

**TOWNSHIP COMMITTEE WORKSHOP MEETING – SEPTEMBER 11, 2017 – 6:00 P.M.**

Mayor Brantley calls the workshop meeting to order at 6:00 p.m. and asks the Clerk to call the roll:

ROLL CALL

PRESENT/ABSENT

Robert Lane, Jr.	_____
Kevin B. McMillan	_____
Carol Rizzo	_____
Nicholas Williams	_____
Dr. Michael Brantley	_____

Also present: Vito D. Gadaleta, Business Administrator; 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, 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 – Finalize ordinance to establish and amend regulations on the use of public parks and building facilities.
2. Discussion – Best Practices Survey. (PW)
3. Discussion – Ordinance establishing maximum time for storage of vehicles on public streets and private land. (PW)
4. Review Committee calendars/update on outstanding issues and capital items.  
- Various on-going capital improvement projects.

Res. # 17-369 – 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 – SEPTEMBER 11, 2017 – 7:00 P.M.**

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

**ROLL CALL**

**PRESENT/ABSENT**

Robert Lane, Jr.	_____
Kevin B. McMillan	_____
Carol Rizzo	_____
Nicholas Williams	_____
Dr. Michael Brantley	_____

Also present at the dais: Vito D. Gadaleta, Business Administrator; Gene Anthony, Township Attorney; and Richard J. Cuttrell, 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](http://www.neptunetownship.org).

**APPROVAL OF MINUTES**

Motion offered by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve the minutes of the meeting held on August 28th.

**COMMENTS FROM THE DAIS** - Comments from the Dais regarding business on this agenda or any reports on recent events in their respective departments.

**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. 17-38** - An ordinance to amend Volume I, Chapter VII, Section 7.7-4 of the Code of the Township of Neptune by designating a no stopping or standing zone during certain hours on a portion of Ely Road – Final Reading

*Explanatory Statement: This ordinance establishes a no stopping or standing zone on the south side of Ely Road between Carton Avenue and Brighton Avenue, Monday through Friday between the hours of 7:00 a.m. and 3:00 p.m.*

Public Hearing:

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Vote: Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_; Brantley, \_\_\_\_\_.

**ORDINANCE NO. 17-39** - 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. Hermon Way – First Reading

*Explanatory Statement: This ordinance authorizes resident only handicapped parking zones in front of 109 Mt. Hermon Way and 136 Mt. Hermon Way.*

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

The Public Hearing on Ordinance 17-39 will be held on Monday, September 25th.

**CONSENT AGENDA**

Res. # 17-370 – Accept a Corrective Action Plan in connection with 2016 audit recommendations.

Res. # 17-371 – Employ part-time temporary worker in the Department of Public Works for leaf collection.

Res. # 17-372 – Approve the transfer of Taxi Medallion License No. 027.

Res. # 17-373 – Amend schedule or rates for Special Duty Assignments for Police Officer to add an administrative fee.

Res. # 17-374 – Authorize Revocable License Agreement with Neptune Marina, LLC, Block 5608, Lot 15, 201 Concourse South.

Res. # 17-375 – Authorize an amended Revocable License Agreement with Southporte Condominium Association.

Res. # 17-376 – Appoint Township Committee members to the Police Committee.

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

Res. # 17-377 – Authorize the purchase of five 2018 Dodge Journey vehicles through the State Cooperative Purchasing Program.

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

Res. # 17-378 – Authorize payment of bills.

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

Res. # 17-379 – Employ part-time Special Law Enforcement Officers in the Police Department.

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. 17-39

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. HERMON WAY

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>
Mt. Hermon Way	1	South side of Mt. Hermon Way beginning 50 feet east of the southeast intersection of Mt. Hermon Way and Benson Avenue
Mt. Hermon Way	1	North side of Mt. Hermon Way beginning 115 feet west of the northwest intersection of Mt. Hermon Way and New Jersey Avenue

SECTION 2

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

\_\_\_\_\_  
Richard J. Cuttrell,  
Municipal Clerk

\_\_\_\_\_  
Dr. Michael Brantley,  
Mayor

RESOLUTION #17-369 – 9/11/17

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:  
  
Litigation – COAH Court Order/Schedule of approval of the Affordable Housing Plan and Spending Plan  
Contract negotiations – Employee handbook draft
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.

RESOLUTION #17-370 - 9/11/17

ACCEPT A CORRECTIVE ACTION PLAN IN CONNECTION  
WITH THE 2016 AUDIT RECOMMENDATIONS

WHEREAS, the Township Committee previously accepted the 2016 Township of Neptune audit by resolution; and,

WHEREAS, the Chief Financial Officer has reviewed the comments and recommendations portion of said audit and submitted a Corrective Action Plan to the Township Committee,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Corrective Action Plan of the 2016 Township of Neptune Audit be and is hereby accepted and is authorized for submission to the Division of Local Government Services; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer.

