

TOWNSHIP COMMITTEE MEETING – MAY 24, 2021

Mayor Brantley called the meeting to order at 6:00 p.m. In addition to live attendance, the Mayor announced that video and audio access to the meeting is available via townhallstreams.com/towns/neptune_nj.

The Mayor requested the Clerk to call the roll. The following members were present: Keith Cafferty, Robert Lane, Jr., Nicholas Williams, Tassie D. York, and Mayor Michael Brantley.

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

Mayor Brantley announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on April 29, 2021, which indicated the ability to attend the meeting in person and included instructions on accessing and participating in the meeting virtually through townhallstreams.com. The Notice was filed with the Municipal Clerk and posted on the Township web site (www.neptunetownship.org), along with the meeting agenda, ordinances and resolutions.

The following items were discussed in open session:

Bernie Haney, Land Use Administrator, and George Waterman, Zoning Officer, were present to discuss options to regulate marijuana facilities. Mr. Haney explained that a municipality either allows it or not. By taking no action, the Township has to follow the state regulations. The Township can permit it only in certain zones. He suggested that it not be permitted in the commercial zones along Routes 33 and 35 because of the close proximity to residential areas. Mr. Cafferty stated that it should not be treated differently and permitted in all zones that allow liquor stores or consumption. There was discussion about allowing cultivation and grow in LI zones and retail in the C-1 commercial zone. Mr. Haney and Mr. Anthony are looking into the ability to limit the total number of establishments permitted. Mr. Gadaleta added that state law already restricts it within 1000 feet of a school or day care facility. Mr. Cafferty stated the state law is already very restrictive so he does not think the Township should add more restrictions. Mr. Haney reviewed the requirements for a micro distributor. The Mayor stated that he and Mr. Williams, in their capacity on the Land Use sub-Committee will meet with Mr. Haney and Mr. Waterman to discuss further. Mr. Gadaleta reminded the Committee that the local tax on marijuana facilities is maxed at 2%. Also, the deadline to adopt an ordinance is August so the deadline to act is tight.

Mr. Gadaleta asked the Committee for guidance on the extension of temporary outdoor dining that was permitted to restaurants due to the pandemic. The Committee agreed to allow outdoor dining through the summer months to help businesses. After discussing complaints received about loud music associated with outdoor dining, the Committee agreed to extend outdoor dining through the summer but eliminate permission for outdoor music effective June 7th.

Mr. Gadaleta stated that based on the Governor's new executive order, the requirement for masks in municipal buildings will end on May 28th. Since the indoor occupancy limits and social distancing requirement are being removed, all of the seating can return to the meeting room for the next Committee meeting on June 14th. He suggested that the livestreaming of the meetings continue but comments and questions only in-person.

Mr. Lane reviewed the various Memorial Day events taking place on May 31st. Mr. Gadaleta stated that the Pride Flag will be raised at the Municipal Complex on June 1st and the annual Hooked on Fishing event will take place on June 5th.

Mayor Brantley discussed the Ocean Grove parking issue. He stated that a comprehensive parking plan is not necessary at this time and asked if the Committee wants to start with something small. Mr. Cafferty asked about chalking tires in the Business District to enforce a 3 hour time restriction. Mr. Gadaleta replied there are two federal cases outside on New Jersey that have held that chalking tires is an invasion of privacy. He spoke to the Police Department and they advise they do not have the SLEO staffing and there is no one to hire to enforce the time restricted parking. The Committee would also have to consider parking passes for residents living in apartments in the commercial district. Mr. Cafferty suggested that a Committee be formed of various groups in Ocean Grove to make recommendations. The Mayor asked the Committee to once again look at the Kimley Horn parking study and discuss further at the next meeting.

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

Mr. Williams offered the following resolution, moved and seconded by Ms. York, 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 – Purchase of property on Drummond Avenue
Personnel – Recommendation for hire in position of Driver

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: Cafferty, aye; Lane, aye; Williams, aye; York, aye; and Brantley, aye.

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

The Committee reviewed a recommendation for the hiring of a Public Works Driver and took action by resolution during the regular meeting.

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

Mayor Brantley called the regular meeting to order at 7:00 p.m. by announcing that in person attendance is permitted. In addition, video and audio access to the meeting is via townhallstreams.com/towns/neptune_nj. Questions and comments may also be submitted via townhallstreams.com/towns/neptune_nj.

