

TOWNSHIP COMMITTEE WORKSHOP MEETING – JANUARY 22, 2018 – 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	_____
Robert Lane, Jr.	_____
Kevin B. McMillan	_____
Carol Rizzo	_____
Nicholas Williams	_____

Also present: Vito D. Gadaleta, Business Administrator; Gene Anthony, Township Attorney; 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 4, 2018, 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 – Donation of surplus vehicle to Ocean Grove Citizens Patrol.

2. Review Committee calendars/update on outstanding issues and capital items.
- Various on-going capital improvement projects.

Res. # 18-62 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____

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

TOWNSHIP COMMITTEE MEETING – JANUARY 22, 2018 – 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	_____
Robert Lane, Jr.	_____
Kevin B. McMillan	_____
Carol Rizzo	_____
Nicholas Williams	_____

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 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 4, 2018 posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at www.neptunetownship.org.

APPROVAL OF MINUTES - Motion offered by _____, seconded by _____, to approve the minutes of the meetings held on January 1st and January 8th.

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. 18-01 - An ordinance to amend Volume I, Chapter II, Section 2-61 of the Code of the Township of Neptune by adding a fee for bid plans and specifications from the Engineering Department – Final Reading

Explanatory Statement: This ordinance establishes a fee of fifty (\$50.00) dollars for plans and specifications issued for capital projects by the Engineering Department.

Public Hearing:

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 18-02 - An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding resident only handicapped parking zones on Mt. Tabor Way and Seaview Avenue and removing a resident only handicapped parking zone on Beach Avenue – First Reading

Explanatory Statement: This ordinance authorizes a resident only handicapped parking zone in front of 66 Mt. Tabor Way, 83 Mt. Tabor Way, and 19 Seaview Avenue. The ordinance authorizes the removal of the existing handicapped parking zone in front of 45 Beach Avenue.

Offered by: _____ Seconded by: _____

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

The Public Hearing on Ordinance No. 18-02 will be held on Monday, February 12, 2018

CONSENT AGENDA

Res. # 18-63 – Renew liquor license held by ROS Associates, LLC.

Res. # 18-64 – Authorize Change Order #1 (final) in connection with Improvements to 10th Avenue.

Res. # 18-65 – Accept the resignation of Jonathan Funez as a Police Officer in the Police Department.

Res. # 18-66 – Authorize a person-to-person transfer of the liquor license presently issued to MCRS Neptune Tenant, LLC t/a Residence Inn.

Res. # 18-67 – Authorize the release of a performance bond filed by Petro Realty, LLC for site improvements at the Mobil Station located at 3330 Route 66.

Res. # 18-68 – Authorize temporary no parking on a portion of Ocean Avenue in connection with boardwalk reconstruction.

Res. # 18-69 – Authorize stand-by duty payment to Office of Emergency Management personnel.

Res. # 18-70 – Authorize the sale of Veterans Poppies.

Res. # 18-71 – Authorize the Monmouth County Mosquito Control Division to conduct aerial mosquito control operations with the Township of Neptune as necessary.

Res. # 18-72 – Authorize the purchase of a 2018 Dodge Journey through the State Cooperative Purchasing Program.

Res. # 18-73 – Authorize Change Order #1 in connection with the Municipal Complex roof project.

Res. # 18-74 – Authorize transfer of all Labor Attorney files to recently appointed Labor Attorney, Douglas M. Long, Esq., of the Law Firm of Grace, Marmero & Associates, LLP except those files excluded.

Res. # 18-75 – Authorize the refund of taxes as a result of an overpayment.

Res. # 18-76 – Authorize donation of surplus police vehicle to the Ocean Grove Citizens Patrol.

Res. # 18-77 – Authorize additional appropriation to legal counsel representing Michael J. Bascom in lawsuits seeking punitive damages.

Res. # 18-78 – Authorize additional appropriation to legal counsel representing Police Chief James M. Hunt, Jr. in lawsuits seeking punitive damages.

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

Res. # 18-79 – Extend offer of employment for the position of Records Clerk in the Police Department Records Bureau.

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

Res. # 18-80 – Authorize payment of bills.

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

Res. # 18-81 – Authorize the Township of Neptune to finalize discipline and restore employment of Carina Santos.

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

ORDINANCE NO. 18-02

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

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. Tabor Way	1	North side of Mt. Tabor Way beginning 130 feet east of the northeast intersection of Mt. Tabor Way and Pennsylvania Avenue
Mt. Tabor Way	1	South side of Mt. Tabor Way beginning 125 feet west of the southwest intersection of Mt. Tabor Way and Pilgrim Pathway
Seaview Avenue	1	North side of Seaview Avenue beginning 104 feet west of the northwest intersection of Seaview Avenue and Beach Avenue

SECTION 2

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

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Beach Avenue	1	West side of Beach Avenue beginning 30 feet north of the northwest intersection of Beach Avenue and Olin Street

SECTION 3

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrel,
Municipal Clerk

Nicholas Williams,
Mayor

RESOLUTION #18-62 – 1/22/18

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

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exist,

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

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.

