

TOWNSHIP COMMITTEE WORKSHOP MEETING – JANUARY 10, 2022 – 6:00 P.M.

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

ROLL CALL

PRESENT/ABSENT

Dr. Michael Brantley
Keith Cafferty
Robert Lane, Jr.
Tassie D. York
Nicholas Williams

Also present: Gina M. LaPlaca, Business Administrator; Gene Anthony, Township Attorney; Gabriella Siboni, Deputy Municipal Clerk; and Richard J. Cuttrell, Municipal Clerk.

Mayor Williams announces 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 January 6, 2022, 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 is posted on the Township web site (www.neptunetownship.org) and the meeting is being streamed live via townhallstreams.com.

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Review Committee calendars.

Res. # 22-65 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____

Vote: Brantley, _____; Cafferty, _____; Lane, _____; York, _____; Williams, _____.

RESOLUTION #22-65 – 1/10/22

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:

Personnel – Recommendation for Departmental Secretary in Public Works

Litigation – Discussion on settlement of litigation matter

Personnel – Employment of Supervising SLEO Officer

Personnel – Deputy Township Clerk vacancy

Personnel – Ethics review

Personnel – Employee personnel 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 JANUARY 10, 2022**



Richard J. Cuttrell, Municipal Clerk

TOWNSHIP COMMITTEE MEETING – JANUARY 10, 2022 – 7:00 P.M.

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

ROLL CALL

PRESENT/ABSENT

Dr. Michael Brantley
Keith Cafferty
Robert Lane, Jr.
Tassie D. York
Nicholas Williams

Also present at the dais: Gene Anthony, Township Attorney; Gina M. LaPlaca, Business Administrator; Gabriella Siboni, Deputy Municipal Clerk; 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 Williams announces 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 January 6, 2022, 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, ordinances, and resolutions are posted on the Township web site (www.neptunetownship.org) and the meeting is being streamed live via townhallstreams.com.

APPROVAL OF MINUTES

Motion offered by _____, seconded by _____, to approve the minutes of meetings of December 20, 2021 and January 1, 2022.

PRESENTATION

The Mayor will make a presentation to Dr. Michael Brantley in recognition of his service as Mayor in 2021.

OATH OF OFFICE – GABRIELLA SIBONI, MUNICIPAL CLERK

The Mayor will administer the Oath of Office to Gabriella Siboni who has been appointed to the position of Acting Municipal Clerk effective January 15, 2022 and Municipal Clerk effective February 1, 2022.

COMMENTS FROM THE DAIS

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

REPORT OF THE BUSINESS ADMINISTRATOR

The Business Administrator will report on capital projects and matters of general interest.

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. 22-01 – An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding a resident only handicapped parking zone on Broadway and removing a resident only handicapped parking zone on Abbott Avenue – First Reading

Explanatory Statement: This ordinance authorizes a resident only handicapped parking zone in front of 137 Broadway and the removal of an existing handicapped parking zone in front of 16 Abbott Avenue.

Offered by: _____ Seconded by: _____
Vote: Brantley, _____; Cafferty, _____; Lane, _____; York, _____; Williams, _____.

ORDINANCE NO. 22-02 – An ordinance amending Ordinance No. 20-35 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” by creating the position of paramedic – First Reading

Explanatory Statement: This ordinance creates the full-time job title of Paramedic and establishes a salary range of \$42,000 minimum/\$67,000 maximum.

Offered by: _____ Seconded by: _____
Vote: Brantley, _____; Cafferty, _____; Lane, _____; York, _____; Williams, _____.

ORDINANCE NO. 22-03 – An ordinance authorizing the imposition of an Occupancy Tax on hotels and motels within the Township of Neptune, County of Monmouth, State of New Jersey – First Reading

Explanatory Statement: This ordinance for a Hotel, Motel and/or Transient Accommodation Occupancy Fee of 3% to be paid by the occupant of the room. The ordinance establishes definitions and method for collection and payment. The ordinance becomes effective on the first day of the first month occurring ninety (90) days after its adoption and transmittal to the State Treasurer.