The Mayor requested the Clerk to call the roll. The following members were present: Keith Cafferty, Robert Lane, Jr., Nicholas Williams, Tassie D. York, and Mayor Michael Brantley.

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

After a moment of Silent Prayer and the Flag Salute, the Mayor asked the Clerk to indicate the fire exits.

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

Mayor Brantley announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on April 22, 2021, which indicated the ability to attend the meeting in person and included instructions on accessing and participating in the meeting virtually through townhallstreams.com. The Notice was filed with the Municipal Clerk and posted on the Township web site (www.neptunetownship.org), along with the meeting agenda, ordinances and resolutions.

APPROVAL OF MINUTES

Mr. Lane offered a motion, seconded by Mr. Cafferty, to approve the minutes of the meeting held on May 10, 2021. All were in favor.

COMMENTS FROM THE DAIS

Mr. Lane announced that May is Older Americans Month and the Senior Center employees are conducting a food drive on May 26th. The Center is opening up more with an expanded lunch program and increased capacity as the Governor eases restrictions. A barbeque will be held at the Center on June 30th. The Jersey Shore Dream Center is holding a community outreach event on June 6th at their new location on Route 33. Mr. Lane listed Memorial Day events including a parade

in Shark River Hills, services at the Broadway monuments and Veterans Park, and a video remembrance on the Township web site and social media.

Ms. York attended a drive-by birthday party for Dorothy Argyros and a fund raiser for Senator Gopal on his birthday. She also announced the Giant Flea Market in Ocean Grove on June 5th.

Mr. Cafferty announced the annual Hooked on Fishing, Not on Drugs event on June 5th. He has been working in the community gardens on weekends and reminded all that it is time to plant peppers and tomatoes. He asked for any resident interested in serving on the Green Team, or desiring to volunteer in any way, to contact him.

Mr. Williams stated that he will have a report on the library at the next meeting. Mr. Gadaleta commented that the library will be starting outside activities for youth. Mr. Williams stated that the marina is at 100% capacity and boaters are still calling to get a slip for the summer.

Mayor Brantley presented a proclamation to Continental Societies for their 50th anniversary. He is still looking at sites for a community center. A Redevelopment Committee meeting was held. They met with a Developer interested in the West Lake Avenue Redevelopment Plan and more information will be forthcoming. Mr. Gadaleta added that they are awaiting the information packet from the Developer and another meeting will be held when received.

PUBLIC COMMENTS ON RESOLUTIONS

Mayor Brantley asked for public comments regarding resolutions presented on this agenda only. The public was permitted to speak one time with a limit of five minutes.

There were no public comments.

ORDINANCE NO. 21-20 - ADOPTED

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

ORDINANCE NO. 21-20

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XII, OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED "PROPERTY MAINTENANCE" BY AMENDING THE REQUIREMENTS AND FEES FOR A CERTIFICATE OF INSPECTION

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: Cafferty, aye; Lane, aye; Williams, aye; York, aye; and Brantley, aye.

ORDINANCE NO. 21-21 - ADOPTED

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

ORDINANCE NO. 21-21

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING RESIDENT ONLY HANDICAPPED PARKING ZONES ON MAIN AVENUE AND HECK AVENUE

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

Richard Williams, 1 Abbott Avenue, asked if statistics were available on the number of resident handicapped parking stalls. Mr. Cuttrel responded that he could provide that information.

There being no further comments, the Mayor closed the public hearing.

The ordinance was adopted on the following vote: Cafferty, aye; Lane, aye; Williams, aye; York, aye; and Brantley, aye.

ORDINANCE NO. 21-22 – PUBLIC HEARING RESCHEDULED

Mr. Cuttrell stated that the public hearing needs to be postponed until the June 14, 2021 meeting to allow the Planning Board of review the ordinance for consistency with the Master Plan.

Mr. Lane offered a motion, seconded by Ms. York, to reschedule the public hearing on Ordinance No. 21-22 to June 14, 2021. All were in favor.

ORDINANCE NO. 21-22

AN ORDINANCE REPEALING ORDINANCE NO. 08-33 ADOPTING A REDEVELOPMENT PLAN FOR THE ROUTE 35 AND WEST BANGS AVENUE AREA (CURRENTLY DESIGNATED ON THE TAX MAP AS BLOCK 808, LOTS 5, 6, 7 and 8 AND FORMERLY DESIGNATED ON THE TAX MAP AS BLOCK 249, LOTS 1, 4, 5, 6, AND 10.1; AND BLOCK 250, LOTS 1.01 and 3) LOCATED IN THE TOWNSHIP OF NEPTUNE, COUNTY OF MONMOUTH, NEW JERSEY

ORDINANCE NO. 21-23 - ADOPTED

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

ORDINANCE NO. 21-23

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO VARIOUS PARKS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,000 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, he closed the public hearing.

