

## TOWNSHIP COMMITTEE MEETING – MARCH 12, 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: 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.

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:

The Committee reviewed a request from Fire District #1 for an increase in annual salary for the five Fire Commissioners from \$3,500 to \$5,000. State statute requires municipal governing body approval of salary increases for Fire Commissioners. The Mayor stated that the increase is in the voter approved budget and there has not been a change in salary since 2006. Ms. Rizzo stated that she was in favor since the increase is in the Fire District budget and the voters approved it. The Committee asked that a resolution be placed on the next meeting to approve the salary increase.

Ms. Rizzo stated that she would like to add high school students to the Green Team. Mr. McMillan stated that we had a High School Green Team and are looking to reactive the group. The Mayor stated that additional members can be added to the Township's Green Team.

Ms. Rizzo asked for more information on the Loaner Agreement resolution with the County. Mr. Gadaleta stated that this is a Township employee who was moved to the County when they took over 9-1-1 dispatching. The Agreement extends this arrangement whereby the County is paying the Township the cost of the employee's salary.

Ms. Rizzo asked for discussion on the proposed plan for shuttle bus service in Ocean Grove to provide access to off-site parking. The Mayor stated that at the last Township meeting, someone asked about the shuttle. Since the Committee is looking for ways to improve the parking situation, the Mayor asked Mr. Gadaleta to put some information together on the shuttle. Ms. Rizzo stated the parking professional from the Parking Task Force indicated that the shuttle was not a good idea. The Mayor stated that this shuttle proposal is just an idea. It would use the Senior Center bus to shuttle visitors to the midtown school parking lot. Mr. Gadaleta stated there is nothing in the budget specifically dedicated to the shuttle program. He added that he discussed the idea of valet parking with the Chamber of Commerce as a project then could look into. The Inskip Avenue lot would be used for parking. Ms. Rizzo replied that the Camp Meeting Association is against the use of the Inskip Avenue lot for parking.

## 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:

Personnel/Litigation – Labor Attorney to provide update on litigation and Police Committee matters

Personnel – Vacancy on Wesley Lake Commission

Personnel – Recommendation for Code Inspector position

Contract negotiations – RFP for vacant and abandoned property services.

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

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

The Committee reviewed a recommendation to reclassify a Customer Service Representative to the position of Code Inspector. Ms. Rizzo expressed concern at the lack of female applicants and asked that future job postings encourage women and minorities to apply. The Committee asked that the resolution to approve the reclassification be placed on the next regular meeting.

The Committee will not take action on the proposal for vacant and abandoned property services. The process is functioning well currently and they are not in favor of increasing the registration fees.

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

Mr. Lane offered a motion, seconded by Ms. Rizzo, to approve the minutes of the meeting held on February 12th. All were in favor except Mr. McMillan and Dr. Brantley who abstained due to their absence at that meeting.

Mr. Lane offered a motion, seconded by Dr. Brantley, to approve the minutes of the meeting held on February 26th. All were in favor except Mr. McMillan and Ms. Rizzo who abstained due to their absence at that meeting.

#### COMMENTS FROM THE DAIS

Dr. Brantley stated that the Redevelopment Committee met with the Redevelopment Attorney and got an overview of redeveloper's interest in West Lake and North Channel. He attended an Irish/American Dinner where Mayor Williams was honored. The St. Patrick's Day parade in Belmar was great, but cold. He and the Mayor were nominated by the Neptune Democratic organization to run for re-election to the Township Committee.

Mr. McMillan offered prayers for Pam Howard, Deputy Municipal Clerk, whose brother passed away last week. He attended an Economic Development meeting in Ocean Grove where valet parking was discussed. On the League Legislative Committee, he approved equal pay for women legislation. He attended a Black History Month program at Green Grove School and marched in the Belmar parade. Finally, he met with people at the homeless encampment behind

Shop-Rite to distribute shoes. One of the individuals is looking into a multi-family housing situation for the group.

Mr. Lane attended the St. Patricks Day parade and the dinner at which the Mayor was honored. There were 4,349 diapers collected in the Diaper Drive in February. There are tickets available to the Veterans Park Committee dinner/dance at the American Legion. Mr. Lane presented an award to Ryan Ugrovics, Senior Center employee who helped assist a homebound client after a medical episode.