Offered by: _____ Seconded by: _____
Vote: Brantley, _____; Cafferty, _____; Lane, _____; York, _____; Williams, _____.

The Clerk announces that the Public Hearings on Ordinances 22-01, 22-02 and 22-03 will be held at the next Township Committee meeting on January 24, 2022.

CONSENT AGENDA

- Res. #22-66 – Appoint School Crossing Guards for 2021-2022 school year.
- Res. #22-67 – Authorize disposal of surplus vehicles with no resale value.
- Res. #22-68 – Accept the resignation of Alciia Reiter as a Customer Service Representative in the Police Department.
- Res. #22-69 – Authorize Letter of Support for the Township of Neptune Housing Authority application to the New Jersey Economic Development Authority for community benefit funding through the Aspire Program.
- Res. #22-70 – Authorize temporary access to Township owned property at LoFreddo Field (Block 816 Lot 17) to A-Z Diagnostics for use as a mobile covid testing location.

Res. #22-71 – Authorize submission of a Neptune South Riverside Flood Pumps Sub-Grant application to the Federal Emergency Management Agency FY2021 Building Resilient Infrastructure and Communities Program.

Res. #22-72 – Amend appointments to the Recreation Committee.

Res. #22-73 – Authorize Use of Right-of-Way in the Township of Neptune by Cablevision of Monmouth, LLC and a Revocable License Agreement to maintain a telecommunications cabinet in the Municipal Right-of-Way and amending and rescinding Resolution #21-314 approved on September 27, 2021 (Block 5013, Lot 1).

Res. #22-74 – Amend hourly rates for certain titles of Special Law Enforcement Officers for 2022.

Res. #22-75 – Adopt Side Bar Agreements between Neptune Township and New Jersey State PBA Local 74 and State FOP Local 19.

CONSENT AGENDA Offered by: _____ Seconded by: _____
Vote: Brantley, _____; Cafferty, _____; Lane, _____; York, _____; Williams, _____.

Res. #22-76 – Employ Supervising Special Law Enforcement Officer in the Police Department on a part-time basis.

Offered by: _____ Seconded by: _____
Vote: Brantley, _____; Cafferty, _____; Lane, _____; York, _____; Williams, _____.

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

RESOLUTION #22-66 - 1/10/22

APPOINT SCHOOL CROSSING GUARDS FOR THE 2021-2022 SCHOOL YEAR

WHEREAS, there are vacancies in the position of School Crossing Guards for the 2021-2022 school year; and,

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

WHEREAS, funds for this purposes will be provided for the first three months of 2022 in the 2022 Temporary Budget and funds for the balance of 2022 will be provided in the Budget for the year 2022, when finally adopted, 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 the following individuals be and they are hereby appointed as School Crossing Guards for the 2021-2022 school year and to perform such other duties as prescribed by the Chief of Police, at an hourly rate of \$17.14:

Megan O'Brien
David Williams
Daniel VanOrden

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 JANUARY 10, 2022



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #22-67 - 1/10/22

AUTHORIZE DISPOSAL OF SURPLUS VEHICLES WITH NO RESALE VALUE

WHEREAS, the Township of Neptune owns two police cars that have no resale value; and,

WHEREAS, the Director of Public Works recommends that said vehicles be salvaged at a recycling facility,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby declares the following vehicles as surplus equipment, no longer needed for public use, and have no resale value:

2017 Ford Vin# 1FM5K8ARXHGE15322
2017 Ford Vin# 1FM5K8AR0HGE01333

BE IT FURTHER RESOLVED, that the Township Committee authorizes the Public Works Director to scrap these vehicles at a recycling facility for their metal value; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., and Public Works 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 JANUARY 10, 2022



