

TOWNSHIP COMMITTEE MEETING – JANUARY 22, 2018

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

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

Mayor Williams announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press and The Coaster on January 4, 2018, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

The following items were discussed in open session:

Mr. Gadaleta stated there is a resolution on the regular meeting agenda to donate a 15 year old Chevy Impala to the Ocean Grove Citizens Patrol. Ms. Rizzo stated the OGCP will happily accept the donation and take an older car in much poorer condition off line.

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

Mr. McMillan offered the following resolution, moved and seconded by Ms. Rizzo, 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:

Real Estate negotiations – Former VFW property on Corlies Avenue

Potential Litigation – Fabio Court

Personnel – Labor Counsel present to discuss personnel matters

Personnel – Recommendation for position of Records Clerk

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, absent; 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 for hiring a Records Clerk and took action by resolution during the regular meeting.

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.

APPROVAL OF MINUTES

Mr. Lane offered a motion, seconded by Mr. McMillan, to approve the minutes of the meetings held on January 1st and January 8th. All were in favor, with the exception of Ms. Rizzo who abstained on the January 8th meeting.

COMMENTS FROM THE DAIS

Dr. Brantley attended receptions for Governor Murphy and has been communicating with people in the new administration to do beneficial things for Neptune. He attended a meeting with the Schoolhouse Square developers and it looks like this project will be completed.

Mr. McMillan attended the 29th annual Martin Luther King, Jr. commemorative breakfast with Assemblyman Houghtaling and Assemblywoman Downey. He then attended a Martin Luther King Jr. event with Congressman Pallone hosted by the Central Jersey Club Negro Business and Professional Women.

Mr. Lane stated that Vinny Curry, who grew up in Neptune and attended Neptune High School, will be playing in the Super Bowl for the Philadelphia Eagles. He read a letter from a resident complimenting the staff of the Senior Center. Mr. Lane is doing a diaper drive through the end of February for the Jersey Shore Dream Center. They gave out 72,000 diapers last year and supplies are running low.

Ms. Rizzo stated that the deadline for property assessment appeals has now passed. 245 appeals were filed. The homestead rebate filing period has started and help is available for this as well as the senior tax freeze application.

The Mayor stated that he attended the inauguration of Governor Murphy and was then stricken with bronchitis. He is filling better now.

PUBLIC COMMENTS ON RESOLUTIONS

Dorothy Argyros, 2100 Rutherford Avenue, spoke in reference to the additional expenditure being authorized to Chief Hunt and Michael Bascom for representation in lawsuits. She stated this is an on-going problem. Officer Davis' issue was a violation of his civil rights and Officers Savage and Gonzalez were being harassed. Hunt and Bascom are being sued for things they should not have been doing and which is not in their job description. She asked why the Township should pay for their defense. Mr. Anthony stated that the claim in the complaint is for punitive damages. Attorneys throw claims into lawsuits automatically and not necessarily with evidence. The Township does not settle punitive damage cases. If the employee is found guilty, the employee has to pay the damages.

ORDINANCE NO. 18-01 - ADOPTED

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

ORDINANCE NO. 18-01

AN ORDINANCE TO AMEND VOLUME I, CHAPTER II, SECTION 2-61 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A FEE FOR BID PLANS AND SPECIFICATIONS FROM THE ENGINEERING DEPARTMENT

The Mayor requested comments on the above ordinance. There being no comments, he

closed the public hearing.

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

ORDINANCE NO. 18-02 - APPROVED

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

ORDINANCE NO. 18-02

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

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

Mr. Cuttrell stated that the Public Hearing on Ordinance No. 18-02 will be held on Monday, February 12, 2018.

CONSENT AGENDA

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

RENEW LIQUOR LICENSE HELD BY ROS ASSOCIATES, LLC

WHEREAS, ROS Associates, LLC is the holder of a retail consumption liquor license that is inactive; and,

WHEREAS, in accordance with State law, ROS Associates, LLC. has petitioned the State of New Jersey Division of Alcoholic Beverage Control to permit the renewal of said inactive license; and,

WHEREAS, the Division of A.B.C. has issued a special ruling, dated December 27, 2017, to authorize the Township of Neptune to consider the application for liquor license renewal filed by ROS Associates, LLC, the holder of an inactive license #1334-32-002-005; and,

WHEREAS, ROS Associates, LLC has applied for renewal of said license for the 2017-2018 license year to continue in in-pocket status,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Liquor License #1334-32-002-005 issued to ROS Associates, LLC be and is hereby renewed for the 2017-2018 licensing year; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control and the License Holder.

