

TOWNSHIP COMMITTEE WORKSHOP MEETING – FEBRUARY 13, 2017 – 5:00 P.M.

Mayor Brantley calls the workshop meeting to order at 5:00 p.m. and asks the Clerk to call the roll:

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
Robert Lane, Jr.	_____
Kevin B. McMillan	_____
Carol Rizzo	_____
Nicholas Williams	_____
Dr. Michael Brantley	_____

Also present: Vito D. Gadaleta, Business Administrator; Michael J. Bascom, Chief Financial Officer; Gene Anthony, Township Attorney; and Richard J. Cuttrell, Municipal Clerk.

Mayor Brantley announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster on January 12, 2017, and the Asbury Park Press on January 5, 2017, a revised notice published on January 26, 2017, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Discussion – 2016 Financial and Debt Statements.
2. Discussion – Clean Communities initiative.
3. Discussion – Mayor's Roundtable.
4. Discussion – State legislation on pay equity/discriminatory wage practices.
5. Review Committee calendars/update on outstanding issues and capital items.
- Various on-going capital improvement projects.

Res. # 17-101 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____

Vote: Lane, _____; McMillan, _____; Rizzo, _____; Williams, _____; Brantley, _____.

TOWNSHIP COMMITTEE MEETING – FEBRUARY 13, 2017 – 7:00 P.M.

Mayor Brantley calls the meeting to order and asks the Clerk to call the roll:

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
Robert Lane, Jr.	_____
Kevin B. McMillan	_____
Carol Rizzo	_____
Nicholas Williams	_____
Dr. Michael Brantley	_____

Also present at the dais: Vito D. Gadaleta, Business Administrator; Michael J. Bascom, Chief Financial Officer; Gene Anthony, Township Attorney; and Richard J. Cuttrel, Municipal Clerk.

Silent Prayer and Flag Salute

The Clerk states, "Fire exits are located in the rear of the room and to my right. In the event of a fire, you will be notified by fire alarm and/or public address system, then proceed to the nearest smoke-free exit."

Mayor Brantley announces 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 on January 5, 2017 and in the Coaster on January 12, 2017, 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

Motion offered by _____, seconded by _____, to approve the minutes of the meetings held on January 1st, January 9th and January 23rd.

PRESENTATION

Representatives from Coral Harbor Rehabilitation and Healthcare Center will present a donation to the Neptune Police Department Bulletproof Vest Fund.

RECOGNITION OF RETIRING TOWNSHIP EMPLOYEE

The Mayor and Committee will recognize Roberta Grace who retired as Special Projects Coordinator after 22 years of service. (Roberta began her career at Neptune as the Welfare Director)

COMMENTS FROM THE DAIS

Comments from the Dais regarding business on this agenda or any reports on recent events in their respective departments.

LOUIS BAY FUTURE MUNICIPAL LEADERS SCHOLARSHIP COMPETITION

The Mayor will announce the Louis Bay 2nd Future Municipal Leaders Scholarship competition.

PUBLIC COMMENTS ON RESOLUTIONS

Public comments regarding resolutions presented on this agenda only. The public will be permitted one visit to the microphone with a limit of five minutes.

ORDINANCES

For each ordinance with a public hearing, the public is permitted one visit to the microphone with a limit of five minutes.

ORDINANCE NO. 17-04 – An ordinance to amend Volume I, Chapter VI, Section 6-8 of the Code of the Township of Neptune entitled “Employee regulations in facilities holding a plenary retail consumption license, plenary retail distribution license, and/or club license for alcoholic beverages” - Final Reading

Explanatory Statement: This ordinance amends certain definitions and provisions of the identification card requirements for persons selling and/or distributing alcoholic beverages in licensed premises

Public Hearing:

Offered by: _____ Seconded by: _____
Vote: Lane, _____; McMillan, _____; Rizzo, _____; Williams, _____; Brantley, _____.