Ms. Rizzo provided an update on the recent issue with a church being placed back on the tax roles. Rev. Wright had until October to get the roof on the church to regain the tax exempt status. We are not able to make the bill for 2017 taxes go away, but there will not be any taxes accruing in 2018 because the church has regained tax exempt status. She notified all that the state now has a state income tax exemption on up to \$3,000 in income for veterans and the \$250 property tax credit remains. Anyone seeking help with tax forms should contact the Senior Center or library.

Mayor Williams marched in the Belmar parade. He congratulated the Neptune High School band who did a great job at the parade. The Redevelopment Committee is pushing redevelopment and has met with multiple developers with interest in four Township redevelopment zones. They are coming back with drawings and show genuine interest.

#### PUBLIC COMMENTS ON RESOLUTIONS

Dorothy Argyros, 2100 Rutherford Avenue, stated that punitive damages are appropriate in the case listed in the two resolutions this evening because Chief Hunt and Mr. Bascom were in charge when a police officer murdered his wife and are non-responsive to complaints from female officers. If the case is settled, the taxpayer gets stuck with the bill. Mr. Anthony stated that we never get to a punitive damage trial. The insurance carrier represents the Township in the compensatory trial and makes the recommendation on how to proceed.

Dianna Harris, 17 Willow Drive, asked for information on the Green Team. Mr. McMillan stated this is in reference to Sustainable NJ which looks at ways to protect the environment and get credits for actions that the Township has already taken as well as grant opportunities. Ms. Harris for more information on the recording equipment being purchased. Mr. Gadaleta stated that this is upgraded equipment to record phone and radio communications in the Police Department.

#### ORDINANCE NO. 18-04 - ADOPTED

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

##### ORDINANCE NO. 18-04

##### 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 MAIN 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. 18-05 - ADOPTED

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

##### ORDINANCE NO. 18-05

##### BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A SKATE PARK AT THE SUNSHINE VILLAGE FIELDS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$360,000 THEREFOR (INCLUDING \$165,000 MONMOUTH COUNTY OPEN SPACE PROGRAM GRANT) AND AUTHORIZING THE ISSUANCE OF

**\$185,250 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE  
PART OF THE COST THEREOF**

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. 18-06 - ADOPTED**

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

**ORDINANCE NO. 18-06**

**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO  
JUMPING BROOK ROAD, BY AND IN THE TOWNSHIP OF  
NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW  
JERSEY; APPROPRIATING \$1,200,000 THEREFOR (INCLUDING  
\$887,000 NJDOT TRANSPORTATION TRUST FUND GRANT) AND  
AUTHORIZING THE ISSUANCE OF \$313,000 BONDS OR NOTES  
OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**

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

Tim Bauman, 15 Jumping Brook Road, asked for information about the project. Mr. Gadaleta stated that the project is from Route 33 to Route 66. It does not include paving of the entire length but in some areas. There will be some curbing, sidewalks and ADA accessibility. There is no additional lighting proposed. Mr. Bauman stated he has a storm water problem on the road in front of his home. Mr. Gadaleta stated that will be addressed.

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. 18-07 - ADOPTED**

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

**ORDINANCE NO. 18-07**

**BOND ORDINANCE PROVIDING FOR VARIOUS SEWER UTILITY  
IMPROVEMENTS TO HECK AVENUE AND THE TREMONT PUMP  
STATION, BY THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF  
MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING  
\$1,400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF  
\$1,330,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE  
PART OF THE COST THEREOF**

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. 18-08 - ADOPTED**

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

**ORDINANCE NO. 18-08**

**AN ORDINANCE AUTHORIZING TRANSFER AND ACCEPTANCE  
OF TITLE TO BLOCK 5305, LOT 1 TO THE TOWNSHIP OF  
NEPTUNE**

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. 18-09 - ADOPTED**

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

**ORDINANCE NO. 18-09**

**AN ORDINANCE AUTHORIZING TRANSFER AND ACCEPTANCE  
OF TITLE TO BLOCK 611, LOT 40; 1710 WEST LAKE AVENUE,  
NEPTUNE TOWNSHIP TO THE TOWNSHIP OF NEPTUNE**

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

Dorothy Argyros, 2100 Rutherford Avenue, asked if the Township will be developing this property and if this purchase is a way of getting around eminent domain. Mr. Gadaleta stated that the Township is not developing the property, but is acquiring the property to sell it to a developer. Mr. Anthony stated that the property was sold at market price to a willing buyer and is not eminent domain.