*Township of Neptune  
 Corrective Action Plan - In Response to 2016 Audit  
 Michael J. Bascom, CMFO, CTC*

<b>Comment / Recommendation</b>	<b>Explanation</b>	<b>Corrective Action</b>	<b>Responsible Employee</b>	<b>Date of C.A.</b>
<p><u>Finance</u> - Interfunds receivable and payable are reflected on the various funds at year end.</p>	<p>The Township did not clear all Interfunds prior to December 31, 2016 as sufficient funds were not available in certain accounts.</p>	<p>Township will clear all Interfunds as of December 31.</p>	<p>Michael J. Bascom CFO</p> <p>Edward Hudson, Asst. CFO</p>	<p>12/31/17</p>

RESOLUTION #17-371 - 9/11/17

EMPLOY PART-TIME TEMPORARY WORKER IN THE DEPARTMENT OF  
PUBLIC WORKS FOR LEAF COLLECTION

WHEREAS, the Township has a need to employ seasonal workers in the Department of Public Works for the collection of leaves; and,

WHEREAS, the Director of Public Works and Human Resources Director have forwarded their recommendation to hire a worker in addition to the three that were approved by adoption of Resolution #17-363 on August 28, 2017; and,

WHEREAS, funds for this purpose are available in the 2017 Municipal budget in the appropriation entitled Street & Road Maintenance 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 Javon Hinds be and is hereby employed as a part-time temporary worker in the Department of Public Works for leaf collection, for the period from October 15, 2017 to December 15, 2017, for twenty-eight (28) hours per week, at a hourly salary of \$15.00 per hour with no health benefits; 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 Director of Public Works.

RESOLUTION #17-372 - 9/11/17

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 027

WHEREAS, Ibrahem Abdo-Abdelwahed is the owner of Neptune Township Taxi Medallion No. 027; and,

WHEREAS, he has notified the Taxi License Coordinator of the intent to sell and transfer ownership of said medallion to Sheldon Edwards d/b/a 5 Stars Transportation, 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. 027 to Sheldon Edwards d/b/a 5 Stars Transportation, LLC; and,

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

RESOLUTION #17-373 - 9/11/17

AMEND SCHEDULE OF RATES FOR SPECIAL DUTY ASSIGNMENTS FOR POLICE OFFICERS TO ADD AN ADMINISTRATIVE FEE

WHEREAS, the Township Committee established a schedule of rates for Special Duty Assignments for Police Officers on January 1, 2017; and,

WHEREAS, the Township desires to add an administrative fee equal to the fee charged in the event the Township assigns the administration of Special Duty Assignments to a third party vendor; and,

THEREFORD, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following shall represent hourly rates for Special Duty Assignments for Sworn Police Officers and Special Law Enforcement Officers – Class II effective January 1, 2017:

Overall rates:

Traffic Control/Security Assignment	\$85.00 per hour
Regularly Scheduled (repetitive) Security Assignment:	\$75.00 per hour
Board of Education Assignment	\$45.00 per hour
Board of Education Assignment – SLEO II	\$40.00 per hour
Off-Duty Assignment – Governmental agency	\$50.00 per hour
(Includes non-profit organizations supported by the municipal budget)	

Sworn Police Officers (PBA and FOP) assigned to these duties will be paid as follows:

Traffic Control/Security Assignment	\$60.00 per hour
Regularly Scheduled (repetitive) Security Assignment:	\$50.00 per hour
Board of Education Assignment	\$45.00 per hour
Off-Duty Assignment – Governmental agency	\$45.00 per hour
(Includes non-profit organizations supported by the municipal budget)	

Special Law Enforcement Class II Officers assigned to these duties will be paid as follows:

Traffic Control/Security Assignment	\$30.00 per hour
Regularly Scheduled (repetitive) Security Assignment:	\$30.00 per hour
Board of Education Assignment	\$40.00 per hour
Off-Duty Assignment – Governmental agency	\$30.00 per hour
(Includes non-profit organizations supported by the municipal budget)	

BE IT FURTHER RESOLVED, that the Township may assign the administration of Special Duty Assignments to a vendor who will charge a 6% administrative fee to the contractor for all assignments managed through their program. This administrative charge will not be assessed to the Neptune Township Board of Education.

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.

RESOLUTION #17-374 – 9/11/17

AUTHORIZE REVOCABLE LICENSE AGREEMENT WITH NEPTUNE MARINA, LLC,  
BLOCK 5608, LOT 15, 201 CONCOURSE SOUTH

WHEREAS, Neptune Marina, LLC, with property located at 201 Concourse South, Neptune Township, New Jersey, and more specifically identified as Block 5608, Lot 15 on the tax map of the Township of Neptune has requested a Revocable License Agreement be entered into between Neptune Township, and Neptune Marina, LLC concerning certain encroachments upon a municipal right-of way at Block 5608, Lot 15; and