ORDINANCE NO. 17-05 – An ordinance to exceed the municipal budget appropriation limits and establish a cap bank for purposes of introducing the 2017 municipal budget – Final Reading

Explanatory Statement: This ordinance permits the introduction of the annual municipal budget with a maximum appropriations increase of 3.5%. This ordinance does not change or negate the 2% tax levy cap.

Public Hearing:

Offered by: _____ Seconded by: _____
Vote: Lane, _____; McMillan, _____; Rizzo, _____; Williams, _____; Brantley, _____.

ORDINANCE NO. 17-06 – 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” - Final Reading

Explanatory Statement: This ordinance amends the Township’s salary range ordinance by adding the part-time positions of Code Enforcement Inspector, Senior Public Safety Officer, and Violations Clerk, replacing the title of part-time Secretary with part-time Customer Service Representative, and amending the salary range for Public Safety Officer Supervisor, Technical Assistant to the Construction Official, and Foreman.

Public Hearing:

Offered by: _____ Seconded by: _____
Vote: Lane, _____; McMillan, _____; Rizzo, _____; Williams, _____; Brantley, _____.

ORDINANCE NO. 17-07 – An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding resident handicapped on-street parking zones on Inskip Avenue and Broadway and removing handicapped parking zones on Abbott Avenue - First Reading

Explanatory Statement: This ordinance authorizes the installation of handicapped parking zones in front of 126 Inskip Avenue and 33 Broadway and the removal of existing handicapped parking zones in front of 31 Abbott Avenue and 36 Abbott Avenue.

Offered by: _____ Seconded by: _____
Vote: Lane, _____; McMillan, _____; Rizzo, _____; Williams, _____; Brantley, _____.

ORDINANCE NO. 17-08 – An ordinance authorizing the continuation of a Lease Agreement between the County of Monmouth and the Monmouth County Sheriff's Office and the Township of Neptune for property located at 1825 Corlies Avenue - First Reading

Explanatory Statement: This ordinance authorizes execution the continuation of a Lease Agreement with the County of Monmouth and the County Sheriff's Office for Township owned property at 1825 Corlies Avenue for use as a County Emergency Services Dispatch Center. The lease will be extended for five years and includes an annual payment of \$150,000 to the Township.

Offered by: _____ Seconded by: _____
Vote: Lane, _____; McMillan, _____; Rizzo, _____; Williams, _____; Brantley, _____.

The Public Hearings on Ordinances 17-07 and 17-08 will be held on Monday, February 27th.

CONSENT AGENDA

Res. # 17-102 – Appoint Plumbing Sub-Code Official.

Res. # 17-103 – Appoint Bond Counsel.

Res. # 17-104 – Accept the resignation of Jeffrey Moore as a Police Officer.

Res. # 17-105 – Appoint Consulting Engineer.

Res. # 17-106 – Extend offer of employment for the position of School Crossing Guard.

Res. # 17-107 – Authorize the execution of an agreement with JSAS Health Care, Inc. for adult substance abuse services to Township residents.

Res. # 17-108 – Reappoint Public Relations and Marketing Consultant.

Res. # 17-109 – Authorize the Monmouth County Mosquito Control Division to conduct aerial mosquito control operations with the Township of Neptune as necessary.

Res. # 17-110 – Authorize renewal of optional dental insurance plan.

Res. # 17-111 – Authorize Change Order #1 in connection with Gables Sanitary Sewer Replacement Project – Phase IV.

Res. # 17-112 – Authorize the purchase of a portable air compressor through the National Joint Powers Alliance Purchasing Program.

Res. # 17-113 – Authorize additional appropriation for engineering services in connection with Gables Sanitary Sewer Replacement Project – Phase IV.

Res. # 17-114 – Authorize Change Order #1 in connection with South Concourse Flood Mitigation Project.

CONSENT AGENDA Offered by: _____ Seconded by: _____
Vote: Lane, _____; McMillan, _____; Rizzo, _____; Williams, _____; Brantley, _____.

