

TOWNSHIP COMMITTEE MEETING – MARCH 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: Robert Lane, Jr., Kevin B. McMillan, Nicholas Williams, and Mayor Carol Rizzo. (Dr. Michael Brantley attended the executive session portion of the meeting.

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:

The Committee will conduct a Special Workshop Budget Meeting on March 19th at 9:00 a.m.

Mr. Gadaleta stated that the Redevelopment Committee met with BAW, LLC and OGNED on outstanding issues that must be addressed before the redevelopment agreements can be finalized. He attended a meeting of the Shark River Hills Property Owners Association. Over 60 residents were in attendance and he discussed the living shoreline project and the property acquisition on South Riverside Drive. An information session was held on tidelands claims with about 40 residents in attendance. A tidelands claim is possible if historically a property had tidal water flowing through the property. There are likely properties in Shark River Hills that have a NJDEP tidelands claim and the property owner is unaware. Residents were encouraged to research their property and check their title insurance policy. Mr. Gadaleta met with Rev. Brown on the Liberty Park Community Garden and is exploring grant possibilities to improve the park. Mr. Gadaleta announced that he seeks new member for the CERT Team. The Township currently has 12 members, but some municipalities have 300 members. The new CERT Team training course is being held in Neptune as well as monthly training sessions for the members.

Mayor Rizzo attended a redevelopment seminar and learned about Opportunity Zones. It was recommended that experienced developers be sought for projects in the zone. After ten years, a small tax write off is offered, but there is a 100% tax exemption on the appreciation of the property.

Mr. Williams is working on bringing the Friends of Belmar Harbor student camps to the Municipal Marina. Belmar no longer is supporting the program. The sailing program may not happen this year, because the Municipal Marina does not have the capacity for the sail boats. However, all of the other programs can be done. There is an informational session planned for April 6th. The Committee asked that a resolution be drafted to allow the Friends of Belmar Harbor to conduct the informational session on that date at the Municipal Marina.

Mr. Lane stated that the April 14th dinner dance is sold out. Informational sessions are being held to provide information about the SNAP Assistance Program to eligible seniors.

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

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

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

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

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

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

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

- Personnel - Personnel matter
- Personnel – Recommendation for Driver in the Sewer Department
- Contract negotiations – Update on redevelopment projects
- Personnel – Revisions to personnel policy/handbook

Litigation – Butch v. 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: Lane, aye; McMillan, aye; Williams, aye; and Rizzo, aye.

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

The Committee reviewed a recommendation for hiring a Driver in the Sewer Utility and took action by resolution during the business portion of the meeting.

The Committee indicated that they reviewed a draft of the Employee Handbook and requested that a provision be added to include background checks for any new hire regardless of job title.

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: Robert Lane, Jr., Kevin B. McMillan, Nicholas Williams, and Mayor Carol Rizzo. Absent: Dr. Michael Brantley

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.

APPROVAL OF MINUTES

Mr. Lane offered a motion, seconded by Mr. McMillan, to approve the minutes of the meeting held on February 25th. All were in favor.

PROCLAMATION

The Mayor proclaimed the week of March 19th to March 25th as Poison Prevention Week in the Township of Neptune.

COMMENTS FROM THE DAIS

Mr. Williams stated that he was ill for the past week.

Mr. McMillan congratulated Mr. Lane and Mayor Rizzo of their nomination by the Neptune Democrats to run for re-election for Township Committee. He attended a League of Municipalities Legislative Committee meeting and discussed a proposed bill that will require defibrillators at all athletic fields and a proposed bill to reserve parking for electric vehicles. Mr. Gadaleta stated there is sustainable grant funding for the electric vehicle stations and the Township will be redoing the municipal parking lot in the near future. Mr. McMillan stated that the Legislative Committee is still working on getting franchise receipts from the state. The state has retained these funds which has resulted in millions of dollars in lost municipal revenues.

Mr. Lane stated that the Neptune basketball team lost in the state playoffs but had a good season. He attended the High School production of the Adams Family at the Performing Arts Center, the Belmar and Asbury Park St. Patrick's Day parades. He met with the Senior Center staff to discuss recording the life stories of our senior residents. He announced that the Veterans Memorial Park Committee Dinner Dance is sold out.

