

TOWNSHIP COMMITTEE MEETING – JANUARY 28, 2019

Mayor Rizzo called the meeting to order at 6:00 p.m. and requested the Clerk to call the roll. The following members were present: Dr. Michael Brantley, Robert Lane, Jr., Kevin B. McMillan, Nicholas Williams, and Mayor Carol Rizzo.

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

Mayor Rizzo announced 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 and The Coaster on January 3, 2019, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

The following items were discussed in open session:

Mr. Gadaleta updated the Committee on several items:

The Green Acres site remediation on South Riverside Drive will take a couple of additional weeks due to weather related issues. The demolition of the structure at the former Welsh Farms site is complete. He is working with the Assistant Township Attorney to resolve the non-compliance of the Settlement Agreement with the owners of 9 Broadway. There was a sewer back-up in the basement of the Municipal Building. A clean-up company, approved by the JIF, will be starting the clean-up on January 29th. The basement classrooms will be off limits for the month of February.

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

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

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

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

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

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:

Personnel – Personnel hearing
Personnel – Recommendations for hiring of Driver and Customer Service Rep in Code/Construction
Personnel – Citizen Board vacancies. (HPC & Board of Adjustment alternate)
3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.
4. This Resolution shall take effect immediately.

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

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

Mr. Anthony stated that a Hearing Officer and the Labor Attorney have recommended termination of Police Officer Shaun Hubbard. He has had four psychiatric evaluations and three of those came to the conclusion that he should not return to work. The Committee took action by resolution during the regular business portion of the meeting.

The Committee reviewed recommendations for the hiring of two Drivers and a Customer Service Representative in the Code/Construction Department. They took action by two resolutions

during the regular business portion of the meeting.

Dr. Brantley will contact an individual who has expressed interest in serving on the Historic Preservation Commission and report back to the Committee.

The Committee discussed activities of the Police Committee and the Police Consultant. The Consultant was appointed for 2019 via a Request for Proposals (RFP) at a compensation rate of \$2,000 per month. Dr. Brantley and Mr. Williams expressed an interest in increasing this to \$2,500 a month. Mr. Anthony stated this would require the issuance of a new RFP indicating the new monthly compensation. Mr. Anthony and Administration will prepare the new RFP.

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

Mayor Rizzo called the meeting to order and requested the Clerk to call the roll. The following members were present: Dr. Michael Brantley, Robert Lane, Jr., Kevin B. McMillan, Nicholas Williams, and Mayor Nicholas Williams.

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

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

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

Mayor Rizzo announced 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 and The Coaster on January 3, 2019, 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

Mr. McMillan offered a motion, seconded by Mr. Lane, to approve the minutes of the meetings held on January 1st and January 14th. All were in favor.

COMMENTS FROM THE DAIS

Mr. Williams stated that the Municipal Court continues to hold court every Thursday. The Municipal Marina took in \$83,000 in revenue in December and there are only five slips left for the 2019 summer dockage season.

Dr. Brantley stated that the Police Committee is working on several things and instituted the Pitman Schedule earlier in the month. He has attended budget hearings for his departments.

Mr. McMillan attended a Martin Luther King Day celebration in Elizabeth which was attended by Governor Murphy. He also attended an event at Martin Luther King Church in Neptune. He attended the budget hearing for OEM and a Legislative Committee meeting at which three pending State Legislature bills were discussed and supported: Allow members of Junior Firefighter's Auxiliaries to perform certain support duties, require election by certain public employees of health care benefit plans, and establish a farm distillery license.

Mr. Lane attended the 30th annual YMCA Martin Luther King Day breakfast and a Martin Luther King Day event in Red Bank. He attended budget hearings for the Recreation, Senior Center and Construction Departments. The Recreation Department discussed ways to improve Neptune Day including providing a free table to each Homeowners Association in the Township. He announced that Mike Ryan was chosen as the Grand Marshal of the Belmar St. Patrick's Day Parade.

Mayor Rizzo stated budget hearings are in progress and the Committee is looking at all options for revenues. She met with Dr. Crader, Superintendent of Schools. The district has lost \$1.6 million in school aid and there is a need for social workers for families of school aged children.

The Mayor announced that proceeds of this year's Mayor's Ball will go towards scholarships for high school graduates going to college or trade schools. The Mayor's Youth Cabinet will now be open to membership to all four high school grades. She wants the direction of the Cabinet to be based more on what the students want from the Township.