Dianna Harris, 17 Willow Drive, stated that she is glad about the purchase, but has the condition of the house been considered. Mr. Gadaleta stated that the property was appraised and the Township is now looking at the ability to move it to another location for affordable housing. The next step is to consider the condition of the house and cost of either demolition or relocation.

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.

**CONSENT AGENDA**

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

**AUTHORIZE THE ENDORSEMENT OF THE TAX SALE CERTIFICATE AFFECTING BLOCK  
1206, LOT 1 (1910 6<sup>TH</sup> AVENUE)**

WHEREAS, all the taxes, costs and interest have been paid on the Tax Title Lien Certificate affecting the property listed below,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and they are hereby authorized to endorse for cancellation the Tax Title Lien Certificate affecting Block 1206, Lot 1 (1910 6<sup>th</sup> Avenue); and,

BE IT FURTHER RESOLVED, that a copy of this resolution and the endorsed Tax Sale Certificate be forwarded to the Tax Collector.

**AUTHORIZE CHANGE ORDER #1 (FINAL) IN CONNECTION WITH THE CENTRAL AVENUE  
ROAD IMPROVEMENT PROJECT**

WHEREAS, on June 27, 2016, the Township Committee adopted Resolution #16-304, as amended by Resolution #16-328 on July 25, 2016, which awarded the bid for the Central Avenue Road Improvement Project to Lucas Construction in the amount of \$448,448.00; and

WHEREAS, changes to the contract has been experienced as a result of additional blocking and bleeding of the pipes as well as final as built quantities; and,

WHEREAS, these changes has been approved by the Township Engineer; and,

WHEREAS, funds for this purpose are available in Ordinance No. 17-21 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 Mayor and Clerk be and are hereby authorized to execute Change Order #1 (final) in the contract with Lucas Construction in connection with the Central Avenue Road Improvement Project resulting in a net increase of \$1,487.48 revising the total contract amount to \$449,935.48; and,

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

#### APPOINT MEMBER TO THE NEPTUNE TOWNSHIP HOUSING AUTHORITY

BE IT FURTHER RESOLVED, that the Township Committee hereby appoints Rev. John Wright to the Neptune Township Housing Authority for a five year term expiring March 31, 2023; and,

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

#### ESTABLISH A GREEN TEAM ADVISORY COMMITTEE

WHEREAS, the Township Committee of the Township of Neptune strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

WHEREAS, the Township Committee of the Township of Neptune wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on "Green" issues, the Township Committee wishes to establish a Green Team Advisory Committee (GTAC); and

WHEREAS, the Township Committee of the Township of Neptune wants to begin the process of focusing on "Green" issues by starting with audits of municipality facilities and operations first.

WHEREAS, the Township Committee of the Township of Neptune will appropriate funds to begin the process of making its operations greener, and more environmentally friendly beginning with energy audits of the Township's facilities to pinpoint the most effective ways to reduce energy consumption; and

WHEREAS, solar power, changes to fleet purchasing and maintenance, water quality improvements, and operational changes will all be considered as the Township moves to do their share to lessen the environmental impact of its operations,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that we do hereby establish a Green Team Advisory Committee consisting of eleven members who shall be residents or employees of Neptune Township, appointed annually, but whose initial term of appointment shall be through December 31, 2018; and,

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Neptune that the Mission, Goals and Objectives for the GTAC through December 31, 2018 are established as follows:

#### **MISSION**

The Neptune Township Green Team Advisory Committee will advise the Township Committee on ways to improve municipal operations with "Green" initiatives which are economically and environmentally sound through research and evaluation.

#### **GOALS**

Submit a report and recommendations to the Township Committee to include:

1. An audit of municipal facilities
2. An evaluation of municipal fleet vehicles
3. A report of suggested best practices for “greener” municipal operations

## **OBJECTIVES**

1. Collaborate with township employees, service providers and other governmental agencies to share resource information and ideas consistent with the Mission of the GTAC.
2. Encourage participation of all employees to solicit ideas on green initiatives.
3. Research and analyze green initiatives which make practical environmental and financial sense.
4. Develop strategies for sustainable green initiatives in municipal operations.