AUTHORIZE CHANGE ORDER #1 (FINAL) IN CONNECTION WITH IMPROVEMENTS TO 10TH AVENUE

WHEREAS, a contract was awarded to Black Rock Enterprises, LLC in the amount of \$462,261.22 in connection with Improvements to 10th Avenue; and,

WHEREAS, changes to the contract has been experienced as a result of final as-built quantities; and,

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

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 Black Rock Enterprises, LLC in connection with Improvements to 10th Avenue resulting in a net decrease of \$46,973.29 revising the total contract amount to \$415,287.93; 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.

ACCEPT THE RESIGNATION OF JONATHAN FUNEZ AS A POLICE OFFICER IN THE POLICE DEPARTMENT

WHEREAS, the Chief of Police has received a letter from Jonathan Funez resigning as a Police Officer in the Police Department effective January 16, 2018,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Jonathan Funez as a Police Officer is hereby accepted effective January 16, 2018; and,

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

AUTHORIZE A PERSON TO PERSON TRANSFER OF THE LIQUOR LICENSE PRESENTLY ISSUED TO MCRS NEPTUNE TENANT, LLC T/A RESIDENCE INN

WHEREAS, One NJ Neptune 230 Management, LLC has applied for a person-to-person transfer of Plenary Retail Consumption (Hotel/Motel Exception) License # 1334-36-037-001 which is presently issued to MCRS Neptune Tenant, LLC t/a Residence Inn for premises at 230 Jumping Brook Road, Neptune, NJ; and,

WHEREAS, the application is complete in all respects; and,

WHEREAS, the required Affidavit of the source of funds of said liquor license has been filed by the applicant for the transfer and examined by the members of the Township Committee; and,

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey statutes, the regulations promulgated thereunder as well as the pertinent local ordinances and conditions imposed consistent with Title 33; and,

WHEREAS, all transfer procedures as outlined by state statute and local ordinances have been completed satisfactorily,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the person-to-person transfer of Plenary Retail Consumption License #1334-36-037-001 as stated herein to One NJ Neptune 230 Management, LLC t/a Residence Inn effective January 23, 2018; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the New Jersey Division of ABC, the Chief of Police and the Applicant.

AUTHORIZE THE RELEASE OF A PERFORMANCE BOND FILED BY PETRO REALTY, LLC FOR SITE IMPROVEMENTS AT THE MOBIL STATION LOCATED AT 3330 ROUTE 66

WHEREAS, on March 18, 2015, Petro Realty, LLC filed performance bond B1152861, written by Selective Insurance Company of America in the amount of \$25,920.00, guaranteeing site improvements at the Mobil Station on Route 66 (formerly Block 9025, Lot 54.01); and,

WHEREAS, the Township Engineering Consultant has certified that all site improvements have been completed in a satisfactory manner as of December 13, 2017 and said performance bond can be released contingent upon posting a two year maintenance bond; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the performance bond as stated above be and is hereby authorized for release contingent upon the posting of a two year maintenance guarantee in the amount of \$3,600.00; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee in the amount of \$2,880.00 deposited with the Township be and is hereby authorized to be refunded; and,

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

AUTHORIZE TEMPORARY NO PARKING ON A PORTION OCEAN AVENUE IN CONNECTION

WITH BOARDWALK RECONSTRUCTION

WHEREAS, the Ocean Grove Camp Meeting Association is undertaking a project to reconstruct the boardwalk between Ocean Pathway and Seaview Avenue; and,

WHEREAS, it is necessary to temporarily close and designate no parking on the east side of Ocean Avenue between McClintock Street and Seaview Avenue to allow for construction equipment to access the boardwalk; and,

WHEREAS, the roadway will open to vehicular traffic in both directions; and,

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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates the temporary closure and designation of no parking on the east side of Ocean Avenue between McClintock Street and Seaview Avenue effective immediately through May 25, 2018 for boardwalk reconstruction; and,

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

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 snow emergency declared on January 4th and 5th; 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 snow emergency on January 4th and 5th, 2018:

- Jose Perez – 24 hours
- Josh Edwards – 12 hours
- Alex McKenna – 9 hours
- Nick Acevedo – 12 hours
- Marlon Smith – 19 hours
- Will Jaramino – 12 hours
- Joann Atkins – 12 hours

Total hours – 100
Total cost - \$1,400.00

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 SALE OF VETERANS POPPIES

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Neptune Township American Legion Auxiliary Unit No. 346 be and is hereby authorized to sell Veterans Poppies in the Township of Neptune for the month of May at various locations throughout the Township; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Neptune Township American Legion Auxiliary Unit No. 346 and the Chief of Police.