Mayor Rizzo attended a redevelopment seminar where Opportunity Zones were discussed. The state recommends using only seasoned developers for projects in the zones. The biggest return on investment is for developers who keep the investment for ten years when 100% of the appreciation is tax free. She is working on an upcoming S.T.E.A.M. project with library staff. The Mayor attended the funeral of John Tisdale.

PUBLIC COMMENTS ON RESOLUTIONS

Dorothy Argyros, 2100 Rutherford Avenue, asked for an explanation of the resolution to authorize a malpractice lawsuit. Mr. Anthony stated that Nita Raval was the Township Labor Attorney at the time when a library employee was terminated. A lawsuit was filed by the employee's attorney and the insurance carrier was not given notice. The Township's new insurance carrier will not cover the case because the termination took place prior to their appointment as the Township's carrier. The Committee authorized the filing of a declaratory judgment and has an obligation to file a claim against the former Labor Attorney because she failed to notify the Township's insurance carrier at the time the lawsuit was filed.

Ms. Argyros asked if the resolution to authorize an agreement with the Red Cross will deal with homelessness. Mr. Gadaleta stated that this agreement does not involve the plight of the homeless. The County has a Homeless Task Force. This agreement is for fire, storms, and other similar disaster situations. The Township's responsibility under Code Blue is to notify the homeless of available shelter. The Senior Center or the Municipal Court has been used as a warming center for those in need during regular operating hours.

ORDINANCE NO. 19-03 - ADOPTED

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

ORDINANCE NO. 19-03

AN ORDINANCE AMENDING ORDINANCE NO. 16-46 ENTITLED "AN ORDINANCE CREATING AND SETTING THE SALARY RANGE FOR NEW JOB TITLES AND AMENDING THE SALARY RANGES FOR ALL OTHER EXISTING JOB TITLES OF THE TOWNSHIP OF NEPTUNE AND REPEALING ALL PARTS OF PREVIOUS ORDINANCES INCONSISTENT HEREWITH" BY CHANGING THE TITLE OF PUBLIC SAFETY OFFICER TO EMERGENCY MEDICAL TECHNICIAN

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

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

ORDINANCE NO. 19-04 - ADOPTED

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

ORDINANCE NO. 19-04

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A RESIDENT HANDICAPPED PARKING ZONE ON MT. HERMON WAY AND REMOVING VARIOUS RESIDENTIAL HANDICAPPED PARKING ZONES NO LONGER IN USE

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

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

ORDINANCE NO. 19-05 - APPROVED

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

ORDINANCE NO. 19-05

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A RESIDENT HANDICAPPED PARKING ZONE ON NEW YORK AVENUE AND REMOVING A HANDICAPPED PARKING ZONE ON MT. TABOR WAY

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

ORDINANCE NO. 19-06 - APPROVED

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

ORDINANCE NO. 19-06

AN ORDINANCE MAKING THE PROVISIONS OF SUBTITLE 1 OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO "WAYSIDE ASSOCIATES" BLOCK 2201, LOT 17 ON THE TAX MAP OF THE TOWNSHIP OF NEPTUNE REGULATING THE USE OF SAID ROADWAYS, STREETS, DRIVEWAYS AND PARKING AREAS USED BY MOTOR VEHICLES

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

Mr. Cuttrell stated that the Public Hearings on Ordinances 19-05 and 19-06 will be held on Monday, March 25, 2019.

CONSENT AGENDA

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

AUTHORIZE TEMPORARY STREET CLOSURES IN CONNECTION WITH THE ANNUAL BRIDGEFEST EVENT

WHEREAS, the annual Bridgefest event is planned for the Great Auditorium in Ocean Grove on Saturday, June 22, 2019; and,

WHEREAS, it is necessary to designate temporary no parking and street closures on portions of McClintock Street and Central Avenue to allow for parking of a large equipment tractor trailer as well as pedestrian safety,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the following street closures and temporary no parking zones in connection with Bridgefest:

Temporary street closures - June 22nd from 7:00 a.m. to 11:00 p.m.