The ordinance was adopted on the following vote: Cafferty, aye; Lane, aye; Williams, aye; York, aye; and Brantley, aye.

ORDINANCE NO. 21-24 - ADOPTED

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

ORDINANCE NO. 21-24

BOND ORDINANCE PROVIDING FOR ROADWAY RECONSTRUCTION AND DRAINAGE IMPROVEMENTS TO MYRTLE AVENUE, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$400,000 THEREFOR (INCLUDING \$226,803 NJDOT TRANSPORTATION TRUST FUND GRANT) AND AUTHORIZING THE ISSUANCE OF \$173,197 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, he closed the public hearing.

The ordinance was adopted on the following vote: Cafferty, aye; Lane, aye; Williams, aye; York, aye; and Brantley, aye.

ORDINANCE NO. 21-25- APPROVED

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

ORDINANCE NO. 21-25

AN ORDINANCE TO AMEND VOLUME I, CHAPTER II, OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING SECTION 2-49 TO CREATE THE NEPTUNE TOWNSHIP ADVISORY COMMITTEE ON SUSTAINABLE PRACTICES ALSO KNOWN AS THE "GREEN TEAM"

The ordinance was approved on the following vote: Cafferty, aye; Lane, aye; Williams, aye; York, aye; and Brantley, aye.

ORDINANCE NO. 21-26 - APPROVED

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

ORDINANCE NO. 21-26

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A PUMP TRACK BICYCLE AND SKATEBOARD RECREATIONAL FACILITY WITHIN SUNSHINE VILLAGE PARK, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$380,000 (INCLUDING A MONMOUTH COUNTY OPEN SPACE TRUST FUND GRANT EXPECTED TO BE RECEIVED IN THE AMOUNT OF \$250,000) THEREFOR AND AUTHORIZING THE ISSUANCE OF \$123,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

The ordinance was approved on the following vote: Cafferty, aye; Lane, aye; Williams, aye; York, aye; and Brantley, aye

ORDINANCE NO. 21-27 - APPROVED

Ms. York offered the following ordinance, moved and seconded by Mr. Cafferty, that it be approved:

ORDINANCE NO. 21-27

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A MULTI-WAY STOP INTERSECTION AT THE INTERSECTION OF STOCKTON AVENUE AND PENNSYLVANIA AVENUE

The ordinance was approved on the following vote: Cafferty, aye; Lane, aye; Williams, aye; York, aye; and Brantley, aye

Mr. Cuttrell stated that the public hearings on Ordinances 21-22, 21-25, 21-26, and 21-27 will be held on Monday, June 14, 2021.

CONSENT AGENDA

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

EMPLOY SPECIAL LAW ENFORCEMENT OFFICER – CLASS II IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

WHEREAS, there is a need for Special Law Enforcement Officers – Class II 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 recommendation to employ a current Special Law Enforcement Officer – Class I in this position; and,

WHEREAS, funds will be provided in the municipal budget, 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 Steven Kontogiannis be and is hereby employed as a part-time Special Law Enforcement Officer - Class II, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, and effective upon successful completion of the Special Law Enforcement Officer – Class II training at the Monmouth County Police Academy at an hourly rate of \$22.29; and,

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

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 035

WHEREAS, Clive Smith is the owner of Neptune Township Taxi Medallion No. 035; and,

WHEREAS, he has notified the Taxi License Coordinator of the intent to sell and transfer ownership of said medallion to Ibrahim Abdo-Abdelwahed of Royal Transit, LLC; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted for the transfer of Taxi Medallion License No. 035 to Ibrahim Abdo-Abdelwahed of Royal Transit, LLC; and,

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

AUTHORIZE THE EXECUTION OF A SHARED SERVICE AGREEMENT WITH THE NEPTUNE TOWNSHIP BOARD OF EDUCATION FOR SCHOOL RESOURCE OFFICERS

WHEREAS, the Township of Neptune and the Neptune Township Board of Education, mindful of their duties and responsibilities to protect and maintain the public health, safety and welfare of its inhabitants, find it necessary to arrange for the placement and reimbursement of up to two (2) School Resource Officers at Neptune Township Public Schools; and,