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Neptune that the following persons are hereby appointed to the GTAC for 2018, and are eligible to serve until replaced though an updated resolution:

Nicholas Williams	Mayor
Kevin McMillan	Township Committee Member
Vito Gadaleta	Business Administrator
Leanne Hoffmann	Engineer/Planner
Sean Areia	Assistant Engineer
Mark Balzarano	Superintendent of Public Works
Donald Frangipane	Board of Education
Christopher Bedrosian	Environmental Shade Tree Commission
Pamela Valentine	Citizen Representative
Richard Allen	Citizen Representative

BE IT FURTHER RESOLVED, that a certified copy of this resolution be provided to the persons appointed herein.

## **APPOINT MEMBER TO THE OCEAN GROVE SEWERAGE AUTHORITY**

WHEREAS, on January 1, 2018, the Township Committee adopted a resolution to appoint Nancy Clarke to the Ocean Grove Sewerage Authority; and,

WHEREAS, Nancy Clarke has respectfully declined the appointment,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Denise Liguorie be and is hereby appointed to the Ocean Grove Sewerage Authority for a term of five years expiring January 31, 2023; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Ocean Grove Sewerage Authority.

## **AUTHORIZE CHANGE ORDER #2 IN CONNECTION WITH LAKE ALBERTA DREDGING AND DRAINAGE IMPROVEMENTS**

WHEREAS, on August 14, 2017, a contract was awarded to Precise Construction, Inc. in the amount of \$735,625.00 in connection with Lake Alberta dredging and drainage improvements; and,

WHEREAS, on December 11, 2017, the Township Committee adopted Resolution #17-477, to authorize Change Order #1 which increased the contract amount by \$40,470.00; and,

WHEREAS, a change to the contract has been experienced as a result of replacing a fifteen inch sluice valve at the east end of the lake to provide another way to drain the lake in the event of a storm; and,

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

WHEREAS, funds for this purpose are available in Ordinance No. 15-07 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #2 in the contract with Precise Construction, Inc. in connection with Lake Alberta dredging and drainage improvements resulting in a net increase of \$22,900.00 revising the total contract amount to \$798,995.00; and,

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

PLACE LIEN ON 604 RIDGE AVENUE

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,

BLOCK/LOT	ADDRESS	AMOUNT
415/30	604 Ridge Avenue	748.47

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 EXECUTION OF A LOANER AGREEMENT WITH THE COUNTY OF MONMOUTH AND THE MONMOUTH COUNTY SHERIFF'S OFFICE

WHEREAS, the County and Township previously entered into a shared service agreement for the County to provide emergency response communication services to the Municipality; and,

WHEREAS, to assist with the transition of the provision of said services from the Township to the County so as to address unique issues, the Township requested that the County utilize the services of a Township trained Public Safety Telecommunicator ("PST"); and,

WHEREAS, the Monmouth County Sheriff's Office, Communications Division has determined that there is a present need for a PST to assist with call-taking and emergency dispatch services; and,

WHEREAS, the Township of Neptune will provide the County with a Township trained PST to assist with the unique transitional issues as requested by the Township; and

WHEREAS, the Township trained PST will gain invaluable experience working with a larger organizational unit and dispatch center while simultaneously increasing the manpower of the County dispatch center,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Loaner Agreement with the County of Monmouth and the Monmouth County Sheriff's Officer to allow for the assignment of a Township trained PST to the Monmouth County Sheriff's Office through December 31, 2021; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Police Committee and Regina Jackson.