Pilgrim Pathway between Bath Avenue and Pitman Avenue
McClintock Street between Central Avenue and Pilgrim Pathway

Temporary No Parking – June 21st 11:00 p.m. to June 22nd 11:00 p.m.

Pilgrim Pathway between Bath Avenue and Pitman Avenue
McClintock Street between Central Avenue and Pilgrim Pathway
Central Avenue between Ocean Pathway eastbound and Ocean Pathway westbound

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

ACCEPT THE RESIGNATION OF TAMIKIA ROWE AS A CUSTOMER SERVICE REPRESENTATIVE IN THE CODE/CONSTRUCTION DEPARTMENT

WHEREAS, the Construction Official has received a letter from Tamikia Rowe resigning as a Customer Service Representative in the Code/Construction Department effective close of business March 15, 2019,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Tamikia Rowe as a Customer Service Representative in the Code/Construction Department is hereby accepted effective close of business March 15, 2019; and,

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

AUTHORIZE CHANGE DRAWER IN THE MUNICIPAL COURT

WHEREAS, the Municipal Court Administrator has requested a change drawer for the Municipal Court,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a change drawer in the amount of fifty (\$50.00) dollars be and is hereby authorized in the Municipal Court; and,

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

AUTHORIZE THE EXECUTION OF INTERLOCAL SERVICE AGREEMENTS WITH VARIOUS AGENICES TO PROVIDE VEHICLE MAINTENANCE

WHEREAS, the Township of Neptune has a contract with a third party contractor to provide vehicle maintenance to Township vehicles; and,

WHEREAS, the Township of Neptune desires to enter into Interlocal Service Agreements pursuant to N.J.S.A. 40:8A-1 et seq. with the Borough of Allenhurst, Neptune Fire District #1, Neptune Fire District #2, and Neptune Township Board of Education (Various Agencies) to provide vehicle maintenance services through the Township's fleet maintenance provider at the Township's Public Works Yard to the Various Agencies; and,

WHEREAS, the Various Agencies will agree to pay the Township a rate equal to the contracted hourly labor rate plus \$10.00 per hour for administrative costs plus a 10% mark up on parts and sublet fees,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of Interlocal Service Agreements with the Borough of Allenhurst, Neptune Fire District #1, Neptune Fire District #2, and Neptune Township Board of Education, for a period of one year with an option to automatically renew in each of the next five years, effective July 1, 2019, which provides that the Various Agencies will pay the Township for vehicle maintenance services provided by through the Township's fleet maintenance provider; and,

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

ESTABLISH FEE FOR CERAMIC ITEMS AT THE SENIOR CENTER

WHEREAS, the Senior Center is able to get discounts on ceramic items that are purchased and then sold to seniors for use in the Center's ceramics program; and,

WHEREAS, the Township desires to set a fee for these items to recoup its costs; and,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby establishes a fee for ceramic items purchased through the Senior Center as the cost of the ceramic piece paid by the Township rounded up to the nearest whole dollar; and,

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

AUTHORIZE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE AMERICAN RED CROSS TO COORDINATE RESPONSES AND RESOURCES TO EMERGENCY OR DISASTER SITUATIONS

WHEREAS, the Township of Neptune and American Red Cross desire to enter into a Memorandum of Understanding to define a working relationship between the two entities in preparing for, responding to, and recovering from emergencies and disasters; and,

WHEREAS, the Memorandum of Understanding provides a broad framework for cooperation and support between the Township and the American Red Cross in assisting individuals, families, and communities who have been or could be impacted by a disaster or an emergency; and,

WHEREAS, the Township recognizes the American Red Cross as having mass care responsibility in domestic disasters and when activated, authorizes and will support and coordinate in with the Red Cross in the execution of these duties to maximize services to the community and duplication of efforts,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Memorandum of Understanding, a copy of which is on file in the Office of the Municipal Clerk, with the American Red Cross to provide a framework for coordination of activities in preparation, response, or recovery from emergencies and disasters; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Office of Emergency Management Coordinator.