WHEREAS, the Township and Board have determined that their best interests would be served by enjoying the benefits and sharing the costs of two Special Law Enforcement Officers – Class II contributing to the daily activities of students; and,

WHEREAS, the Township of Neptune and the Neptune Township Board of Education desire to enter into an Shared Service agreement pursuant to N.J.S.A. 40A:65-1 et seq. for the Township and Board to cooperatively participate in this project; and,

WHEREAS, the Township will be responsible for assigning police officers as School Resource Officers and the Board will pay the Township the sum of \$25,000.00 annually to partially defray the salary, benefits and insurance of said officers,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Shared Service Agreement with the Neptune Township Board of Education, a copy of which is on file in the Office of the Municipal Clerk, providing for the assignment of up to two (2) School Resource Officers and a contribution by the Board to the Township in the amount of \$25,000.00 annually for the 2021-2022 and 2022-2023 school years; and,

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

APPOINT MEMBER TO THE RENT LEVELING BOARD

WHEREAS, due to the resignation of Committeewoman Tassie York, a vacancy exists on the Rent Leveling Board,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that William Whitley be and is hereby appointed as a member of the Rent Leveling Board for the year 2021; and,

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

AUTHORIZE CHANGE ORDER #2 TO THE CONTRACT FOR SITE REMEDIATION SERVICES AT THE CLINTON AVENUE PUMPING STATION

WHEREAS, on January 28, 2019, the Township Committee adopted Resolution #19-89 which authorized T&M Associates to perform required site investigation to address the open NJDEP case at the Clinton Avenue Pump Station; and,

WHEREAS, on July 13, 2020, the Township Committee adopted Resolution #20-246 which authorized Change Order #1 for an increase in the contract of \$16,900.00 due to the discovery of possible contaminants in a monitoring well which required further investigation and potential remediation; and,

WHEREAS, additional changes to the contract are necessary to abandon the existing monitoring wells as well as the preparation of an additional report to the NJDEP in connection with the remediation of product in one of the monitoring wells (the subject of Change Order #1); and,

WHEREAS, this change has been approved by the Business Administrator; and,

WHEREAS, funds for this purpose are available in the 2021 Sewer Utility budget in the appropriation entitled Sewer Capital Outlay and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Change Order #1 in the contract with T&M Associations in connection with site remediation services at the Clinton Avenue Pumping Station resulting in a net increase of \$5,650.00 revising the total contract amount to \$50,050.00; 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.

ACCEPT THE RESIGNATION OF JORGE SEGURA-VILLALTA AS A DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Public Works Director has received a letter from Jorge Segura-Villalta resigning as a Driver in the Public Works Department effective May 27, 2021,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Jorge Segura-Villalta as a Driver in the Public Works Department is hereby accepted effective May 27, 2021; 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 Human Resources Director.

PLACE LIEN ON PROPERTY (400 OVERLOOK DRIVE)

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 Director of Code Enforcement 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 Director of Code Enforcement determined that the condition of the properties listed below constituted such a threat; and,

WHEREAS, the Director of Code Enforcement 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 Director of Code Enforcement 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,

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
4912/4	400 Overlook Drive	\$ 267.50

BE IT FURTHER RESOLVED, that a copy of this resolution along with the Code Enforcement Supervisor's report be forwarded to the Tax Collector.

DESIGNATE TECHNICAL ASSISTANT TO THE CONSTRUCTION OFFICIAL ON A TEMPORARY BASIS

WHEREAS, the employee currently designated as the Technical Assistant to the Construction Official will be out of work for an extended period of time; and

WHEREAS, the Construction Official has requested that Heather Kepler, Departmental Secretary, in the Code/Construction Department be assigned to the stipend position on a temporary basis; and,

WHEREAS, the Business Administrator has recommended said designation; and

WHEREAS, WHEREAS, funds will be provided in the municipal budget, in the appropriation entitled Construction Official 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 Heather Kepler, Departmental Secretary, in the Code/Construction Department, be and is hereby designated as the Technical Assistant to the Construction Official on a temporary basis, effective May 25, 2021, at an annual stipend of \$6,100.00 as authorized by Resolution #21-55; and,

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

AUTHORIZE AN AMENDMENT TO THE 2021 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE NEW JERSEY BOARD OF PUBLIC UTILITIES

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2021 in the sum of \$526,100.00 which is now available from the New Jersey Board of Public Utilities in the amount of \$526,100.00; and,