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #22-68 - 1/10/22

ACCEPT THE RESIGNATION OF ALICIA REITER AS A CUSTOMER SERVICE REPRESENTATIVE IN THE POLICE DEPARTMENT

WHEREAS, the Human Resources Director has received a letter from Alicia Reiter resigning as a Customer Service Representative in the Police Department effective December 31, 2021,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Alicia Reiter as a Customer Service Representative in the Police Department is hereby accepted effective December 31, 2021; 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, Human Resources Director and AFSCME Local 1844.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JANUARY 10, 2022



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #22-69 - 1/10/22

AUTHORIZE LETTER OF SUPPORT FOR THE TOWNSHIP OF NEPTUNE HOUSING
AUTHORITY APPLICATION TO THE NEW JERSEY ECONOMIC DEVELOPMENT
AUTHORITY FOR COMMUNITY BENEFIT FUNDING THROUGH THE ASPIRE PROGRAM

WHEREAS, the Township of Neptune Housing Authority ("TNHA") is making application to the New Jersey Economic Development Authority ("NJEDA") for community benefit funding through the Aspire Program; and

WHEREAS, the Township recently held a preliminary meeting with the TNHA regarding the redevelopment of their 1130 Heck Avenue site, and discussed at length the required Community Benefit component under the Aspire Program; and,

WHEREAS, that the Township strongly supports the redevelopment of 1130 Heck Avenue into new affordable housing, which is much needed in our community, acknowledges the requirement of a Community Benefit Agreement for the project, and pledges to work with the TNHA to negotiate this agreement within the time frame required by N.J.A.C. 19:31-23.8 (e)(3); and,

WHEREAS, the demolition of the current buildings at the site would meet the criteria for a "community benefit" under Aspire and the Township would like to propose that a portion of the Community Benefit funds be used for this purpose. The Township and the TNHA will continue to discuss what any additional projects can be completed with any funds available after demolition is funded; and,

WHEREAS, the redevelopment of the 1130 Heck Avenue site will transform the neighborhood while providing an additional 70 families with much needed affordable housing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune hereby authorizes Mayor Nicholas Williams to issue and execute a letter of support of the Township of Neptune Housing Authority application to the New Jersey Economic Development Authority ("NJEDA") for community benefit funding through the Aspire Program in connection with the redevelopment of 1130 Heck Avenue; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution, along with the letter of support executed by the Mayor, shall be forwarded by the Township Clerk to the TNHA, which documents will be submitted by the TNHA in connection with the TNHA's Application to the NJEDA Aspire program for the redevelopment of the 1130 Heck Avenue site.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JANUARY 10, 2022



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #22-70 - 1/10/22

AUTHORIZE TEMPORARY ACCESS TO TOWNSHIP OWNED PROPERTY AT LOFREDDO
FIELD (BLOCK 816, LOT 17) TO A-Z DIAGNOSTICS FOR USE
AS A MOBILE COVID TESTING LOCATION

WHEREAS, the Township of Neptune owns a parcel a land at LoFreddo Field (Block 816, Lot 17); and

WHEREAS, A-Z Diagnostics has offered to establish a mobile covid testing facility at the site to be in operation starting January 10, 2022, three days per week from 9:00 a.m. to 5:00 p.m. and continuing until the site is deemed no longer necessary, or if the Township terminates the temporary access permission at any time; and,

WHEREAS, A-Z Diagnostics has provided a Certificate of Liability Insurance issued to the Township of Neptune; and,

WHEREAS, the Township Committee believes that providing access to said parcel at no cost provides a benefit to the residents of Neptune Township,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune hereby temporary access to Township owned property at LoFreddo Field (Block 816, Lot 17) be and is hereby granted to A-Z Diagnostics for the purpose of a temporary mobile covid testing location under the terms as described herein; and,

BE IT FURTHER RESOLVED, that A-Z Diagnostics shall save and hold Neptune Township harmless from and against all liability, damage, loss, claim, demands and actions of any nature whatsoever, which arises out of or connected with or are claimed to arise out of or connected with the services or occupancy of Neptune Township property by or rendered by A-Z Diagnostics its employees, agents or invitees; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, OEM Director, Business Administrator and Zoning Officer.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JANUARY 10, 2022