WHEREAS, Neptune Marina, LLC, is seeking a license to maintain certain curbing, walkways, retaining walls, fencing and a moveable planter presently encroaching on the municipal right-of-way, which the property owner intends to continue use of, subject to removal should the controlling authority have reasonable cause to believe that such encroachments need to be removed from the aforesaid municipal right-of-way, and subject to a Revocable License Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes a Revocable License Agreement with Neptune Marina, LLC, with property located 201 Concourse South, Neptune Township, New Jersey, and more specifically identified as Block 5608, Lot 15, Neptune Township, New Jersey a true copy of such proposed Agreement is attached hereto as Exhibit "A," subject to the conditions of the Agreement and prior review of the Township Engineer and approval of this Agreement as a minor encroachment, with a one-time payment to the Township of Neptune of \$150.00 for preparation of the Revocable License Agreement for a minor encroachment, plus costs of recording of said Revocable License Agreement in the Clerk's Office of Monmouth County, paid to the Law Office of Gene J. Anthony, Esq., and subject to all other requirements in the aforesaid Revocable License Agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute the Revocable License Agreement, and return to the Township Attorney for recording.

RESOLUTION #17-375 – 9/11/17

AUTHORIZE AN AMENDED REVOCABLE LICENSE AGREEMENT  
WITH SOUTHPORTE CONDOMINIUM ASSOCIATION

WHEREAS, Southporte Condominium Association, with property located at 120 South Concourse, Neptune Township, New Jersey, and property in question located at Block 5607, Lot 3 (formerly Block 550, Lot 23), on the tax map of the Township of Neptune requested a Revocable License Agreement be entered into between Neptune Township, New Jersey and Southporte Condominium Association in Neptune Township concerning encroachments upon the municipal right-of-way; and

WHEREAS, by Resolution of September 28, 2015, the Township Committee authorized the Revocable License Agreement, which was fully executed by all parties on September 9, 2015, but the same merely identified the subject property as Block 5607, Lot 3 (formerly Block 550, Lot 23) which is the property of the Southporte Condominium Association, but not the property that contained the subject encroachments, which is Block 5608, Lot 16 (formerly Block 558, Lot 1.13), which requires an amendment to the prior Revocable License Agreement; and

WHEREAS, Southporte Condominium Association wants to continue a license to provide and to maintain certain encroachments presently in the municipal right-of-way including a fence, fire pit, picnic table, two tiki bars/huts, kayak rack and statutory ornaments, benches and paver patio within the 70 foot municipal right-of-way, subject to their removal should the controlling authority have reasonable cause to believe that such encroachments need to be removed from the aforesaid right-of-way, and therefore, requires an amended Revocable License Agreement to be more specific as to the proper block and lot where the encroachments are located.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes an amended Revocable License Agreement with Southporte Condominium Association, a true copy of such proposed amended Agreement is attached hereto as Exhibit "A," subject to the conditions of the amended Agreement, with the continued conditions of the original Agreement, so as to provide specific identification of the property for which the encroachments are located as Block 5608, Lot 16; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute the Agreement, and return to the Township Attorney for recording.

RESOLUTION #17-376 - 9/11/17

APPOINT TOWNSHIP COMMITTEE MEMBERS TO THE POLICE COMMITTEE

WHEREAS, the Township Committee adopted Ordinance No. 17-29, which creates a three member Police Committee; and,

WHEREAS, the three member Police Committee is comprised of two members of the Neptune Township Committee and a third non-Township Committee member; and,

WHEREAS, the Township Committee desires to appoint the two Township Committee members which will supersede the appointments made by Resolution 17-342 on August 14, 2017,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby appoints Committeeman Nicholas Williams and Mayor Michael Brantley to the Police Committee, effective immediately, and to serve until the appointment of a successor; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Business Administrator, Township Attorney and Chief of Police.

RESOLUTION #17-377 - 9/11/17

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

WHEREAS, the Business Administrator has recommended the purchase of five 2018 Dodge Journey vehicles for the Code/Construction Department 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 each vehicle shall not exceed \$18,794.00 for the base contract price plus the AAJ Connectivity Group option a total of \$93,790.00 for five vehicles,; and,

WHEREAS, funds for this purpose are available from Ordinances No. 17-31 and 15-33 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 five (5) 2018 Dodge Journey vehicles for the Code/Construction Department through New Jersey Cooperative Purchasing Program Contract No. 86922 be and is hereby authorized at an amount not to exceed \$93,790.00; and,

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

RESOLUTION #17-378 – 9/11/17

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	\$3,568,268.46
GRANT FUND	54,753.72
TRUST FUND	111,763.32
GENERAL CAPITAL FUND	1,927,649.87
SEWER OPERATING FUND	175,617.24
SEWER CAPITAL FUND	3,050.00
MARINA OPERATING FUND	125,144.49
MARINA CAPITAL FUND	543,171.30
DOG TRUST	151.20
BILL LIST TOTAL	\$6,509,569.60

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

RESOLUTION #17-379 - 9/11/17

EMPLOY SPECIAL LAW ENFORCEMENT OFFICERS  
IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

WHEREAS, there is a need for Special Law Enforcement Officers 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 has made his recommendations; 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 Robert Sanchez be and is hereby employed as a part-time Special Law Enforcement Officer - Class I, and Ryan Calabro and Michael Jones, Jr. be and are hereby employed as part-time Special Law Enforcement Officers - 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, 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 Resources.