Res. # 17-115 – Extend offers of employment for the position of Driver in the Department of Public Works.

Offered by: _____ Seconded by: _____
Vote: Lane, _____; McMillan, _____; Rizzo, _____; Williams, _____; Brantley, _____.

Res. # 17-116 – Appoint Architect for Public Works Facility Renovations and award contract for architectural services.

Offered by: _____ Seconded by: _____
Vote: Lane, _____; McMillan, _____; Rizzo, _____; Williams, _____; Brantley, _____.

Res. # 17-117 – Award bid for 2016 Road Improvement Program.

Offered by: _____ Seconded by: _____
Vote: Lane, _____; McMillan, _____; Rizzo, _____; Williams, _____; Brantley, _____.

Res. # 17-118 – Authorize payment of bills.

Offered by: _____ Seconded by: _____
Vote: Lane, _____; McMillan, _____; Rizzo, _____; Williams, _____; Brantley, _____.

Res. # 17-119 – Urge the State Legislature to override the Governor's veto of Senate Bill S-992 which seeks to eliminate discriminatory wage practices.

Offered by: _____ Seconded by: _____
Vote: Lane, _____; McMillan, _____; Rizzo, _____; Williams, _____; Brantley, _____.

Res. # 17-120 – Rescind Resolution #17-93 approved on January 23, 2017 rescinding bid award for Central Avenue Road Improvement Project.

Offered by: _____ Seconded by: _____
Vote: Lane, _____; McMillan, _____; Rizzo, _____; Williams, _____; Brantley, _____.

Res. # 17-121 – Authorize Appeal of Superior Court of New Jersey decision on Kyheem Davis.

Offered by: _____ Seconded by: _____
Vote: Lane, _____; McMillan, _____; Rizzo, _____; Williams, _____; Brantley, _____.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Members of the public may address any concern relating to the Township. The public will be permitted one visit to the microphone with a limit of five minutes.

ADJOURNMENT

ORDINANCE NO. 17-07

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING RESIDENT HANDICAPPED ON-STREET PARKING ZONES ON INSKIP AVENUE AND BROADWAY AND REMOVING HANDICAPPED PARKING ZONES ON ABBOTT AVENUE

BE IT ORDAINED, by the Township Committee of the Township of Neptune that the Code of the Township of Neptune is hereby amended as follows:

SECTION 1

Volume I, Chapter VII, Section 7-21.7 – Resident Handicapped On-Street Parking, is hereby amended by adding the following:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Inskip Avenue	1	South side of Inskip Avenue beginning 35 feet east of the southeast intersection of Inskip Avenue and Whitefield Avenue
Broadway	1	North side of Broadway (next to median) beginning 83 feet east of the northeast intersection of Broadway and Central Avenue

SECTION 2

Volume I, Chapter VII, Section 7-21.1 – Handicapped Parking on Street, is hereby amended by *deleting* the following:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Abbott Avenue	1	South side of Abbott Avenue beginning 50 feet east of the southeast intersection of Abbott Avenue and Central Avenue

SECTION 3

Volume I, Chapter VII, Section 7-21.7 – Resident Handicapped On-Street Parking, is hereby amended by *deleting* the following:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Abbott Avenue	1	North side of Abbott Avenue beginning 113 feet east of the northeast intersection of Abbott Avenue and Central Avenue

SECTION 4

This ordinance shall take effect upon publication in accordance with law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrel,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 17-08

AN ORDINANCE AUTHORIZING THE CONTINUATION OF A LEASE AGREEMENT BETWEEN THE COUNTY OF MONMOUTH AND THE MONMOUTH COUNTY SHERIFF'S OFFICE AND THE TOWNSHIP OF NEPTUNE FOR PROPERTY LOCATED AT 1825 CORLIES AVENUE

WHEREAS, Neptune Township (Landlord) owns property commonly known as 1825 Corlies Avenue (State Route 33), Neptune Township, New Jersey; and,