PUBLIC COMMENTS ON RESOLUTIONS

Jack Bredin, 94 ½ Heck Avenue, stated that the North End Redevelopment Plan was approved with underground parking. He reviewed the process and current status of the project and suggested that the resolution to appoint a Coastal Engineering pool to be amended to reference the North End Plan and require reimbursement by the Redeveloper. The Mayor responded that the resolution has nothing to do with the North End project, but is in regards to the Shark River.

Hank Coakley, Valley Road, in reference to the resolution to terminate a police officer asked what makes the police officer unfit for duty. Mr. Anthony replied that three out of four psychiatric evaluations say he is unfit.

ORDINANCE NO. 19-01 - ADOPTED

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

ORDINANCE NO. 19-01

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND ESTABLISH A CAP BANK FOR PURPOSES OF INTRODUCING THE 2019 MUNICIPAL BUDGET

The Mayor requested comments on the above ordinance. There being no comments, the Mayor closed the public hearing.

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

CONSENT AGENDA

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

EMPLOY PART-TIME TEMPORARY TOURISM REPRESENTATIVES FOR THE 2019 SUMMER SEASON

WHEREAS, there is a need to employ four part-time temporary Tourism Representatives to operate the Tourism Bureau for the 2019 Summer Season; and,

WHEREAS, the four representatives who worked in 2018 have expressed an interest in returning in this capacity; and,

WHEREAS, based on the amount of funds expended in the prior year for these services, it is estimated that the total 2019 appropriation for this purpose will be \$14,000.00. Funds will be provided for the first three months of 2019 in the 2019 Temporary Budget and funds for the balance of 2019 will be provided in the Budget for the year 2019 in the appropriation entitled Publicity & Tourism 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 Catherine Goslee, Carol Bernard, Danielle Daly and Jacqueline Lyon be and are hereby employed as part-time temporary Tourism Representatives in the Tourism Bureau not to exceed an average of 25 hours per week per employee or an average of 40 hours per week in total staffing beginning April 16, 2019 and ending October 1, 2019, at an hourly rate of \$15.76; and,

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

AUTHORIZE TEMPORARY CLOSURE OF STREETS IN CONNECTION WITH THE ARC OF MONMOUTH 5KM RUN AND WALK

WHEREAS, the ARC of Monmouth has planned a 5km road race along the Concourse section of Neptune Township on both Saturday, April 27, 2019; and,

WHEREAS, it is necessary to temporarily close South Concourse and West Concourse to allow runners safe passage; and,

WHEREAS, the Police Department has reviewed and approved these closures,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the temporary closure of South Concourse and West Concourse for the ARC of Monmouth 5km run on April 27, 2019 between the hours of 9:15 a.m. and 10:30 a.m. followed by a partial closure along the road shoulder only for the walk between the hours of 11:15 a.m. to 11:45 a.m.; and,

BE IT FURTHER RESOLVED, that these closures are contingent upon the ARC of Monmouth obtaining the appropriate approvals from the Borough of Neptune City for the portion of the route that is in the Borough; and,

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

CONFIRM APPOINTMENT OF OFFICE OF EMERGENCY MANAGEMENT STAFF

WHEREAS, on January 1, 2019, the Township Committee appointed Michael Bascom as Emergency Management Coordinator; and,

WHEREAS, the Coordinator has recommended that the existing Office of Emergency Management leadership team be reappointed; and,

WHEREAS, funds will be provided for the first three months of 2019 in the 2019 Temporary Budget and funds for the balance of 2019 will be provided in the Budget for the year 2019 in the appropriation entitled Office of Emergency Management 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 Township Committee hereby confirms the Emergency Management Coordinator's appointment of the following individuals to the titles and annual salary as follows:

- Michael DiLeo - Deputy Coordinator - \$5,200.00
- Donald Colarusso – Assistant Deputy Coordinator - \$3,600.00
- William Rosen - Assistant Deputy Coordinator - \$3,600.00
- Sharon Rowe – OEM Secretary - \$3,800.00

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the OEM Coordinator, Assistant C.F.O., and Human Resources Director.

APPOINT COASTAL ENGINEERING CONSULTANTS

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

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

WHEREAS the Township desires to appoint a pool of Consulting Engineers, who can provide proposals for engineering services on specific Township projects, through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Township accepted Requests for Proposals for said position on December 18, 2018 and will make selections from the proposals received; and,

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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby appoints CME Associates and Andrew Rella of EConcrete, Inc. as Coastal Engineering Consultants who will be solicited for proposals on larger and/or specialized coastal engineering projects beyond the scope of the Township Engineer and in-house staff for the year 2019; and,

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

ACCEPT THE RESIGNATION OF JOYCE BRADLEY AS AN ALTERNATE MEMBER OF THE BOARD OF ADJUSTMENT

WHEREAS, the Township Clerk has received notification from Joyce Bradley resigning as an alternate member of the Board of Adjustment effective January 15, 2019,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Joyce Bradley as an alternate member of the Board of Adjustment is hereby accepted effective January 15, 2019; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Administrative Officer to the Board of Adjustment.