AUTHORIZE THE MONMOUTH COUNTY MOSQUITO CONTROL DIVISION TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE TOWNSHIP OF NEPTUNE AS

NECESSARY

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county; and,

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the County of Monmouth; and,

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area", the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51) to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and,

WHEREAS, the Township of Neptune is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:

1. the County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies; and,
2. such operations will be performed in compliance with applicable Federal and State regulations; and,
3. the County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Monmouth County Mosquito Control Division.

AUTHORIZE THE PURCHASE OF A 2018 DODGE JOURNEY THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Business Administrator has recommended the purchase of a 2018 Dodge Journey for the Senior Center 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, Hertrich Fleet Services, Inc has been awarded New Jersey State Contract No. 86922 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 \$18,509.00; and,

WHEREAS, funds for this purpose are available from Ordinance No. 15-34 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of a 2018 Dodge Journey sedan with voice command for the Senior Center through New Jersey Cooperative Purchasing Program Contract No. 86922 be and is hereby authorized at an amount not to exceed \$18,509.00; and,

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

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH MUNICIPAL COMPLEX ROOF PROJECT

WHEREAS, a contract was awarded to MAK Group, Inc. in the amount of \$882,800.00 in connection with the Municipal Complex roof project; and,

WHEREAS, a change to the contract has been experienced as a result of adding an aluminized coating to the existing gypsum layer and modifying the insulation layout which will add an additional five years to the warranty; and,

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

WHEREAS, funds for this purpose are available in Ordinance No. 17-23 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 in the contract with MAK Group, Inc. in connection with the Municipal Complex roof project resulting in a net increase of \$39,020.00 revising the total contract amount to \$921,820.00; 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.

AUTHORIZE TRANSFER OF ALL LABOR ATTORNEY FILES TO RECENTLY APPOINTED LABOR ATTORNEY, DOUGLAS M. LONG, ESQ., OF THE LAW FIRM OF GRACE, MARMERO & ASSOCIATES, LLP, EXCEPT THOSE FILES EXCLUDED

WHEREAS, Douglas M. Long, Esq., of the Law Firm of Grace, Marmero & Associates, LLP, was appointed as the new Labor Attorney on January 1, 2018; and

WHEREAS, the Law Firm of Plosia Cohen and the Law Firm of Florio Kenny Raval, LLP, served as the Labor Attorneys in 2017 and have retained over time a number of files on behalf of Neptune Township; and

WHEREAS, it is desirable that all files held by the prior Labor Attorneys be forwarded to the new Labor Attorney, except for with regard to the Law Firm of Plosia and Cohen, the Kyheem Davis Disciplinary Appeal (Appellate Division); the Shaun Hubbard Disciplinary Appeal (Local Hearing) and the Asbury Park Press Internal Affairs OPRA matter on Seidle (Law Division Superior Court) should be maintained until completion.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby instructs the Law Firm of Plosia Cohen and the Law Firm of Florio, Kenney Raval, LLP to transfer all files retained by them on behalf of Neptune Township to the new Labor Attorney, Douglas M. Long, Esq. of the Law Firm of Grace, Marmero & Associates, LLP at their earliest convenience; and,

BE IT FURTHER RESOLVED, that the Law Firm of Plosia Cohen shall be allowed to retain the files of the Kyheem Davis Disciplinary Appeal (Appellate Division); the Shaun Hubbard Disciplinary Appeal (Local Hearing) and the Asbury Park Press Internal Affairs OPRA matter on Seidle (Law Division Superior Court), until completion, and represent Neptune Township with regard to those cases only; and,

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

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
210	5.05	Freund	27 Heck Ave	2017	5,619.90
205	1	Wilcox	112 Main Ave	2017	1,469.99

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

AUTHORIZE DONATION OF SURPLUS POLICE VEHICLE TO THE OCEAN GROVE CITIZENS PATROL

WHEREAS, the Township of Neptune has a 2003 Chevrolet Impala that is no longer needed by the Township and is therefore surplus equipment; and,

WHEREAS, the Ocean Grove Citizens Patrol is in need of said vehicle; and,

WHEREAS, the Ocean Grove Citizens Patrol performs a quasi municipal function as a neighborhood watch group and by providing traffic control services during Township events conducted throughout the year; and,