WHEREAS, on June 27, 2011, the Township Committee adopted Ordinance No. 11-30 which authorized a five year Lease Agreement between Neptune Township and the County of Monmouth and the Monmouth County Sheriff's Office for use as a communications facility; and,

WHEREAS, it is in the best interest of the Township to continue said Lease Agreement at the aforesaid address for an additional term of five (5) years commencing July 1, 2016, at an agreed upon annual rent to the Landlord from the tenant in the amount of \$150,000.00 in each of the first three years and \$160,000.00 in each of the final two years,

NOW, THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey that pursuant to State Statute allowing municipalities to lease public property for public use the governing body hereby authorizes a continuation of a Lease Agreement between Neptune Township and the County of Monmouth and the Monmouth County Sheriff's Office for 1825 Corlies Avenue; and,

BE IT FURTHER ORDAINED, that the Township Committee authorizes the use of 1825 Corlies Avenue, Neptune Township, New Jersey and sets forth the requirements for the use of said property in the Lease Agreement.

BE IT FURTHER ORDAINED, that the Mayor and Clerk are authorized to execute a continuation of Lease Agreement.

BE IT FURTHER ORDAINED, that this Ordinance shall go into effect upon adoption and advertisement according to law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

RESOLUTION #17-101 – 2/13/17

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

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 – Seaview and Shark River Island deed restriction
Contract negotiations – Special Law Enforcement Officers rate/Agreement with Camp Meeting Association
Personnel – Employee COBRA reimbursement
Personnel – Recommendation to hire three Drivers in the Public Works Department
Personnel – Employee disciplinary matter

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.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #17-102 - 2/13/17

APPOINT PLUMBING SUB-CODE OFFICIAL

WHEREAS, on October 6, 2016, the Township Committee adopted Resolution #16-430 which authorized the employment of Warren Winch for the position of on-call part-time Plumbing Sub-Code Official, for as-needed work in the absence of the appointed Township Plumbing Sub-Code Official; and,

WHEREAS, Rusty Kleiberg, the Township's appointed Plumbing Sub-Code Official, has retired; and,

WHEREAS, in accordance with state statute, the Township is required to appoint a Plumbing Sub-Code Official for a term of four years; and,

WHEREAS, the Construction Official recommends the appointment of Warren Winch as the Township's Plumbing Sub-Code Official; and,

WHEREAS, funds will be provided for the first three months of 2017 in the 2017 Temporary Budget and funds for the balance of 2017 will be provided in the Budget for the year 2017, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby appoints Warren Winch as the Township Plumbing Sub-Code Official, effective immediately, for a four year term expiring February 13, 2021, in a part-time capacity at an hourly rate as established by previous Resolution of the Township Committee, and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #17-103 - 2/13/16

APPOINT BOND COUNSEL

WHEREAS, the Township of Neptune desires to appoint a Township Bond Counsel through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Township accepted Requests for Proposals for said position on December 8, 2016 and will make a selection from the proposals received; and,

WHEREAS, funds will be provided for the first three months of 2017 in the 2017 Temporary Budget and funds for the balance of 2017 will be provided in the Budget for the year 2017, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a contract to engage the services of Wilentz, Goldman & Spitzer, as Township Bond Counsel for the year 2017, effective January 1, 2017 at the terms as indicated in said contract on file in the Office of the Municipal Clerk; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017


Richard J. Cuttrell, Municipal Clerk

RESOLUTION #17-104 - 2/13/17

ACCEPT THE RESIGNATION OF JEFFREY MOORE AS A POLICE OFFICER

WHEREAS, the Township Committee has received a letter from Jeffrey Moore resigning as a Police Officer from the Police Department effective January 25, 2017,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Jeffrey Moore as a Police Officer in the Police Department is hereby accepted effective January 25, 2017; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #17-105 - 2/13/17