CORRECT RESOLUTION #19-69 WHICH DESIGNATES A PUBLIC AGENCY COMPLIANCE OFFICER

WHEREAS, on January 14, 2019, the Township Committee adopted Resolution #19-69 which designated Courtney Langer as the Public Agency Compliance Officer effective February 1, 2019; and,

WHEREAS, the annual salary was incorrectly stated as \$1,376.92 in Resolution #19-69; and,

WHEREAS, the correct 2019 salary for the position is \$1,337.92,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Resolution #19-69, which appointed Courtney Langer as Public Agency Compliance Officer (P.A.C.O.) effective February 1, 2019, be and is hereby corrected to reflect an annual salary of \$1,337.92; and,

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

AUTHORIZE THE PURCHASE OF RADIOLOGICAL DETECTION EQUIPMENT THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Office of Emergency Management is in need of radiological detection equipment 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, Laurus Systems, Inc. has been awarded New Jersey State Contract No. G-8056 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 this equipment shall not exceed \$22,789.32; and,

WHEREAS, funds for this purpose are available in Ordinance No. 17-31 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 radiological detection equipment for the Office of Emergency Management through New Jersey Cooperative Purchasing Program Contract No. G-8056 be and is hereby authorized at an amount not to exceed \$22,789.32; and,

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

AUTHORIZE TOWNSHIP ENGINEERING CONSULTANT TO PERFORM SITE REMEDIATION SERVICES AT THE CLINTON AVENUE PUMP STATION

WHEREAS, the Township desires to retain a Licensed Site Remediation Professional to perform the required investigation to address the open NJDEP case at the Clinton Avenue Pump Station; and,

WHEREAS, it is necessary to perform administrative and technical services, soil investigation, groundwater investigation, receptor evaluation, and technical reporting at this location in order to obtain a Response Action Outcome; and,

WHEREAS, the Township's Environmental Engineering Consultant has solicited a proposal to perform said work; and,

WHEREAS, funds will be provided for the first three months of 2019 in the 2019 Temporary Budget and funds for the balance of 2019 will be provided in the Budget for the year 2019 in the appropriation entitled Sewer Utility 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 authorizes T&M Associates to perform the services as stated herein as Township Engineering Consultant at an amount not to exceed \$27,500.00; and,

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

ACCEPT THE RESIGNATION OF BRANDON MORESKI AS A DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Human Resources Director has received a letter from Brandon Moreski resigning as a Driver in the Department of Public Works effective close of business February 5, 2019,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Brandon Moreski as a Driver in the Department of Public Works is hereby accepted effective close of business February 5, 2019; and,

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

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.

AUTHORIZE EXECUTION OF CONTRACTS WITH VARIOUS ORGANIZATIONS TO PROVIDE RECREATION PROGRAMS AND SERVICES

WHEREAS, the Neptune Township Recreation Department has relationships with various organizations to organize and provide various recreational activities and programs in the Township of Neptune; and,

WHEREAS, in some instances, the Township of Neptune provides either sponsorship or funding to said organizations to provide these programs; and,

WHEREAS, it is the desire of the Township to renew the annual contracts with these organizations,

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 contracts with various organizations and groups that are supported by the Township's Recreation Department and that provide recreational services and programs to Township residents for the year 2019; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Recreation Director, Chief Financial Officer, and Township Attorney.

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
4915	15	Dempsey	159 Hillside Dr	2018	1,786.02
109	5	Vernoski	58 Lake Ave	2018	3,002.00
254	9	Fikslin	129 Cookman Ave	2018	2,054.25
1009	5	Robinson	2013 Greenwood Ave	2018	1,005.02
4215	24	Cervini	8 Jumping Brook Dr	2018	1,376.45
713	18	503 Fisher LLC	503 Fisher Pl	2018	503.77
1902	1C301	Markland	301 Graham Ave	2018	1,419.92
416	18	Mr Heck St LLC	1307 6 th Ave	2018	1,491.36
5103	25	Kirchner	435 Prospect Ave	2018	1,874.70