WHEREAS, the Township of Neptune desires to authorize the donation of the vehicle to the Ocean Grove Citizens Patrol at no cost,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the donation of a 2003 Chevrolet Impala bearing vehicle identification number 2G1WF52E239412146 to the Ocean Grove Citizens Patrol; and

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

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

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

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

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

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

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

THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby amends Resolution #17-347, as amended by Resolution #17-410, to increase the appropriation authorization by \$15,000.00 for a total authorized appropriation of \$22,500.00 for legal expenses to Joseph Maddaloni, Jr. to represent Michael J. Bascom in claims of punitive damages in connection with three matters of litigation as described herein; and,

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

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

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

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

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

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

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

THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby amends Resolution #17-348, as amended by Resolution #17-409, to increase the appropriation authorization by \$15,000.00 for a total authorized appropriation of \$22,500.00 for legal expenses to Joseph Maddaloni, Jr. to represent Police Chief James M. Hunt, Jr. in claims of punitive damages in connection with three matters of litigation as described herein; and,

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

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

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF RECORDS CLERK IN THE POLICE DEPARTMENT RECORDS BUREAU

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

WHEREAS, there is a vacancy in the position of Records Clerk in the Police Department Records Bureau; and,

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

WHEREAS, the Human Resources Director has made her recommendation; 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 Police 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 an offer of employment be and is hereby extended to Lisa Bridge for the position of Records Clerk in the Police Department Records Bureau, on a probationary basis for a period of not less than 90 days and not exceeding one year, pending favorable results of the required physical, effective February 1, 2018, at an annual salary of \$27,300.00; and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

Mr. McMillan offered the following resolution, moved and seconded by 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 5,055,757.99

TRUST FUND	21,853.20
GENERAL CAPITAL FUND	138,065.24
SEWER OPERATING FUND	12,310.29
SEWER CAPITAL FUND	4,250.00
MARINA OPERATING FUND	2,504.94
DOG TRUST	7,768.20
LIBRARY TRUST	3,466.08
 BILL LIST TOTAL	 \$5,245,975.94

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.

AUTHORIZE THE TOWNSHIP OF NEPTUNE TO FINALIZE DISCIPLINE AND RESTORE EMPLOYMENT OF CARINA SANTOS

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

WHEREAS, the Township of Neptune (the "Township") maintains an Employee Handbook inclusive of a Disciplinary Actions Policy that prohibits excessive absenteeism; and

WHEREAS, on November 29, 2017, the Township issued a Reprimand Notice to employee Carina Santos ("Santos"), concerning insubordinate behavior; and

WHEREAS, the Township imposed a suspension without pay against Santos beginning on November 20, 2017; and

WHEREAS, Santos filed a Grievance in response to the suspension without pay on December 8, 2017 and a hearing was scheduled to take place on Thursday, January 18, 2018; and

WHEREAS, the parties have reached a resolution on the pending disciplinary action and grievance; and

WHEREAS, the Township shall restore Santos' employment effective January 23, 2018, and shall pay Santos back pay in the amount of \$4,045.16, minus applicable payroll taxes and deductions representing twenty-five and one half days (25 ½) of the unpaid suspension served; and

WHEREAS, Santos shall also receive a credit in her time bank for five and one-half (5 1/2) vacation days and one (1) personal day; and

WHEREAS, the remaining fifteen (15) days of unpaid suspension served by Santos shall be the discipline imposed with regard to the November 29, 2017 Reprimand Notice; and

WHEREAS, the parties shall also enter into a Last Chance Agreement for a duration of one (1) year.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Neptune that the discipline noted above against Santos is approved at the meeting held on January 22, 2018; and

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

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

Carmen Cancel-Seaman, West Bangs Avenue, stated that she has witnessed cars jumping over the new bump-out on Neptune Blvd which is not safe. Mr. Gadaleta stated that the bump-outs are part of the improvements for the HOPE Tower and are to help with pedestrian traffic. Due to the problems they are causing, JSUMC will be removing the bump-outs and repaving that area. Ms. Cancel-Seaman asked that a light be installed in the meantime to help drivers see the bump-outs. Mr. Gadaleta will discuss this with Public Works and Engineering.