APPROVE SELECTION OF LEGAL COUNSEL TO REPRESENT POLICE CHIEF JAMES M. HUNT, JR. IN LAWSUIT FOR PUNITIVE DAMAGES (DOCKET NO. L-MON-685-18)

WHEREAS, James M. Hunt, Jr., Chief of Police, has been named as a Defendant in the matter of Christine Savage and Kyheem Davis v. Neptune Township, Neptune Township Police Department, James M. Hunt, Jr. and Michael J. Bascom (Docket No. L-MON-685-18) and has requested legal counsel in regards to the claims for punitive damages; and,

WHEREAS, the Township Committee must approve the selection of counsel and will reimburse said official for legal fees incurred for personal counsel for lawsuits for punitive damages pursuant to N.J.S.A. 40A:14-155; and,

WHEREAS, the Township's reimbursement will be limited to a rate per hour not to exceed the current hourly rate of the Township Attorney, the Township reserves the right to limit the total expenditure to a reasonable cost and the Township reserves the right to not reimburse for legal fees and costs should an officer be held liable for punitive damages; and,

WHEREAS, funds for this purpose will be provided for the first three months of 2018 in the 2018 Temporary Budget and funds for the balance of 2018 will be provided in the Budget for the year 2018 in the appropriation entitled Legal Services O.E., and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted to Police Chief James M. Hunt, Jr. to retain Joseph Maddaloni, Jr. of the Law Firm of Schenck, Price, Smith & King, LLP, as legal counsel for the claim of punitive damages in the matter of Christine Savage and Kyheem Davis v. James M. Hunt, Jr. (Docket No. L-MON-685-18) at an amount not to exceed \$2,500.00; and,

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

APPROVE SELECTION OF LEGAL COUNSEL TO REPRESENT MICHAEL J. BASCOM IN LAWSUIT FOR PUNITIVE DAMAGES (DOCKET NO. L-MON-685-18)

WHEREAS, Michael J. Bascom has been named as a Defendant in the matter of Christine Savage and Kyheem Davis v. Neptune Township, Neptune Township Police Department, James M. Hunt, Jr. and Michael J. Bascom (Docket No. L-MON-685-18) and has requested legal counsel in regards to the claims for punitive damages; and,

WHEREAS, the Township Committee must approve the selection of counsel and will reimburse said official for legal fees incurred for personal counsel for lawsuits for punitive damages pursuant to N.J.S.A. 40A:14-155; and,

WHEREAS, the Township's reimbursement will be limited to a rate per hour not to exceed the current hourly rate of the Township Attorney, the Township reserves the right to limit the total expenditure to a reasonable cost and the Township reserves the right to not reimburse for legal fees and costs should an officer be held liable for punitive damages; and,

WHEREAS, funds for this purpose will be provided for the first three months of 2018 in the 2018 Temporary Budget and funds for the balance of 2018 will be provided in the Budget for the year 2018 in the appropriation entitled Legal Services O.E., and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted to Michael J. Bascom to retain Joseph Maddaloni, Jr. of the Law Firm of Schenck, Price, Smith & King, LLP, as legal counsel for the claim of punitive damages in the matter of Christine Savage and Kyheem Davis v. Michael J. Bascom (Docket No. L-MON-685-18) at an amount not to exceed \$2,500.00; and,

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

AMEND THE SALARY OF BLAKE AHERN DUE TO AWARD OF PROFESSIONAL CERTIFICATION

WHEREAS, the Township Committee continues to encourage its employees to attend classes and seminars and obtain certifications in their respective field of study; and,

WHEREAS, the Township Committee awards an additional \$1,000 in annual compensation to any employee obtaining a specified certification in an area related to their specific job classification; and,

WHEREAS, Blake Ahern, Public Works Driver, has earned the designation of Licensed Commercial Pesticide Applicator; and,

WHEREAS, funds for this purpose will be provided for the first three months of 2018 in the 2018 Temporary Budget and funds for the balance of 2018 will be provided in the Budget for the year 2018 in the appropriation entitled Streets & Roads S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Blake Ahern shall receive an additional \$1,000.00 in annual salary effective March 16, 2018 for receiving the designation of Licensed Commercial Pesticide Applicator; 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., Human Resources Director and Blake Ahern.

**EMPLOY SPECIAL LAW ENFORCEMENT OFFICERS – 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 will be provided for the first three months of 2018 in the 2018 Temporary Budget and funds for the balance of 2018 will be provided in the Budget for the year 2018 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 Jaheem Woods and Bryan Jones, Jr. be and are hereby employed as part-time Special Law Enforcement Officers - 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.