APPOINT MEMBER TO THE NEPTUNE TOWNSHIP HOUSING AUTHORITY

BE IT FURTHER RESOLVED, that the Township Committee hereby appoints Derrick Griggs to the Neptune Township Housing Authority for a five year term expiring March 31, 2024; and,

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

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 029

WHEREAS, Ibrahem Abdo-Abdelwahed is the owner of Neptune Township Taxi Medallion No. 029; and,

WHEREAS, he has notified the Taxi License Coordinator of the intent to sell and transfer ownership of said medallion to Mohamed Elgamal of Elgamal Transportation; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted for the transfer of Taxi Medallion License No. 029 to Mohamed Elgamal of Elgamal Transportation; and,

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

AUTHORIZE A FIREWORKS DISPLAY BY THE OCEAN GROVE CAMP MEETING ASSOCIATION ON THE OCEAN GROVE BEACH ON JULY 6, 2019

WHEREAS, the Ocean Grove Camp Meeting Association has requested permission to conduct a fireworks display on the Ocean Grove beach in celebration of the 150th anniversary of the founding of Ocean Grove; and,

WHEREAS, a municipality is required to authorize, by resolution, any fireworks display that is to take place within its municipal boundaries; and,

WHEREAS, the fireworks display will be conducted by Garden State Fireworks on Saturday, July 6, 2019 at 9:00 p.m. on the beach in Ocean Grove at the foot of Ocean Pathway/McClintock Street,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Ocean Grove Camp Meeting Association, through its pyrotechnic vendor Garden State Fireworks, to conduct a fireworks display on Saturday, July 6, 2019 commencing at 9:00 P.M. on the Ocean Grove beach at the foot of Ocean Pathway/McClintock Street; and,

BE IT FURTHER RESOLVED, that this authorization is contingent upon the Ocean Grove Camp Meeting Association obtaining the required approvals and permits from the Ocean Grove Fire Bureau; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Ocean Grove Fire Official and Ocean Grove Camp Meeting Association.

ACCEPT THE RESIGNATION OF DEACON MORREL MASSICOT AS A MEMBER OF THE RENT LEVELING BOARD

WHEREAS, the Rent Leveling Board Secretary has received letter of resignation from Deacon Morrel Massicot as a member of the Rent Leveling Board effective March 5, 2019,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Deacon Morrel Massicot as a member of the Rent Leveling Board is hereby accepted effective March 5, 2019; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Rent Leveling Board Secretary.

SUPPORT THE PROPOSED IMPROVEMENTS TO NJ ROUTE 66 TO INCLUDE BOTTLENECK REDUCTION, ROUNDABOUT, PEDESTRIAN ACCESSIBILITY, ROADWAY IMPROVEMENTS AND DRAINAGE BETWEEN JUMPING BROOK ROAD AND WAYSIDE ROAD IN THE TOWNSHIP OF NEPTUNE, COUNTY OF MONMOUTH

WHEREAS, the State of New Jersey, Department of Transportation (NJDOT) has finished concept phase for improvements to NJ Route 66, and is completing preliminary design phase to include bottleneck reduction, a roundabout, pedestrian accessibility, drainage and roadway improvements, from Jumping Brook Road to Wayside Road in the Township of Neptune; and,

WHEREAS, this section of NJ Route 66 has experienced a number of vehicular crash incidents; and,

WHEREAS, the proposed preliminary plans call for the construction of a four lane, divided highway with grass median along the entire length of the project; and,

WHEREAS, the proposed plan will serve to enhance traffic flow and both vehicular and pedestrian safety along NJ Route 66 while maintaining a left turn into the Home Depot Plaza on the south side of Route 66 and the construction of a five-leg roundabout at Wayside Road and Asbury Avenue; and,

WHEREAS, NJDOT has projected a schedule providing for concept design, engineering and bidding from 2015-2021, and construction activities from 2022-2023; and,

WHEREAS, the proposed improvements appear to serve the best interests, health, safety and welfare of the citizens of Neptune Township and Monmouth County;

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

1. The allegations of the preamble are incorporated herein by reference.
2. The Township Committee does hereby support the proposed improvements to NJ Route 66 as set forth in this Resolution and the Township Committee further urges the NJDOT to commence the project and to cause same to be completed with all due speed.
3. A certified copy of this Resolution shall be provided to the New Jersey Department of Transportation, and copies shall be sent to the County of Monmouth, Congressman Christopher Smith, and the 11th District Legislative Delegation.