APPOINT CONSULTING ENGINEER

WHEREAS, the Township of Neptune has appointed its in-house Director of Engineering and Planning as Township Engineer; and,

WHEREAS, from time to time there are larger and more specialized engineering and infrastructure projects that require the services of a Consulting Engineer as determined by the Township Engineer; and,

WHEREAS, on January 1, 2017, the Township Committee adopted Resolution #17-14 which appointed a pool of Consulting Engineers who can provide proposals for engineering services on specific Township projects; and,

WHEREAS, the Township Committee desires to appoint an additional firm to the pool of Consulting Engineers through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Township accepted Requests for Proposals for said position on December 8, 2016 and will make an additional selection from the proposals received; and,

WHEREAS, funds will be provided for this purpose by Resolution at the time engineering services are awarded for a specific project,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes to appoint and engage the services of the T&M Associates who will be solicited for proposals on larger and/or specialized engineering projects beyond the scope of the Township Engineer and in-house staff for the year 2017; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017


Richard J. Cuttrel, Municipal Clerk

RESOLUTION #17-106 - 2/13/17

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION
OF SCHOOL CROSSING GUARD

WHEREAS, there is a need for additional School Crossing Guards for the 2016-2017 school year; and,

WHEREAS, the position was posted and applicants interviewed, and the Chief of Police and Human Resource Director have made their recommendations; and,

THEREFORE, BE IT FURTHER RESOLVED, that the Township Committee of the Township of Neptune hereby extends a conditional offer of employment to William Small to serve as a School Crossing Guard for the 2016-2017 school year contingent upon favorable results of required pre-employment screening and background check, at an hourly rate as established by prior Resolution of the Township Committee; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #17-107 - 2/13/17

AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH JSAS HEALTH CARE, INC. FOR ADULT SUBSTANCE ABUSE SERVICES TO TOWNSHIP RESIDENTS

WHEREAS, JSAS Health Care, Inc. is a non-profit corporation, licensed and approved by the New Jersey Department of Health to provide ambulatory care services to substance abusers of all ages, on-site at its principal offices at 685 Neptune Blvd., Suite 101, Neptune, New Jersey or off-site in an approved and confidential setting, and,

WHEREAS, the Township desires to make available to its residents, a full range of substance abuse services, at no "out of pocket" cost to any individual resident and the Township will make available up to fourteen thousand dollars (\$14,000) in 2017 budgeted funds to pay for these services; and,

WHEREAS, JSAS Health Care, Inc. agrees to continue providing its services if the amount of the Township appropriation is exhausted; and,

WHEREAS, funds for this purpose will be provided for the first three months of 2017 in the 2017 Temporary Budget and funds for the balance of 2017 will be provided in the budget for the year 2017, 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 the Mayor and Clerk be and are hereby authorized to execute an agreement with JSAS Health Care, Inc., to provide substance abuse services to Township residents for the year of 2017 at an amount not to exceed \$14,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution and the agreement be forwarded to the Drug Alliance Coordinator, JSAS Health Care, Chief Financial Officer, and Assistant C.F.O.

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #17-108 - 2/13/17

REAPPOINT PUBLIC RELATIONS AND MARKETING CONSULTANT

WHEREAS, on March 14, 2016, the Township Committee adopted Resolution #16-143 which appointed Millennium Strategies as Public Relations Consultant through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Township desires to reappoint Millennium Strategies for 2017; and,

WHEREAS, funds will be provided for the first three months of 2017 in the 2017 Temporary Budget and funds for the balance of 2017 will be provided in the Budget for the year 2017, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a contract to engage the services of Millennium Strategies as Public Relations Consultant for the year 2017, at the terms as indicated in said contract on file in the Office of the Municipal Clerk; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #17-109 - 2/13/17

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.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #17-110 - 2/13/17

AUTHORIZE RENEWAL OF OPTIONAL DENTAL INSURANCE PLAN

WHEREAS, Dental Services Organization, Inc. provides dental care at a fixed monthly cost to individuals who elect to enter the program; and,