**AUTHORIZE STAND-BY DUTY PAYMENT TO OFFICE OF EMERGENCY MANAGEMENT PERSONNEL**

WHEREAS, volunteer personnel in the Office of Emergency Management were placed on stand-by duty as a result of the high winds and snow on March 7th and 8th; and,

WHEREAS, overtime payment at the rate of \$14.00 per hour is authorized by resolution of the Township Committee to be paid to said personnel in the event of a long duration situation such as storm or disaster which requires readiness and staffing; and,

WHEREAS, funds will be provided for the first three months of 2018 in the 2018 Temporary Budget and funds for the balance of 2018 will be provided in the Budget for the year 2018 in the appropriation entitled Office of Emergency Management S&W, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that stand-by duty payment at the rate of \$14.00 per hour be and is hereby authorized to the following Office of Emergency Management staff for the hours indicated as a result of the storm on March 7 & 8, 2018:

Jose Perez – 12 hours  
Anthony Cerniglia – 12 hours  
Jeffrey Devlin - 12 hours

Total hours – 36  
Total cost - \$504.00

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

AUTHORIZE THE PURCHASE AND INSTALLATION OF A RECORDING SYSTEM THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Police Department has recommended the purchase and installation of a new recording system, including training, licenses and extended warranty, 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, Kova Corp. has been awarded New Jersey State Contract No. 83906 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 \$22,481.71; and,

WHEREAS, funds for this purpose are available from Ordinance No. 16-27 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 and installation of a new recording system, including training, licenses and extended warranty for the Police Department through New Jersey Cooperative Purchasing Program Contract No. 83906 be and is hereby authorized at an amount not to exceed \$22,481.71; 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.

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, the Recreation Director has recommended that the Camp Director be employed at the present time to assist with the interview process for the Role Models; and,

WHEREAS, funds for this purpose will be provided for the first three months of 2018 in the 2018 Temporary Budget and funds for the balance of 2018 will be provided in the Budget for the year 2018 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 Kaitlyn Oates be and is hereby employed in the Neptune Summer Recreation Program as Camp Director effective March 13, 2018 through August 30, 2018, at \$15.00 per hour, for 6.5 hours a day/maximum of 40 days; and,

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

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

The Mayor announced the following appointment to the Board of Library Trustees:

Bridget James for an unexpired five year term

#### CONFIRM MAYOR'S APPOINTMENT TO THE BOARD OF LIBRARY TRUSTEES

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

WHEREAS, due to the passing of Michael Palermo, a vacancy exists on the Board of Library Trustees,

THEREFORE, BE IT RESOLVED, that the Township Committee hereby confirms the Mayor's appointment of Bridget James to the Board of Library Trustees for an unexpired five year term expiring December 31, 2020; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Library Director.

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

#### INTRODUCE 2018 MUNICIPAL BUDGET

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

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2018; and,

BE IT FURTHER RESOLVED, that said Budget be published in The Coaster in the issue of March 22nd, 2018,

##### General Appropriations

Appropriations within "CAPS"	\$34,525,683.00
Appropriations excluded from "CAPS"	\$7,781,354.52
Reserve for Uncollected Taxes	\$2,200,000.00
Total General Appropriations	\$44,507,037.52

##### General Revenues

Anticipated Revenues Other Than Current Property Tax	\$13,518,399.66
Local Tax for Municipal Purposes	\$29,638,868.70
Minimum Library Tax	\$1,349,769.16
Total General Revenues	\$44,507,037.52

Notice is hereby given that the Budget and Tax Resolution was approved by the Township Committee of the Township of Neptune, County of Monmouth, on March 12, 2018. A hearing on the Budget and Tax Resolution will be held at the Neptune Township Municipal Complex, Township Meeting Room, 2<sup>nd</sup> Floor, 25 Neptune Blvd., Neptune NJ on April 9, 2018 at 7:00 P.M. at which time and place objections to said Budget and Tax Resolution for the year 2018 may be presented by taxpayers or other interested persons.