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

AUTHORIZE CHANGE ORDER #1 TO THE CONTRACT FOR ENGINEERING SERVICES FOR THE 11TH AVENUE SANITARY SEWER REHABILITATION PROJECT

WHEREAS, on December 11, 2017, the Township Committee adopted Resolution #17-478 which authorized CME Associates to perform engineering services in connection with the replacement of approximately 1,800 linear feet of sanitary sewer lines under 11th Avenue at an amount not exceed \$68,170.00; and,

WHEREAS, a change to the contract has been experienced as a result of replacing an additional 470 linear feet of sanitary sewer line at the western dead end of 11th Avenue; and,

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

WHEREAS, funds for this purpose are available in Ordinance No. 17-19 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Change Order #1 in the contract with CME Associations in connection with the 11th Avenue sanitary sewer rehabilitation project resulting in a net increase of \$6,420.00 revising the total contract amount to \$74,590.00; 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.

The resolutions of the Consent Agenda were adopted on the following vote: Brantley, aye; Lane, aye; McMillan, aye, except abstain on the authorization of contracts with various organizations for recreation programs and services; Williams, aye; and Rizzo, aye.

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

Dr. Brantley offered the following resolution, moved and seconded by Mr. McMillan, that it be adopted:

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

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

WHEREAS, the Human Resources Director and Public Works Director have made their recommendation; and,

WHEREAS, funds will be provided for the first three months of 2019 in the 2019 Temporary Budget and funds for the balance of 2019 will be provided in the Budget for the year 2019, when finally adopted, in the appropriation entitled Solid Waste Collection S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an offer of employment be and is hereby extended to the following individuals for the position of Driver in the Department of Public Works, on a probationary basis for a period of not less than 90 days and not exceeding one year, contingent upon favorable results of the required pre-employment testing, effective February 4, 2019, at an annual salary as indicated:

Michael Nowacki, Jr. – Class A Driver - \$32,200.00
Kevin Marter – Class B Driver - \$31,200.00

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

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

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF CUSTOMER SERVICE REPRESENTATIVE IN THE CODE/CONSTRUCTION DEPARTMENT

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

WHEREAS, there is a vacancy in the position of Customer Service Representative in the Code/Construction Department; and,

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

WHEREAS, the Human Resources Director and Construction Official have made their recommendation; and,

WHEREAS, funds will be provided for the first three months of 2019 in the 2019 Temporary Budget and funds for the balance of 2019 will be provided in the Budget for the year 2019, when finally adopted, in the appropriation entitled Construction Official S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an offer of employment be and is hereby extended to Melanie Manning for the position of Customer Service Representative in the Code/Construction Department, on a probationary basis for a period of not less than 90 days and not exceeding one year, contingent upon favorable results of the required pre-employment testing, effective February 4, 2019, at an annual salary of \$27,300.00; and,

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

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

AUTHORIZE THE PAYMENT OF BILLS

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

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

CURRENT FUND	4,581,509.56
GRANT FUND	11,460.78
TRUST FUND	49,295.62
GENERAL CAPITAL FUND	474,496.68
SEWER OPERATING FUND	80,316.27
SEWER CAPITAL FUND	11,875.13
MARINA OPERATING FUND	2,909.39
DOG TRUST	7,202.80
LIBRARY TRUST	4,516.79
BILL LIST TOTAL	\$5,223,583.02

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

Assistant C.F.O.

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

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

Mr. Lane offered the following resolution, moved and seconded by Dr. Brantley, that it be adopted:

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

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

WHEREAS, the Chief of Police and Police Committee have made their recommendations; and,

WHEREAS, funds will be provided for the first three months of 2019 in the 2019 Temporary Budget and funds for the balance of 2019 will be provided in the Budget for the year 2019, 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 Ryan Santos be and is hereby employed as a part-time Special Law Enforcement Officer - Class I, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation, medical evaluation and training requirements, at an hourly rate of \$17.33; and,

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

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

TERMINATE POLICE OFFICER SHAUN HUBBARD

Dr. Brantley offered the following resolution, moved and seconded by Mr. Lane, that it be adopted:

WHEREAS, Shaun Hubbard was subject to a Fitness for Duty Hearing before Retired Judge Robert W. O'Hagan; and

WHEREAS, the Hearing Officer, Retired Judge Robert W. O'Hagan, after reviewing all evidence presented, rendered a decision on January 8, 2019 recommending termination of Police Officer Shaun Hubbard from the Police Department of Neptune Township; determining further that Shaun Hubbard was unfit for duty; and