WHEREAS, the Township authorized the offering of this optional Plan to its employees for a three year term effective February 1, 2014; and,

WHEREAS, participation in this Dental Plan is at the option of the employee and the employee is responsible for the cost of monthly payments in excess of the cost of the dental insurance currently provided by the Township; and,

WHEREAS, the Township desires to renew this optional benefit plan,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Mayor and Clerk to execute an Agreement with Dental Services Organization, LLC. to provide dental coverage to Township employees electing to participate in the program for a three year period from February 1, 2017 to January 31, 2020; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #17-111 - 2/13/17

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH
GABLES SANITARY SEWER REPLACEMENT PROJECT – PHASE IV

WHEREAS, on September 12, 2016, a contract was awarded to P&A Construction in the amount of \$929,487.80 in connection with the Gables Sanitary Sewer Replacement Project – Phase IV; and,

WHEREAS, changes to the contract have been experienced as a result of multiple unforeseen subsurface conditions including a large number of unused and unmarked laterals, removal of wood sheathing in deep excavations, and the need to reset multiple manhole castings; and,

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

WHEREAS, funds for this purpose are available in Ordinances 15-36 & 12-14 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 P&A Construction in connection with the Gables Sanitary Sewer Replacement Project – Phase IV resulting in a net increase of \$37,260.16 revising the total contract amount to \$966,747.96; 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.

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #17-112 - 2/13/17

AUTHORIZE THE PURCHASE OF A PORTABLE AIR COMPRESSOR THROUGH THE NATIONAL JOINT POWERS ALLIANCE PURCHASING PROGRAM

WHEREAS, the Township Committee wishes to authorize the purchase of a portable air compressor for the Department of Public Works utilizing pricing through the National Joint Powers Alliance Cooperative Purchasing Program; 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, the Township of Neptune is authorized pursuant to N.J.S.A. 52:34-6.2(b)(3) to use procurement methods by entering into a nationally recognized cooperative agreement; and;

WHEREAS, the National Joint Powers Alliance has a nationally recognized cooperative agreement and has awarded Contract No. 052015-CEC to Penn Jersey Machinery for Construction and Agricultural Equipment which includes a Doosan P250/HP185 portable air compressor; and,

WHEREAS, the Purchasing Agent and Chief Financial Officer recommend the utilization of this contract on the grounds that the price reflects a substantial savings; and,

WHEREAS, the cost of this equipment shall not exceed \$27,046.00; and,

WHEREAS, funds for this purpose are available in Ordinance 16-27 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township of Neptune Committee of the Township of Neptune that the purchase of a Doosan P250/HP185 portable air compressor be and is hereby authorized through the National Joint Powers Alliance Purchasing Program at an amount not to exceed \$27,046.00; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #17-113 – 2/13/17

AUTHORIZE ADDITIONAL APPROPRIATION FOR ENGINEERING SERVICES IN CONNECTION WITH GABLES SANITARY SEWER REPLACEMENT PROJECT – PHASE IV

WHEREAS, on February 22, 2016, the Township Committee adopted Resolution #16-127 which authorized PS&S to perform various engineering services in connection with Phase IV of Gables Sanitary Sewer System Improvements; and,

WHEREAS, said Resolution also authorized construction management services in an amount not to exceed \$25,000.00 for this project; and,

WHEREAS, PS&S quoted for part-time construction management services; however, additional services were required and the authorized appropriation has been exhausted; and,

WHEREAS, the Township Engineer recommends an additional authorization of \$10,000.00 for engineering fees in this matter; and,

WHEREAS, funds will be provided in Ordinance No, 15-36 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 #16-127 to increase the appropriation authorization by \$10,000.00 for a total authorized appropriation of \$35,000.00 for engineering inspections in connection with Gables Sanitary Sewer System Improvements – Phase IV; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #17-114 - 2/13/17