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

#### AUTHORIZE THE PAYMENT OF BILLS

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

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the

following bills be paid if properly certified:

CURRENT FUND	468,119.04
GRANT FUND	1,224.60
TRUST FUND	995.00
GENERAL CAPITAL FUND	37,801.12
SEWER OPERATING FUND	43,200.68
SEWER CAPITAL FUND	6,750.00
MARINA OPERATING FUND	8,820.91
MARINA CAPITAL FUND	8,477.84
LIBRARY TRUST	1,896.26
 BILL LIST TOTAL	 \$577,285.45

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**

Noel & Ronald Clark, 107 Monmouth Avenue, stated that there is a lot of speeding on their road and it is only getting worse. The Mayor asked Sgt. Washington, who was present at the meeting, to follow up on this matter.

Tim Bauman, 15 Jumping Brook Road, asked if the Township has an ordinance regarding high intensity LED lighting intruding on a neighbor. Mr. Gadaleta responded yes and advised Mr. Bauman to contact the Engineering Department. Mr. Bauman stated that Jumping Brook Apartments has installed new lighting at the top of their buildings that casts light on his property.

Joyce Klein, 105 Mt. Hermon Way, stated that she missed the workshop discussion regarding the Ocean Grove shuttle. She applauds the Committee for trying to do something, but the Township should hire a traffic expert first before anything is done because an expert would be better able to determine what would work. The Mayor stated that someone approached him with the idea and he asked Mr. Gadaleta to preliminarily look into the matter. We would use Township buses and the Board of Education parking lot. Ms. Klein suggested that the Township ask the Camp Meeting Association for guidance since they attempted this before.

Nancy Clarke, 47 Embury Avenue, asked for any updates on the North End redevelopment. Mr. Gadaleta stated that the new Redevelopment Attorney has the files. He is in the process of setting up a meeting with WAVE and will share any new information. Ms. Clarke stated it would be helpful to have a professional to have input on the Ocean Grove parking because they can help make some initiatives more successful.

Dorothy Argyros, 2100 Rutherford Avenue, stated that the Committee tabled a resolution to oppose offshore drilling at the last meeting. She asked if the matter will come up again. The Mayor stated that there was not an opportunity to discuss it with the entire Township Committee and the Committee will look at it in the future. Ms. Argyros asked the Committee to be wary of bail-ins which will allow banks to into your personal accounts and take your money in the event of the next financial downturn. The government will save the rich and the bankers, not the people.

Jack Bredin, 94 ½ Heck Avenue, stated that the Committee should have the Redevelopment Attorney present at these meetings. Anyone can find the zoning on any property in any town in the State so you do not need to meet with developers. They can find out what is needed by looking at the Master Plan and the zoning ordinance. Wesley Lake and Fletcher Lake are not included in the

list of municipal facilities. The Township has to clear that the lakes are either on the Roster of Open Space Inventory or a municipal facility, they can't be both.

Dianna Harris, 17 Willow Drive, asked for information on the polling place changes that have occurred in Neptune. Mr. Cuttrell explained that four polling districts will have changes. Postcards will be mailed to each registered voter in the affected districts and signs will be placed on the old polling places to notify voters of the change. Ms. Harris asked if the senior tax freeze was also available in Neptune Township. Ms. Rizzo responded that is available in Neptune along with the new veterans deductions.

Reverend Edmund Lee, stated that there is still one property not owned by the Township in within the one block of properties in the West Lake Avenue Redevelopment Zone. He added that towns along the coast should oppose offshore drilling. The Mayor stated that he wants to present that to the full governing body and believes the matter will resurface in the future.

Richard Williams, 1 Abbott Avenue, asked if the Township has a vision for the redevelopment areas or are developers saying what should be done. The Mayor responded that the Redevelopment Plan dictates what can be done. Redevelopment is based on what the Township wants, not what the Redeveloper wants. Mr. Gadaleta stated that all of the redevelopment plans are on the Township web site. Mr. Anthony stated that the Redevelopment Attorney negotiates the Redevelopment Agreement which includes safeguards to protect the Township. Mr. Gadaleta added that the Township is looking at redevelopment corridors by block within the zones so that both sides of the street are done at the same time.

Elizabeth Markulin, 112 Cardinal Road, asked Mr. McMillan to repeat what he said earlier about his visit to the homeless encampment. Mr. McMillan repeated that he delivered shoes and one of the people who lives there is looking at a multi-family dwelling where they all can live.

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

Richard J. Cuttrell,  
Municipal Clerk