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #22-71 - 1/10/22

AUTHORIZE SUBMISSION OF A NEPTUNE SOUTH RIVERSIDE FLOOD PUMPS SUB-GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FY2021 BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES PROGRAM

WHEREAS, the area located in the vicinity of South Riverside Drive is in a flood zone and is prone to coastal flooding; and

WHEREAS, the Federal Emergency Management Agency (FEMA) administers a Building Resilient Infrastructure and Communities Program which provides grants opportunities to infrastructure projects that mitigate and build flood resiliency in communities; and,

WHEREAS, the Township desires to submit an application for funding consideration for the Neptune South Riverside Flood Pumps Project to FEMA with the approval of the New Jersey Office of Emergency Management; and,

WHEREAS, based on the Engineer's estimate for the project, the total cost is anticipated to be \$900,000. This mitigation project is eligible for a 70%/30% cost share split; therefore, the Township will seek reimbursement for \$630,000 and the Township commits to fund the remaining \$270,000 in non-federal match for the project; and,

WHEREAS, the Township understands that this is a reimbursement program and is responsible for the project costs in total before being reimbursed,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes submission of a grant application to the Federal Emergency Management Agency Building Resilient Infrastructure and Communities Program for the Neptune South Riverside Flood Pumps Project for the amount and local match as described herein; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the OEM Director, and Administrative Assistant to the Chief Financial Officer.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JANUARY 10, 2022



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #22-72 - 1/10/22

AMEND APPOINTMENTS MADE TO THE RECREATION COMMITTEE

WHEREAS, on January 1, 2022, the Township Committee adopted Resolution #22-23 which appointed members to the Recreation Committee for the year 2022; and,

WHEREAS, several of the appointed individuals have indicated that they do not wish to serve; and,

WHEREAS, the Township Committee desires to appoint additional members,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Peter Barahona and Rob Podlaski be and they are hereby appointed as members of the Neptune Recreation Committee for the year 2022 effective immediately; and,

BE IT FURTHER RESOLVED, that the appointments of Jimmie King, Scott Imbriaco, and Danielle Seals to the Recreation Committee, made by the Township Committee on January 1, 2022, be and are hereby rescinded at the request of each individual; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Recreation 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 JANUARY 10, 2022



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #22-73 – 1/10/22

AUTHORIZE USE OF RIGHT-OF-WAY IN THE TOWNSHIP OF NEPTUNE BY CABLEVISION OF MONMOUTH, LLC, AND A REVOCABLE LICENSE AGREEMENT TO MAINTAIN A TELECOMMUNICATION CABINET IN THE MUNICIPAL RIGHT-OF-WAY AND AMENDING AND RESCINDING RESOLUTION #21-314 APPROVED ON SEPTEMBER 27, 2021
BLOCK 5013, LOT 1

WHEREAS, the Township Committee of the Township of Neptune, New Jersey ("Township") has received a request from Cablevision of Monmouth, LLC, through contractor Altice USA, Inc., to install cable and a communications cabinet in the Municipal Right-of-Way, across from 420 Brighton Avenue, Block 5013, Lot 1; and

WHEREAS, said installation shall provide telecommunication services and other services as Cablevision may deem necessary, desirable or appropriate to the residents of the Township; and

WHEREAS, Cablevision, a cable television company and contractor with an address of 40 Pine Street, Tinton Falls, New Jersey, is authorized to provide such services to the Township pursuant to an Order dated December 19, 2017 issued by the New Jersey Board of Public Utilities; and

WHEREAS, the granting of such a consent shall be conditional upon Cablevision of Monmouth, LLC, entering into a License Agreement for purposes of operating, repairing, and maintaining and if necessary, replacing an intended installed fiber optic cabinet in the Municipal Right-of-Way between utility poles JC120NT & JC121NT; and