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH
SOUTH CONCOURSE FLOOD MITIGATION PROJECT

WHEREAS, on August 29, 2016, a contract was awarded to Bird Construction in the amount of \$737,331.00 in connection with the South Concourse Flood Mitigation Project; and,

WHEREAS, changes to the contract have been experienced as a result of the discovery that the sewer force main was at a higher elevation than indicated on mapping. This requires that the Contractor temporarily divert the flow from the sewer main and cut the pipe, burn a hole in the bulkhead sheet pile and then fuse the force main together and sleeve through the bulkhead; and,

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

WHEREAS, funds for this purpose are available in Ordinances 11-05 & 14-30 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 Bird Construction in connection with the South Concourse Flood Mitigation Project resulting in a net increase of \$15,000.00 revising the total contract amount to \$752,331.00; 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.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #17-115 - 2/13/17

EXTEND OFFERS OF EMPLOYMENT FOR THE POSITION OF DRIVER
IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, there are vacancies in the position of Driver in the Public Works Department;
and,

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

WHEREAS, the Human Resources Director and Business Administrator have made their
recommendations; and,

WHEREAS, funds will be provided for the first three months of 2017 in the 2017 Temporary
Budget and funds for the balance of 2017 will be provided in the Budget for the year 2017, 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 offers of employment be and are hereby extended to Blake Ahern, Malcolm Robinson, and
Brian Holland for the position of Driver in the Department of Public Works, 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 February 21, 2017, at an annual salary of
\$31,200.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Public
Works Director, Chief Financial Officer, Assistant C.F.O., AFSCME Local #2792, and Human
Resources Director.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #17-117 - 2/13/17

AWARD BID FOR 2016 ROAD IMPROVEMENT PROGRAM

WHEREAS, on January 31, 2017, the Township Engineer received bids for the award of a contract for the 2016 Road Improvement Program; and,

WHEREAS, said bids were reviewed by the Township Engineer who has recommended that the bid be awarded to the lowest bid submitted by P&A Construction; and,

WHEREAS, said bids were advertised, received and awarded in a "fair and open" competitive bidding process in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 13-14 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a contract be awarded to P&A Construction on their lowest responsible bid of \$896,660.50 for the Base Bid, Addition Item A, and Addition Item B in connection with the 2016 Road Improvement Program; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #17-118 – 2/13/17

AUTHORIZE THE PAYMENT OF BILLS

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following bills be paid if properly certified:

CURRENT FUND	\$751,758.60
GRANT FUND	22,860.78
TRUST FUND	39,339.52
GENERAL CAPITAL FUND	663,417.97
SEWER OPERATING FUND	32,958.77
SEWER CAPITAL FUND	17,775.00
MARINA OPERATING FUND	10,511.86
MARINA CAPITAL FUND	600,000.00
DOG TRUST	387.40
LIBRARY TRUST	1,125.70
BILL LIST TOTAL	\$2,140,135.60

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #17-119 - 2/13/17

URGE THE STATE LEGISLATURE TO OVERRIDE GOVERNOR'S VETO OF
SENATE BILL S-992 WHICH SEEKS TO ELIMINATE DISCRIMINATORY WAGE PRACTICES

WHEREAS, the existence of wage discrimination is an incontrovertible fact; and,

WHEREAS, it is a worthy goal of public policy to eliminate discriminatory wage practices;
and,

WHEREAS, it is the stated goal of Senate Bill S-992 to address the deficiencies of the
original Law Against Discrimination in order to provide more tools to workers seeking to rectify
discrimination; and,

WHEREAS, as originally written, S-992 provided appropriate worker protections from
employer retaliation; and,

WHEREAS, as originally written, S-992 provided appropriate disincentives to employers who
would otherwise practice wage discrimination; and,

WHEREAS, the Governor's conditional veto did not address substantive issues with the bill
as written and did not make any tangible improvements to the bill,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune
hereby urges the New Jersey Senate and New Jersey Assembly to pass the override of the
Governor's veto of S-992; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Senate
President Steven Sweeney, Assembly Speaker Vincent Prieto, Senator Jennifer Beck,
Assemblyman Eric Houghtaling and Assemblywoman Joann Downey.