BE IT FURTHER RESOLVED that the like sum of \$526,100.00 is hereby appropriated under the caption of NJBPU Microgrid Project; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from a New Jersey Board of Public Utilities TCDER Microgrid Design Grant in the amount of \$526,100.00; and,

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

AUTHORIZE EXECUTION OF A MONMOUTH COUNTY WORKSITE AGREEMENT WITH THE COUNTY OF MONMOUTH DIVISION OF WORKFORCE DEVELOPMENT

WHEREAS, the County of Monmouth Division of Workforce Development is offering reimbursement for the cost of wages to youth that are employed in jobs that enhance employability and provide necessary skills to assist future employment in the pursuit of career oriented opportunities; and,

WHEREAS, the Recreation Director has recommended that the Township submit an application for the part-time Summer Recreation Program youth staff,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Monmouth County Worksite Agreement with the County of Monmouth Division of Workforce Development for youth employed by the Township for the Summer Recreation Program; and,

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

Director.

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

AUTHORIZE THE PURCHASE OF A CATERPILLAR BULLDOZER THROUGH THE SOURCEWELL NATIONAL PURCHASING COOPERATIVE

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

WHEREAS, the Director of Public Works has requested the purchase of a bulldozer for the Sewer Utility utilizing pricing through the Sourcewell National Purchasing Cooperative; 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 Sourcewell National Purchasing Cooperative is a nationally recognized cooperative agreement and has awarded Contract No. 032119-CAT to Foley, Inc. for a Caterpillar Model D5K2LGP bulldozer; 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 \$150,000.00; and,

WHEREAS, funds for this purpose are available in the Sewer Utility budget in the appropriation entitled Acquisition of Vehicles and Equipment 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 Caterpillar Model D5K2LGP bulldozer for the Sewer Utility be and is hereby authorized through Sourcewell National Purchasing Cooperative Contract No. 032119-CAT, awarded to Foley, Inc., at an amount not to exceed \$150,000.00; and,

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

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

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

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

WHEREAS, there is a vacancy 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 Public Works Director have made their recommendation; and,

WHEREAS, funds will be provided in the Municipal Budget in the appropriation entitled Solid Waste S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an offer of employment be and is hereby extended to Sean Ross for the position of Class A Driver in the Department of Public Works at an annual salary of \$32,200.00, 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 June 1, 2021; 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.

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

AUTHORIZE THE PURCHASE OF BODY CAMERAS AND ACCESSORIES THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

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

WHEREAS, the Chief of Police has recommended the purchase of body cameras with related accessories 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, Wireless Communications has been awarded New Jersey State Contract No. 89980 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 \$375,000.00; and,

WHEREAS, funds for this purpose are available from Ordinance No. 21-13 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 body cameras with related accessories and extended warranty for the Police Department through New Jersey Cooperative Purchasing Program Contract No. 89980 awarded to Wireless Communications be and is hereby authorized at an amount not to exceed \$375,000.00; 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.

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

AUTHORIZE INDEPENDENT INVESTIGATION OF PRIOR DISCIPLINARY ACTIONS INVOLVING ALLEGATIONS OF MISCONDUCT IN THE DEPARTMENT OF PUBLIC WORKS AND APPOINTING AN INDEPENDENT INVESTIGATOR TO UNDERTAKE SAID INVESTIGATION

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

WHEREAS, disciplinary actions were taken against certain employees in the Public Works Department of the Township of Neptune for various actions construed as inappropriate by the Administration; and

WHEREAS, the Township Committee feels that a further independent investigation is needed to address said disciplinary actions and conduct by the employees of the Public Works Department; and,

WHEREAS, funds will be provided in the 2021 Municipal Budget 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, County of Monmouth and State of New Jersey, that the governing body hereby authorizes an independent investigation of prior disciplinary actions involving allegations of misconduct by employees of the Public Works Department, and hereby appoints Michael R. Burns, Esq., of Marmero Law, located at 97 Apple Street, Tinton Falls, New Jersey 07724, at an amount not to exceed \$10,000.00, to undertake the aforesaid investigation and to report his findings back to the Township Committee; and,

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

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

RECLASSIFY EMPLOYEE TO THE POSITION OF SANITATION SUPERVISOR IN THE DEPARTMENT OF PUBLIC WORKS - DEFEATED

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

WHEREAS, there is a vacancy in the position of Sanitation Supervisor in the Department of Public Works; and,

WHEREAS, the position was duly posted; and,

WHEREAS, the Human Resources Director, Public Works Director, and Business Administrator have made a recommendation to reclassify an existing employee to said position; and,

WHEREAS, funds will be provided in the 2021 Municipal Budget in the appropriation entitled Solid Waste Collection 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 Edgardo Santiago, Jr. be and is hereby reclassified to the position of Sanitation Supervisor in the Department of Public Works at an annual salary of \$80,000.00 effective May 25, 2021; 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 the Department and Division Heads Association.