WHEREAS, this Resolution amends and rescinds Resolution #21-314, approved by the Township Committee on September 27, 2021 by eliminating the consideration for the preparation fee of \$300.00 and the recording fee of \$160.00, since all consideration for Cablevision's use of the Municipal Right-of-Way is subject to the Cable Television Act, N.J.S.A. 48:5A-30(a), which entitles the Municipality to a percentage of the gross revenues of all recurring charges, in the nature of subscription fees paid by subscribers of cable television reception service within the Municipality in lieu of any other charges or License Fees. In further consideration, the Township shall maintain Right-of-Way management rights, which include but are not limited to: necessary traffic control; street closures; enforcement of building property maintenance and electrical codes caused by the installation of the aforesaid structure and its continued maintenance.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, hereby authorizes Cablevision of Monmouth, LLC, with an address of c/o Altice USA, Inc., One Court Square West, Long Island City, New York, NY, the non-exclusive consent to occupy the Municipal Right-of-Way within the Township of Neptune for purposes of construction and installation of cable and a fiber optic cabinet across from 420 Brighton Avenue, Block 5013, Lot 1 between utility poles JC120NT & JC121NT; and further authorizes a Revocable License Agreement with Cablevision, a true copy of the proposed Agreement of which is attached hereto and made a part hereof as Exhibit A; establishing the terms and conditions for such placement of said cabinet, with payment subject to the terms and conditions of the Cable Television Act, N.J.S.A.

48:5A-30(a), and subject to all permits and Zoning compliance and rights of Right-of-Way management by the Township; and,

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute the aforesaid Revocable License Agreement, and return to the Township Attorney for recording in the Clerk's Office of Monmouth County.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JANUARY 10, 2022



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #22-74 – 1/10/22

AMEND HOURLY RATES FOR CERTAIN TITLES OF SPECIAL LAW ENFORCEMENT OFFICERS FOR 2022

WHEREAS, on January 1, 2022, the Township Committee adopted Resolution #22-58 which established the hourly rates for part-time positions in the Township of Neptune, that are not covered by a collective bargaining contract, for the year 2022; and,

WHEREAS, there are certain sub-classifications of Special Law Enforcement Officers – Class II which were incorrectly stated in Resolution #22-58 or were not included

WHEREAS, funds will be provided for the first three months of 2022 in the 2022 Temporary Budget in the various salary and wage appropriations and funds for the balance of 2022 will be provided in the Budget for the year 2022, 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 amends Resolution #22-58 by establishing hourly rates for certain part-time Special Law Enforcement Class 2 positions the year 2022 as follows:

<u>Title</u>	<u>2022 Hourly Rate</u>
Special Law Enforcement Officer – Class 2	\$ 22.85
Supervising Special Law Enforcement Officer - Class 2	27.56
Special Law Enforcement Officer – Class 2 (SRO)	36.90
Supervising Special Law Enforcement Officer – Class 2 (BWC Coordinator)	36.00

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the 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 JANUARY 10, 2022



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #22-75 – 1/10/22

ADOPT SIDE BAR AGREEMENTS BETWEEN NEPTUNE TOWNSHIP AND NEW JERSEY
STATE PBA LOCAL 74 AND STATE FOP LOCAL 19

WHEREAS, the Township of Neptune ("Township") wishes to enter into two Side Bar Agreements, dated December 15, 2021, with New Jersey State PBA Local 74 and New Jersey State FOP Local 19 ("Locals") to the collective negotiations agreement ("CNA") with a term of January 1, 2021 to December 31, 2024, concerning matters the COVID vaccination/testing policy, Juneteenth State holiday, and rates of pay for off-duty work assignments; and

WHEREAS, the Township and Locals have executed a Side Bar Agreement concerning the COVID vaccination/testing policy and Juneteenth State holiday and a Side Bar Agreement regarding rates of pay for off-duty assignments as evidenced by the attached Agreements which are attached hereto and incorporated herein by reference; and

WHEREAS, the Township possesses the authority to enter into an Agreement with the Locals; and

WHEREAS, the Township finds that it is in its best interest to enter into an Agreement with the Locals,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Neptune as follows:

1. The Township accepts the Side Bar Agreements regarding the Locals, which are attached hereto to this Resolution.
2. The Mayor and Clerk are hereby authorized to execute said Side Bar Agreements on behalf of the Township of Neptune.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Police Committee, Chief of Police, PBA Local #74, FOP Local #19, Business Administrator, 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 JANUARY 10, 2022



Richard J. Cuttrell, Municipal Clerk

SIDE BAR AGREEMENT

This Agreement is made this _____ day of December, 2021, by and between the Township of Neptune ("Township") and the Policeman's Benevolent Association Local 74 (herein "PBA") and Fraternal Order of Police, Lodge #19 ("FOP"),

WHEREAS, the Township has implemented a COVID Vaccination / Testing Policy ("Policy"); and

WHEREAS, the PBA, and FOP demanded negotiations over all negotiable issues with regard to the Policy; and

WHEREAS, the PBA and FOP have filed a grievance seeking overtime pay for members who worked on the recently recognized Juneteenth State holiday; and

WHEREAS, the Township, the PBA and the FOP have engaged in good faith negotiations to resolve the grievance and all issues with the Policy;

NOW, THEREFORE, in consideration of the mutual covenants, promises and undertakings set forth herein the parties agree to the following:

1. All PBA and FOP unit members shall receive compensatory time in the amounts set forth below to be added to their compensatory time banks and used or surrendered for payment pursuant to the applicable provisions of the respective collective negotiations agreements:

January 1, 2022 – 4 hours

January 1, 2023 – 6 hours

January 1, 2024 – 8 hours

2. Unvaccinated PBA and FOP members shall be responsible for the costs of weekly COVID testing.

3. The PBA and FOP hereby waive any and all rights to seek additional compensation for members who work on the Juneteenth holiday until negotiations for successor CNAs.

4. This Agreement is subject to ratification by the Township Committee, the PBA and FOP membership.

5. Any disputes regarding this Agreement shall be resolved through the grievance procedure set forth in the CNA.

6. Nothing in this Agreement shall alter the terms of the respective collective negotiations agreements between the Township and the PBA and FOP.

IN WITNESS WHEREOF, the Parties have executed this Side Bar Agreement as of the day and year appearing above.

FOR PBA LOCAL 74



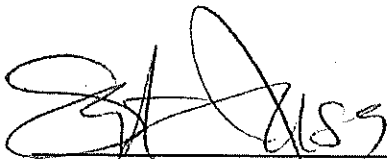
CASEY CRAWFORD, President

Date: 12/15/2021

FOR THE TOWNSHIP

Date:

FOR FOP LODGE #19



JAMES MacCONCHIE, President

Date:

12/15/2021

**POLICEMEN'S BENEVOLENT
ASSOCIATION, LOCAL 74 AND
FRATERNAL ORDER OF POLICE,
LODGE #19,**

Unions,

-and-

TOWNSHIP OF NEPTUNE,

Employer.

STATE OF NEW JERSEY

**PUBLIC EMPLOYMENT RELATIONS
COMMISSION**

DOCKET NO.: AR-2022-017

**SETTLEMENT AND SIDE BAR
AGREEMENT**

This Agreement is made this _____ day of December, 2021, by and between the Township of Neptune ("Township") and the Policeman's Benevolent Association Local 74 ("PBA") and Fraternal Order of Police, Lodge #19.

WHEREAS, the Township and the PBA and the FOP are parties to respective collective negotiations agreements (CNA) effective January 1, 2021 through December 31, 2024; and

WHEREAS, Article XXVII, Off Duty Compensation provides rates of pay for off-duty work assignments; and

WHEREAS, a dispute has arisen concerning the classification of certain off-duty work assignments at the Wawa convenience store; and

WHEREAS, the PBA filed a grievance contesting the Township's classification of off-duty work performed at the Wawa convenience store; and

WHEREAS, the grievance was submitted to arbitration pursuant to the CNA and assigned docket no. AR-2022-017; and

WHEREAS, the Township and the PBA seek to resolve this matter without the expense of further litigation; and

WHEREAS, the FOP is affected by the resolution and is in agreement with its terms;

NOW, THEREFORE, in consideration of the mutual covenants, promises and undertakings set forth herein the parties agree to the following:

1. All PBA Local 74 unit members that worked the Wawa detail shall be compensated at \$85.00 per hour for all hours worked. Payment shall be made in the next pay period following the ratification of this Agreement.