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT

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,

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
1902	1C118	SWIDER	118 LOUISVILLE	2018	1,064.28
1402	3C0105	GESLIN	105 ALPINE TR	2018	992.47

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

AUTHORIZE THE CANCELLATION OF TAXES AS A RESULT OF THE GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION (26 HEATH DRIVE)

WHEREAS, the property known as Block 2603, Lot 40, with an address of 26 Heath Drive was granted a Totally Disabled Veteran Exemption as of December 14, 2018 and should be tax exempt; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against this property effective December 14, 2018 in accordance with N.J.S.A. 54:4-3.32; and,

WHEREAS, the amounts to be cancelled and refunded are as follows:

YEAR	AMOUNT TO CANCEL	AMOUNT TO REFUND
2018	\$ 306.00	\$ 305.99

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

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

ACCEPT THE RESIGNATION OF DENISE SUMMER AS A MEMBER OF THE ENVIRONMENTAL/ SHADE TREE COMMISSION

WHEREAS, the Environmental/Shade Tree Commission Secretary has received letter of resignation from Denise Summer as a member of the Environmental/Shade Tree Commission effective March 7, 2019,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Denise Summer as a member of the Environmental/Shade Tree Commission is hereby accepted effective March 7, 2019; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Environmental/Shade Tree Commission Secretary.

Mr. Williams asked if there will be a cost for Township services in connection with the fireworks display on the Ocean Grove beach. The Mayor stated that the Ocean Grove Camp Meeting Association has indicated that they will not be paying for additional police. Discussion ensued about the need for traffic control and security. Mr. Gadaleta indicated that if Township services are required that evening, the Township would have the option to bill the Camp Meeting Association for the cost. The Mayor will bring this concern to the Camp Meeting Association.

The resolutions of the Consent Agenda were adopted on the following vote: Lane, aye; McMillan, aye; Williams, aye, except abstain on the resolution to approve a fireworks display; and Rizzo, aye, except abstain on the resolution to approve a fireworks display.

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

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

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

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

WHEREAS, the Human Resources Director and Sewer Utility Supervisor have made their recommendation; 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 Sewer Utility 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 Scott Liddick for the position of Driver (Class A) in the Department of Public Works - Sewer Department, 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 March 18, 2019, at an annual salary of \$32,200.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Public Works Director, Sewer Utility Supervisor, 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; Williams, aye; and Rizzo, aye.

AUTHORIZE THE PAYMENT OF BILLS

Mr. McMillan offered the following resolution, moved and seconded by Mr. Lane, 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	1,193,816.84
GRANT FUND	32,734.54
TRUST FUND	78,742.06
GENERAL CAPITAL FUND	168,592.12
SEWER OPERATING FUND	21,029.30
SEWER CAPITAL FUND	21,545.76
MARINA OPERATING FUND	76,146.38
MARINA CAPITAL FUND	532,200.00
DOG TRUST	96.60
LIBRARY TRUST	109.62
BILL LIST TOTAL	\$2,125,013.22

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, except abstain on his reimbursement check; Williams, aye except abstain on his reimbursement check; and Rizzo, aye.

AUTHORIZE THE TOWNSHIP TO FINALIZE DISCIPLINE REGARDING CARINA SANTOS

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

WHEREAS, Carina Santos, Departmental Secretary, was working under the terms of a Last Chance Employment Agreement; and,

WHEREAS, on January 14, 2019, Carina Santos incurred an additional disciplinary infraction; and,

WHEREAS, in lieu of termination, the Township reclassified Carina Santos from the position of Departmental Secretary to Customer Service Representative; and,

WHEREAS, subsequent to that action it became known to the Township that Carina Santos falsified her 2006 employment application;

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that pursuant to the provisions of Chapter IX, Paragraph 9-1.3A of the Township Personnel Policy Carina Santos be and is hereby terminated from employment with the Township of Neptune effective March 11, 2019; and,

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

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

AUTHORIZE LEGAL MALPRACTICE LAWSUIT AND LEGAL REPRESENTATION BY THE LAW FIRM OF GRACE, MARMERO AND ASSOCIATES, LLP, AGAINST NITA RAVAL, ESQ.