2. The general nature of the subject matter to be discussed is as follows:

Real Estate negotiations – Former VFW property on Corlies Avenue

Potential Litigation – Fabio Court

Personnel – Labor Counsel present to discuss personnel matters

Personnel – Recommendation for position of Records Clerk

3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.

4. This Resolution shall take effect immediately.

RESOLUTION #18-63 - 1/22/18

RENEW LIQUOR LICENSE HELD BY ROS ASSOCIATES, LLC

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

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

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

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

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

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

RESOLUTION #18-64 - 1/22/18

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

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

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

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #1 (final) in the contract with Black Rock Enterprises, LLC in connection with Improvements to 10th Avenue resulting in a net decrease of \$46,973.29 revising the total contract amount to \$415,287.93; and,

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

RESOLUTION #18-65 - 1/22/18

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

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

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

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

RESOLUTION #18-66 - 1/22/18

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

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

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

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

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

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

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

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

RESOLUTION #18-67 - 1/22/18

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

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

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

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

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

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

RESOLUTION #18-68 – 1/22/18

AUTHORIZE TEMPORARY NO PARKING ON A PORTION OCEAN AVENUE
IN CONNECTION WITH BOARDWALK RECONSTRUCTION

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

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

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

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

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

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

RESOLUTION #18-69 - 1/22/18

AUTHORIZE STAND-BY DUTY PAYMENT TO OFFICE OF
EMERGENCY MANAGEMENT PERSONNEL

WHEREAS, volunteer personnel in the Office of Emergency Management were placed on stand-by duty as a result of the snow emergency declared on January 4th and 5th; and,

WHEREAS, overtime payment at the rate of \$14.00 per hour is authorized by resolution of the Township Committee to be paid to said personnel in the event of a long duration situation such as storm or disaster which requires readiness and staffing; and,

WHEREAS, funds will be provided for the first three months of 2018 in the 2018 Temporary Budget and funds for the balance of 2018 will be provided in the Budget for the year 2018 in the appropriation entitled Office of Emergency Management S&W, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that stand-by duty payment at the rate of \$14.00 per hour be and is hereby authorized to the following Office of Emergency Management staff for the hours indicated as a result of the snow emergency on January 4th and 5th, 2018:

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

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

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

RESOLUTION #18-70 - 1/22/18

AUTHORIZE THE SALE OF VETERANS POPPIES

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

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

RESOLUTION #18-71 - 1/22/18

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

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

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

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

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

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

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

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

RESOLUTION #18-72 - 1/22/18

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

WHEREAS, the Business Administrator has recommended the purchase of a 2018 Dodge Journey for the Senior Center through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Laws, N.J.S. 40A:11-12; and,

WHEREAS, Hertrich Fleet Services, Inc has been awarded New Jersey State Contract No. 86922 for this equipment; and,

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

WHEREAS, the cost of the equipment shall not exceed \$18,509.00; and,

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

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

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

RESOLUTION #18-73 - 1/22/18

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

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

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

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

WHEREAS, funds for this purpose are available in Ordinance No. 17-23 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #1 in the contract with MAK Group, Inc. in connection with the Municipal Complex roof project resulting in a net increase of \$39,020.00 revising the total contract amount to \$921,820.00; and,

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

RESOLUTION #18-74 – 1/22/18

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

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

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

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

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

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

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

RESOLUTION #18-75 - 1/22/18

AUTHORIZE THE REFUND OF TAXES
AS A RESULT OF AN OVERPAYMENT

WHEREAS, the properties listed below reflect overpayments; and,

WHEREAS, they have furnished the necessary documentation and have requested a refund;
and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune,
County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to
refund the taxes as stated herein; and,

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
210	5.05	Freund	27 Heck Ave	2017	5,619.90
205	1	Wilcox	112 Main Ave	2017	1,469.99

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

RESOLUTION #18-76 - 1/22/18

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

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

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

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

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

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

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

RESOLUTION #18-77 – 1/22/18

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

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

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

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

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

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

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

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

RESOLUTION #18-78 – 1/22/18

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

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

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

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

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

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

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

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

RESOLUTION #18-79 - 1/22/18

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

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

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

WHEREAS, the Human Resources Director has made her recommendation; and,

WHEREAS, funds will be provided for the first three months of 2018 in the 2018 Temporary Budget and funds for the balance of 2018 will be provided in the Budget for the year 2018 in the appropriation entitled Police S&W, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an offer of employment be and is hereby extended to Lisa Bridge for the position of Records Clerk in the Police Department Records Bureau, on a probationary basis for a period of not less than 90 days and not exceeding one year, pending favorable results of the required physical, effective February 1, 2018, at an annual salary of \$27,300.00; and,

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

RESOLUTION #18-80 – 1/22/18

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	5,055,757.99
TRUST FUND	21,853.20
GENERAL CAPITAL FUND	138,065.24
SEWER OPERATING FUND	12,310.29
SEWER CAPITAL FUND	4,250.00
MARINA OPERATING FUND	2,504.94
DOG TRUST	7,768.20
LIBRARY TRUST	3,466.08
BILL LIST TOTAL	\$5,245,975.94

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

RESOLUTION #18-81 – 1/22/18

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

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

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

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

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

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

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

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

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

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

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

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