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #17-120 – 2/13/17

RESCIND RESOLUTION #17-93 APPROVED ON JANUARY 23, 2017 RESCINDING
BID AWARD FOR CENTRAL AVENUE ROAD IMPROVEMENT PROJECT

WHEREAS, on June 16, 2016, the Township Engineering Consultant received bids for the award of a contract for the Central Avenue Road Improvement Project; and

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; and

WHEREAS, a contract was entered into between the parties on August 8, 2016, but no Notice to Proceed was issued by the Township; and

WHEREAS, the Governor of the State of New Jersey thereafter issued a Stay on all funding with regard to street and highway projects, which would not be lifted until a substantial time thereafter; and

WHEREAS, on November 15, 2016, Lucas Construction sent out a letter written by Steven Amos, Project Manager, indicating projected additional costs as a result of the NJDOT TTF Shutdown, and arguing additional potential damages of approximately \$72,181.37 based on anticipated labor cost increases, projected overhead costs, speculated general and administrative overhead costs and impaired bonding capacity; and

WHEREAS, as a result of the aforesaid demand for additional projected and potential costs, Lucas Construction was no longer the lowest bidder, and the amount projected was beyond the funding capacity of the Township as the aforesaid project was budgeted for with all necessary funding; and

WHEREAS, as a result of the aforesaid circumstances, the Township Committee passed Resolution #17-93 on January 23, 2017 rescinding the bid award for the Central Avenue Road Improvement Project to Lucas Construction; and

WHEREAS, on February 8, 2017, a letter was submitted by counsel for Lucas Construction, indicating that the aforesaid potential costs were merely potential Change Order costs, and that the contractor was still subject to the original contract; and

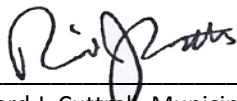
WHEREAS, it is in the best interest of the Township to proceed with the contract with Lucas Construction as it was agreed upon in the amount of \$448,448.00.

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the governing body hereby rescinds its Resolution #17-93 of January 23, 2017, and the Township Committee authorizes the Township Engineer to issue a Notice to Proceed as soon as construction can proceed pursuant to the agreement reached between the parties on August 8, 2016 at a base bid price of \$448,448.00; subject only to legitimate and approved Change Orders, if any, and where Change Orders are based on costs arising from the delay of

construction prompted by the NJDOT TTF Shutdown, and only where such costs have been approved by the State of New Jersey and are subject to state reimbursement; and

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #17-121 – 2/13/17

AUTHORIZE APPEAL OF SUPERIOR COURT OF NEW JERSEY DECISION
ON KYHEEM DAVIS

WHEREAS, certain disciplinary actions undertaken by the Neptune Township Police Department were appealed by Officer Kyheem Davis to the Superior Court of New Jersey, and went before the Honorable Paul X. Escandon, J.S.C.; and

WHEREAS, Judge Escandon upheld a three-day suspension based upon Officer Davis losing a prisoner's \$700.00 I-phone, but held in favor of Officer Davis with regard to the ninety-day suspension based on reckless driving; and

WHEREAS, the Township feels it is necessary to resolve all issues and exhaust all remedies available, since the allegations of violations of Township Department Rules and Regulations are severe,

THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, that the governing body hereby authorizes the Municipal Labor Attorney to file an appeal with regard to that portion of Judge Escandon's opinion, which reverses the disciplinary action taken by Neptune Township against Officer Kyheem Davis, and that such an appeal shall be taken to the Superior Court of New Jersey, Appellate Division or other appropriate review forum; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 13, 2017



Richard J. Cuttrel, Municipal Clerk