2. Article XXVII, Section B of the CNAs shall be amended to state the following, with all other Sections of Article XXVII unchanged:

B. The hourly rate for employees of this bargaining unit shall be:

Security Assignment \$85.00 per hour

Security Assignment scheduled

for more than five days in a

30-day period and 2 or more

Officers requested \$65.00 per hour

Daily Security Assignment

anticipated to last more than
180 days per year \$50.00 per hour

Traffic Assignment \$85.00 per hour

Neptune Tp. Bd. of Education,
Non-Profit \$50.00 per hour

Effective January 1, 2023

Security Assignment \$90.00 per hour

Security Assignment scheduled
for more than five days in a
30-day period and 2 or more
Officers requested \$65.00 per hour

Daily Security Assignment
anticipated to last more than
180 days per year \$50.00 per hour

Traffic Assignment \$90.00 per hour

Neptune Tp. Bd. of Education,
Non-Profit \$50.00 per hour

The Township Committee, at their discretion, may increase this rate during the term of this contract, through the adoption of the appropriate ordinance and / or resolution.

Assignments to grant funded details will be paid at the rate agreed upon between the Township and the granting entity.

Special Police Officers may work the above assignments only after all PBA and FOP unit members have been offered the job and the job remains unfilled.

When a new entity seeks off-duty police services, the Township shall determine the applicable rate, as set forth above, for off-duty work and advise the PBA and FOP of the new service and rate. If the PBA or FOP believe that a different rate should be applicable, they shall so advise the Township and the Parties shall confer to determine if a change in the rate is appropriate. Any off-duty work performed while the Parties are conferring on the rate shall be paid at the rate posted by the Township.

3. The Township Committee will adopt the necessary ordinances and / or resolutions to effectuate the off-duty rates set forth in Paragraph 2 of this Agreement.
4. Upon receipt of the payment set forth in Paragraph 1 of this Agreement, the PBA's grievance and the arbitration bearing docket number AR-2022-017 shall be deemed withdrawn.
5. Any disputes regarding this Agreement shall be resolved through the grievance procedure set forth in the respective CNAs.
6. This Agreement shall not be effective unless and until it is ratified by the membership of the PBA and FOP.

7. Except as so modified herein, the terms of the parties' respective CNAs and all practices shall remain unchanged.

FOR PBA LOCAL 74



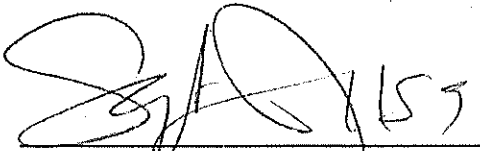
CASEY CRAWFORD, President

Date: 12/15/2021

FOR THE TOWNSHIP

Date:

FOR FOP LODGE #19



JAMES MacCONCHHE, President

Date:

12/15/2021

RESOLUTION #22-76 - 1/10/22

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

WHEREAS, there is a need for a Supervising Special Law Enforcement Officer – Class II in the Police Department on a part-time hourly basis; and,

WHEREAS, the Chief of Police and Police Command Staff have made their recommendation; and,

WHEREAS, funds will be provided for the first three months of 2022 in the 2022 Temporary Budget and funds for the balance of 2022 will be provided in the Budget for the year 2022, when finally adopted, 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 Michael Zarrobe and is hereby employed as a part-time Supervising Special Law Enforcement Officer – Class II, and to perform such duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, at an hourly rate of \$36.00, effective January 18, 2022; 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 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 JANUARY 10, 2022



Richard J. Cuttrell, Municipal Clerk