The resolution was defeated on the following vote: Cafferty, abstain; Lane, no; Williams, no; York, no; and Brantley, no.

AUTHORIZE THE PAYMENT OF BILLS

Mr. Lane offered the following resolution, moved and seconded by Ms. York, 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	8,394,003.55
GRANT FUND	4,884.17
TRUST FUND	2,775.00
GENERAL CAPITAL FUND	37,850.90
SEWER OPERATING FUND	1,102,558.80
SEWER CAPITAL FUND	5,580.54
MARINA OPERATING FUND	42,918.38
DOG TRUST	415.20
LIBRARY TRUST	487.46
BILL LIST TOTAL	\$9,591,474.00

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: Cafferty, aye; Lane, aye; Williams, aye; York, aye; and Brantley, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Mayor Brantley asked for public comments regarding resolutions presented on this agenda only. The public was permitted to speak one time with a limit of five minutes. Comments were as follows:

Kathy Bray, 1804 MacBride Avenue, thanked Mr. Gadaleta for taking care of the issue with burned out homes in her neighborhood. The demolition has been scheduled to start on June 1st.

Jeff Lucien, representing Neptune Township blue collar workers, expressed his gratitude to the Committee for authorizing an Independent Investigator to address matter in Public Works.

Thomasina Shanks, 12 Shorebrook Circle, thanked Mr. Gadaleta for calling her regarding the erosion at the rear of her property. The Township and County will be working to resolve the problem. She is not trying to change the flow of water, but wants to get the area cleaned up to help the water flow. She also thanked Mr. Cafferty and Mayor Brantley for their assistance.

Richard Williams, 1 Abbott Avenue, congratulated Mr. Gadaleta for being widely praised this evening. He asked if Mr. Gadaleta's could resume his reports at Township Committee meetings. The Mayor asked Mr. Gadaleta to start providing reports again. Mr. Williams asked if the Township has experienced any wash up of dead bunker fish that is occurring further north. Nick Williams stated dead fish have not been seen in the Shark River. Richard Williams stated the Ocean Grove Homeowners Association has formed a Green Committee and heard from a speaker about the problems with recycling. He asked if the Township's recycling goes to a recycling center or to the landfill. Mr. Gadaleta replied that the Township sells its recycling to a processor and cardboard is the only item that is sought after. Mr. Williams is supportive of the formation of a sub-Committee on parking to discuss ideas.

Elizabeth Beyes, Jumping Brook Apartments, stated that the music at Delvetto's is very loud. She cannot use her patio or open her windows. The music is played on Friday evenings and on weekend days starting at 1:00 p.m. Mr. Gadaleta stated that the Committee discussed the temporary permits on outdoor dining due to covid and determined that outdoor dining will be permitted to continue this summer, but the outdoor music will not be allowed as of June 7th.

Harriet Bernstein asked if any Committee members will be making comments at the LGBTQ flag raising on June 1st. She asked to make a brief comment as a representative of Ocean Grove United. Several Committee members indicated that they will be in attendance.

Luisa Paster stated she appreciates that the Committee will continue to live stream meetings but asked that the ability to submit written comments also continue. There are many people who cannot attend meetings in person. This policy will cut out a large portion of the community from participating.

Nancy Clarke, 47 Embury Avenue, asked the Committee to remind people about the raising of the Pride Flag on June 1st. She stated that the Committee indicated they would make a form available for people to complete who are interested in participating on committees. There is no form on the website nor has there been a public announcement about the form. The Mayor asked Mr. Gadaleta to prepare a form for review.

Joan Venezia, Mt. Hermon Way, asked Mr. Gadaleta to find out the status of the Fire Department review of the North End project which remains a Planning Board action item. She thanked Mr. Anthony for his court update and looks forward to hearing from him on the next court date for OGNED code violation. She asked the Committee to act of resident permit parking even if it is a small trial.

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

Richard J. Cuttrell,
Municipal Clerk