WHEREAS, Police Officer Hubbard underwent four psychiatric evaluations between 2015 and 2018, which included the Township's assigned expert and an expert chosen by Police Officer Hubbard, of which three of the four evaluations concluded that Police Officer Hubbard was unfit for duty; and

WHEREAS, the Township Administrator issued a RICE Notice to Shaun Hubbard on January 22, 2019 concerning the Township Committee's review of Police Office Hubbard's employment situation scheduled for January 28, 2019; and

WHEREAS, the Township Committee received the advice of Labor Counsel, Michael Burns, Esq., concerning this matter; and

WHEREAS, it is in the best interest of the Township of Neptune and the citizens of the Township of Neptune not to continue Officer Shaun Hubbard's employment as a Police Officer of the Township of Neptune due to his unfitness for duty.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby terminates Police Officer Shaun Hubbard as a Police Officer of the Township of Neptune, effective immediately, based on his unfitness for duty, and based on the recommendation of Hearing Officer, Retired Judge Robert W. O'Hagan; and,

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

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Jack Bredin, 94 ½ Heck Avenue, stated that State law says the Mayor is the Class I member of the Planning Board, but Mayor Rizzo is not a member. The Mayor can designate someone to attend in their absence. The Mayor stated that she appointed Dr. Brantley as the Class I member. Mr. Anthony stated the Class I member can be a designee appointed by the Mayor. Mr. Bredin referenced the resolution to appoint a Coastal Engineering Pool and stated that the North End Plan is on the coast and it is a public project. Mr. Gadaleta stated that the resolution is for a living shoreline project on the Shark River. The North End project is being privately built, there are no public funds involved with the project. The Redeveloper will hire their own professionals.

Kennedy Buckley, Broadway, asked if the legal fees paid to the Assistant Township Attorney for the Settlement Agreement on 9 Broadway can be clawed back. Mr. Anthony stated he was not involved in this case but unless the settlement provides for a claw back, usually you cannot get the money back.

Hank Coakley, Valley Road, asked when the bump out on Neptune Blvd. at Washington Avenue will be eliminated. Mr. Gadaleta stated that the extra bump out on the north side was removed but the current configuration will remain. Mr. Coakley stated that a law is needed to require that car tail lights are on when windshield wipers are on. He asked Mr. Anthony if separate busing on boys and girls in Lakewood is legal. Mr. Anthony responded yes. Mr. Coakley stated he is against Governor Murphy's effort to legalize marijuana and to give drivers licenses to lawbreakers.

Richard Williams, 1 Abbott Avenue, thanked the Committee for making comments on their departments during the Comments from the Dais portion of the meeting. He asked someone to explain the status of the North End project and the relationship between the Township, the Redeveloper, and the Ocean Grove Camp Meeting Association. Mr. Gadaleta stated that the Conditional Redeveloper is working on getting information required by the Redevelopment Committee as part of the negotiation of a Redevelopment Agreement. This is a private project and OGNED is a private Redeveloper. Township officials will review the plans that will be designed and submitted by OGNED officials.

Joyce Klein, 105 Mt. Hermon Way, stated that it would be helpful for someone to come to a Homeowners Association meeting and give a history on the North End Plan and information on where the Plan is going. Mr. Gadaleta stated if the Redevelopment Committee is satisfied with the documents and submittals, the Township Committee will formally appoint OGNED as the Redeveloper and execute a Redevelopment Agreement. The Planning Board then becomes the vetting entity for the Plan. He would be willing to attend a meeting and provide information.

Dianna Harris, Willow Drive, congratulated Ms. Rizzo on her appointment as Mayor. She also congratulated the Committee on the appointment of a Redeveloper of the West Lake Avenue Redevelopment Project. She stated that the Redeveloper of the North End needs to have a good relationship with the public. She asked who submitted the financials for the West Lake Avenue project and what types of financials were submitted. Mr. Gadaleta replied the partners of the LLC submitted the financials. Ms. Harris thanked Mr. McMillan for his involvement in the Black History Month Celebration which takes place on February 16th.

Barbara Burns, 4 Ocean Avenue, asked for clarification of difference between the Redevelopment Plan and the Redevelopment Agreement. Mr. Gadaleta stated that the agreement is negotiated by the Redevelopment Committee with the Redeveloper. The Plan already exists. The agreement will designate OGNED as the Redeveloper and the agreement will detail how the

Redeveloper will execute the Redevelopment Plan. Mr. Gadaleta again indicated that he is willing to attend a meeting and share what he knows about the process.

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

Richard J. Cuttrel,
Municipal Clerk