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

WHEREAS, Nita Raval, Esq. of the Law Firm of Florio, Kenny & Raval, LLP represented Neptune Township in 2016 as Neptune Township's Labor Counsel; and

WHEREAS, as a result of the termination of employment of Krista Horan, it is alleged that negligent actions may have been taken by then Labor Counsel, Nita Raval, leading to claims by the Township's Insurance Carriers not to cover the matter of Krista Horan v. Neptune Township; and

WHEREAS, it would be in the best interest of the Township of Neptune that all potential and actual legal malpractice claims that may be determined to exist with regard to Nita Raval, Esq. be pursued by Neptune Township; 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, County of Monmouth and State of New Jersey, that the governing body hereby authorizes the Law Firm of Grace, Marmero and Associates, LLP to retain an expert who will determine the availability of an Affidavit of Merit in support of all potential or actual legal malpractice claims the Township may have against Nita Raval, Esq., and to pursue such claims pursuant to the letter proposal dated March 4, 2019, at an amount not to exceed \$30,000.00; and,

BE IT FURTHER RESOLVED, that the Township Committee authorizes the Mayor and Clerk to sign any Retainer Agreement arising from this action with the Law Firm of Grace, Marmero and Associates, LLP after review by the Township Attorney; and,

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

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Joyce Klein, 105 Mt. Hermon Way, stated that she is concerned about police coverage for traffic and crowd control during the fireworks display on the Ocean Grove beach. Police are needed regardless of who pays. Mr. Anthony stated the Township cannot provide free services to a private entity. Ms. Klein believes there should be police protection and the Ocean Grove Citizens Patrol can only provide traffic control. Mr. Anthony stated that the Township can bill the Camp Meeting Association if the police are called the night of the fireworks.

Hank Coakley, Valley Road, condemned the Governor's budget because it does not address the deficit in pensions. He stated that he attended the Tidelands seminar and will be checking about claims on his property. The State is incompetent in notifying the property owners about these claims and it is a detriment to those who live in Shark River Hills. Mr. Gadaleta stated that property that once had tidal water and being discovered to have a DEP tidal claim. The cost is about \$5,000 to purchase the claim, but if the title company did not pick up on the claim, the title company is responsible to cover the cost of the claim. This is happening everywhere in the state where tidal waters once flowed.

Dorothy Argyros, 2100 Rutherford Avenue, stated that she is happy Colin Kapernick beat the NFL and settled for a lot of money. She read an article in Time Magazine and an editorial from the Asbury Park Press about getting rid of bad cops. She stated the need for a process to get rid of rogue cops.

Kennedy Buckley, Broadway, stated it was good to see Assemblyman Eric Houghtaling and Mr. Lane in the front of the Asbury Park parade. In reference to the fireworks, the Ocean Grove Citizen Patrol's (OGCP) insurance does not cover any member once they get out of the car. Mayor Rizzo will discuss the matter with the Camp Meeting Association. Mr. Gadaleta added that OGCP members and crossing guards are not permitted to direct traffic.

Jack Bredin, 94 ½ Heck Avenue, stated that lakes should not collect storm water runoff. The same tidelands rules apply today as they did when we were a colony of England. He noted that the tidelands rules apply to the lakes Asbury Park has hundreds of parking spots along Wesley Lake. The change to the name of Wesley Lake to Wesley Detention/Retention Basin was the result of the towns realizing that they do not own the lake, the State owns the lake. He asked if the Township has a grant from the state for Wesley Lake. Mr. Anthony and Mr. Gadaleta indicated that they do not know if the Township has a grant.

Richard Williams, Abbott Avenue, stated that Mr. Bredin's question about ownership of the lake merits an official answer. He asked if the Township has an official position on electric cars in Ocean Grove. Mr. Gadaleta stated that are few driveways in Ocean Grove and a charging station would have to be placed adjacent to the roadway on Camp Meeting Association property. These are issues that would require further research.

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

Richard J. Cuttrell,
Municipal Clerk