREAS, funds will be provided for the first three months of 2019 in the 2019 Temporary Budget and funds for the balance of 2019 will be provided in the Budget for the year 2019, when finally adopted, in the appropriation entitled Legal Services O.E., and the Chief Financial Officer has so certified in writing,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the governing body hereby authorizes Labor Counsel of Neptune Township to file a Counterclaim along with an Answer to the Complaint in this matter against Shaun Hubbard; and,

BE IT FURTHER RESOLVED, that the Township Committee authorizes legal fees not to exceed Five Thousand Dollars (\$5,000.00) without additional approval for the purposes of this litigation, subject to possible transfer should and when Neptune Township's insurance carrier decides on coverage; and,

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

AUTHORIZE REVOCABLE LICENSE AGREEMENT BETWEEN THE OCEAN GROVE CAMP  
MEETING ASSOCIATION AND NEPTUNE TOWNSHIP FOR THE USE OF A PARKING LOT  
LOCATED AT BLOCK 101, LOT 9 A/K/A 40 BROADWAY AND BLOCK 101, LOT 8 A/K/A EAST OF  
OCEAN AVENUE

WHEREAS, it is the best interest of Neptune Township to be allowed to use a parking lot owned by the Ocean Grove Camp Meeting Association for public parking during the months of December through March of each year without fee or charge, in return for the Township maintaining the parking lot in terms of snow removal services only to allow for such parking; and

WHEREAS, in order to obtain the aforesaid arrangement, the Ocean Grove Camp Meeting Association must provide the Township with a Revocable License Agreement for the public parking on private property in return for said snow removal services.

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes a Revocable License Agreement between the Ocean Grove Camp Meeting Association and Neptune Township with regard to Block 101, Lot 9 a/k/a 40 Broadway and Block 101, Lot 8 a/k/a East of Ocean Avenue on the Tax Map of the Township of Neptune, located in Ocean Grove and identified as a parking lot, to be utilized for public parking without fee and/or special permits during the months of December through March of each year in return for Neptune Township performing snow removal services when needed in the aforesaid parking lot, and the parties are entering into this Revocable License Agreement in order for Neptune Township to perform said consideration.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute the Revocable License Agreement, a copy of which is on file in the Office of the Municipal Clerk, and return to the Township Attorney for execution by the Ocean Grove Camp Meeting Association and ultimately recording in the Clerk's Office of Monmouth County; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be attached to and accompany the executed Revocable License Agreement.

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

The Mayor announced the following appointment to the Historic Preservation Commission:

Doug MacMorris as the Alternate #2 member to an unexpired one-year term

#### CONFIRM MAYOR'S APPOINTMENT TO THE HISTORIC PRESERVATION COMMISSION

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

BE IT RESOLVED, that the Township Committee hereby consents to the Mayor's appointment of Doug MacMorris as the Alternate #2 member to the Historic Preservation Commission for a one-year term expiring December 31, 2019; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Secretary of the Historic Preservation Commission.

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

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

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

WHEREAS, there is a need for an 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 will be provided for the first three months of 2019 in the 2019 Temporary Budget and funds for the balance of 2019 will be provided in the Budget for the year 2019, when finally adopted, 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 February 4, 2019, contingent upon successful completion of a background investigation and medical evaluation, at an hourly rate of \$17.87:

Jacob Kay  
Rachel Voeltzel  
Ashley Tremer

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.

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

#### AUTHORIZE THE PAYMENT OF BILLS

Mr. Lane offered the following resolution, moved and seconded by Dr. Brantley, 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	393,872.61
GRANT FUND	37,558.55
TRUST FUND	38,253.64
GENERAL CAPITAL FUND	58,345.53
SEWER OPERATING FUND	96,105.05
SEWER CAPITAL FUND	1,385.00
MARINA OPERATING FUND	658.63
MARINA CAPITAL FUND	5,415.00
LIBRARY TRUST	118.42
BILL LIST TOTAL	\$631,712.43

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; Williams, aye; and Rizzo, aye, except abstain on the registration fee for a class she is attending.

#### PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Rev. Edmund Lee, 12 Patricia Drive, asked why the West Lake Avenue developer was named the Conditional Redeveloper and not the Redeveloper. Dr. Brantley replied they have to meet all of the criteria to become the Redeveloper including control of ownership in one block, he has already met the financial requirements. Mr. Gadaleta stated the conditional redeveloper has six months to meet the conditions. However, site control of the one block can be done after he is declared Redeveloper. Rev. Lee asked how long it will be until we see work on West Lake Avenue. Dr. Brantley stated that the Redeveloper intends to break ground by the end of 2019.

Jack Bredin, 94 ½ Heck Avenue, stated he has attended public meeting throughout the state for the last 40 years. Mayor Rizzo told him that he has to speak to resolutions only during that portion of the meeting or else she will have the police remove him. This causes a chilling effect on public participation. He suggested that the Mayor contact the Department of Community Affairs because they will tell her how to conduct a meeting.

Hank Coakley, Valley Road, asked that temporary signs be installed throughout the Township instructing drivers to use both headlights and taillights when windshield wipers are activated.

Dorothy Argyros, stated that she read an Asbury Park Press article that stated all cases where someone dies in police custody will be taken over by the State Attorney General. She hopes this will shed light on the Katie Lee Thomas case. She was shocked when Brian Butch was fired as Senior Center Director without reason, but the reason became obvious when the job was given to Randy Bishop. She has resigned her membership at the Senior Center in protest.

Bill Schirappa, Neptune City, stated it is heartening to see progress on the South Riverside Drive project along with the involvement of the various environmental groups. Technology has come a long way and it is great to get the residents involved. He asked if Lake Avenue is in the Opportunity Zone. Mr. Gadaleta stated that Lake Avenue is in the zone as well as Springwood Avenue in Asbury Park. Mr. Schirappa is involved with a business in Asbury Park and he is interested in improving that community.

Kira Lang, 135 Clinton Avenue, stated she is very excited about the living shoreline project

and thanked the Committee for hearing the residents. A hardscape creates more erosion along the shoreline as evidenced by the erosion near the rip rap at the street ends on South Riverside Drive. She suggested a program where residents can sign-up to clean a storm drain along the river.

Dianna Harris, 17 Willow Drive, stated there are grants available and it is time to assign a group to maintain the community garden. Dumping is a problem at the garden as well. She asked Mr. Gadaleta to confirm his attendance at a meeting on February 21<sup>st</sup> to discuss the West Lake Avenue Redevelopment. Mr. Gadaleta stated he was working on his schedule and will get back to her.

Joan Venezia, 107 Mt. Hermon Way, thanked the Committee for fixing the pothole at Main and New Jersey Avenues. Light pole #6 at Fireman's Park is still not working. She asked for an update on the Certified Local Government application. Mr. Gadaleta will ask Bernard Haney, Lane Use Administrator, for an update. Ms. Venezia asked for an amount for the Parking Consultant. Dr. Brantley stated he is getting an estimate. Ms. Venezia asked for an update on the North End redevelopment. Mr. Gadaleta stated that OGNED was given a list of items to produce. Many of those items have been submitted and a meeting will be held at the end of February. The HPC performed a tech review of the plans and had some concerns and questions. OGNED will address those issues and resubmit to HPC for another tech review followed by a public hearing at the HPC.

Kennedy Buckley, 65 Broadway, is awaiting an answer to the question of a claw back of the legal expenses incurred for the 9 Broadway settlement agreement. He read some of the terms of the agreement, specifically how windows were to be replaced. The window replacements were not done in accordance with the terms of the agreement. Mr. Anthony stated the agreement does not call for a claw back in the event the agreement is not followed. There is a Superior Court case in June involving this property at which the Township will be represented by Michael Celli, Assistant Township Attorney.

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

Richard J. Cuttrell,  
Municipal Clerk