Carlos Santiago, lives in the woods behind Shop-Rite, he thanked all of the supporters who came out to help them. He stated they all matter and they need better resources. He stated there were abandoned buildings that could be restored and give homeless residents hope. He stated he's been behind Shop-Rite for years and no one knew about it until he lost one of his brothers who had a heart attack and was burned. He asked the Committee to help them out because no one wanted to be homeless.

Mayor Williams stated there were different organizations that were looking to get them out of the woods and into permanent situations but it's going to take time. They have a target and they are trying to absolutely get something done.

Minister Leak, stated she was present to speak on behalf of the homeless women. She stated five churches have gotten together since March and they've been housing the women at different churches. She stated her church houses them three days a week. She stated there were five churches on board and it is seven days a week.

Deputy Mayor Rizzo questioned how many women was she helping.

Minister Leak stated the maximum has been six but has the capacity of 12 to 14.

Pastor Edmond Lee, Mt. Carmel Baptist Church, stated that the homeless situation is a real problem that deserves more attention. The Jersey Shore Rescue Mission in Asbury Park is inviting all area homeless to conduct a homeless census on January 24th. Those who attend will receive food and clothes. Rev. Lee called County Social Services, Affordable Housing Alliance and the Mayors of Asbury Park and Neptune and held a meeting to find out what help is available. He wants to invite the same people back for a private meeting with the Neptune "woodsmen".

Steve Markulin, 112 Cardinal Road, stated that the homeless camp backs up to his property. It is dangerous and they have to go. They are loud and drunk and he is complained to the Township many times about this issue.

Jamall McBride, stated that he was the person who put up a Facebook post about the homeless behind Shop-Rite with the intention to help out. The publicity they are receiving is not good. He stated that the Township needs a dorm type building with a kitchen for the homeless and anyone who wants to live there must be drug-free. He added that everyone has a different idea of happiness.

Carmen Cancel-Seaman, West Bangs Avenue, stated she called Neptune to find out about code blue and no one was able to tell her anything. Someone from Asbury was able to tell her what they had for their city. Asbury offered to accept the homeless. She questioned what should happen if the weather became cold again. The Director of the Senior Center informed her that the homeless could come to the Senior Center for a hot meal. She stated all the information she received was from Asbury but not Neptune. She stated regardless of their issues we are our brothers keeper.

Gary Brown, stated that he lives near the homeless area. There are safety and health concerns there. He cares about everyone who lives in the woods, but it creates a fire hazard. Something needs to be done to get them out and comfortable. He stated that everyone has compassion and the Asbury Park Press never contacted any of the residents living in homes near the homeless encampment for their article on the homeless.

Dorothy Argyros, 2100 Rutherford Avenue, stated that the two worst countries for the distribution of wealth are the United States and Portugal. Japan and Scandinavia countries are some of the best. In Camden, there was an organization that got the homeless training on how to take care of a home and then moved them into rehabilitated vacant buildings. You need the will to do something like this, but the Township Committee does not have the will.

Matthew Miller, stated that a permanent solution is near and the Township needs to be a part of the solution. If he owned a house near that area, he would have taken care of the homeless.

Randy Bishop, Ocean Grove, stated that the Township has tried to do things like getting banks to turn over vacant homes, but they are more concerned with their profit bottom line. He suggested they look at the small house movement. There are seniors and young people who are also waiting for affordable housing and want to stay in the community. The small house idea should be considered when the Master Plan is reviewed.

Dr. Miriam Sorenson, stated when there's an obstacle the government steps forward to try and address it. Housing is a systematic problem and there's a huge gap in funding and real estate. It's about misappropriation of funding and priorities.

Dr. Rumo DasGupta, stated that she is a Sociologist at Georgian Court and is also involved with Destiny Bridge. The issue is the supply of affordable housing. She suggested four things; take on foreclosed homes and many people can fix them up and live there; build tiny homes in a designated area; require every town to have an emergency shelter; and urge the County Freeholders to start a Homeless Trust Fund.

Minister Steven Brigham, stated he ran tent city in Lakewood and has been helping the homeless for years. He stated he sees what's going on in our society and housing is depleting for the poor. Some people cannot afford a place to live. You must make at least \$22hr to make it.

Dr. Brantley stated that the Township has been addressing this problem for some time. In addition, Neptune met its affordable housing quota and was one of the first municipalities to do so. The Committee does needs to look at the Township's Master Plan.

Hank Coakley, Valley Road, shares the view on the bump-outs on Neptune Blvd. Washington Avenue is also not an improvement. Legalized marijuana would cause a lot of problems.

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

Richard J. Cuttrel,
Municipal Clerk