

TOWNSHIP COMMITTEE WORKSHOP MEETING – NOVEMBER 27, 2017 – 6:00 P.M.

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

ROLL CALL

PRESENT/ABSENT

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

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

Mayor Brantley announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster on January 12, 2017, and the Asbury Park Press on January 5, 2017, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Discussion – Committeewoman Rizzo to present business case for Pilot Program for Residential Permit Parking in Ocean Grove.

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

Res. # 17-448 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____

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

TOWNSHIP COMMITTEE MEETING – NOVEMBER 27, 2017 – 7:00 P.M.

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

ROLL CALL

PRESENT/ABSENT

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

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

Silent Prayer and Flag Salute

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

Mayor Brantley announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press on January 5, 2017 and in the Coaster on January 12, 2017, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at www.neptunetownship.org.

APPROVAL OF MINUTES - Motion offered by _____, seconded by _____, to approve the minutes of the meeting held on November 9th.

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

PUBLIC COMMENTS ON RESOLUTIONS - Public comments regarding resolutions presented on this agenda only. The public will be permitted one visit to the microphone with a limit of five minutes.

ORDINANCES - For each ordinance with a public hearing, the public is permitted one visit to the microphone with a limit of five minutes.

ORDINANCE NO. 17-44 - 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 Ocean Avenue and removing a resident only handicapped parking zone on Clark Avenue – First Reading

Explanatory Statement: This ordinance authorizes a resident only handicapped parking zone in front of 10 Ocean Avenue and the removal of an existing handicapped parking zone in front of 90 Clark Avenue.

Offered by: _____ Seconded by: _____

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

The Public Hearing on Ordinance 17-44 will be held on Monday, December 11th.

CONSENT AGENDA

Res. # 17-449 – Authorize an amendment to the 2017 municipal budget to realize monies from the United States Department of Justice.

Res. # 17-450 – Award contract for animal control services.

Res. # 17-451 – Accept performance guarantee filed by Jersey Shore University Medical Center for roadway improvements on Davis and Washington Avenues.

Res. # 17-452 – Place lien on 3501 Route 66.

Res. # 17-453 – Authorize the execution of an Interlocal Service Agreement with the Borough of Neptune City for brush disposal.

Res. # 17-454 – Approve the transfer of Tax Medallion License No. 001.

Res. # 17-455 – Authorize the transfer of 2017 budget appropriations.

Res. # 17-456 – Authorize the purchase of energy generation services for public use through an online auction website.

Res. # 17-457 – Authorize the refund of taxes as a result of an overpayment (308 Deal Avenue and 94 Webb Avenue).

Res. # 17-458 – Authorize the refund of sewer rent as a result of an overpayment (17 Shorebrook Circle)

Res. # 17-459 – Urge the New Jersey Department of Transportation to conduct a design study for improvements to the Asbury Park Traffic Circle.

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

Res. # 17-460 – Authorize addendum to Off-Site Contribution Agreement with Jersey Shore University Medical Center to include additional paving of Washington, Union, and Taylor Avenues.

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

Res. # 17-461 – Authorize payment of bills.

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

Res. # 17-462 – Authorize Standard Operating Procedure for promotions in the Police Department.

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Members of the public may address any concern relating to the Township. The public will be permitted one visit to the microphone with a limit of five minutes.

ADJOURNMENT

ORDINANCE NO. 17-44

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 OCEAN AVENUE AND REMOVING A RESIDENT ONLY HANDICAPPED PARKING ZONE ON CLARK 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>
Ocean Avenue	1	West side of Ocean Avenue beginning 25 feet north of the northwest intersection of Ocean Avenue and Ocean Pathway

SECTION 2

Volume I, Chapter VII, Section 7-21.1 – Handicapped Parking On-Street, is hereby amended by *removing* the following:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Clark Avenue	1	South side of Clark Avenue beginning 25 feet east of the intersection of Pennsylvania Avenue

SECTION 3

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

RESOLUTION #17-448 – 11/27/17

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

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

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

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

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

**** No Executive Session items at this time. If an executive session is not needed, the resolution will be tabled.
3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.
4. This Resolution shall take effect immediately.

RESOLUTION #17-449 - 11/2717

AUTHORIZE AN AMENDMENT TO THE 2017 MUNICIPAL BUDGET TO REALIZE
MONIES FROM THE UNITED STATES DEPARTMENT OF JUSTICE

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2017 in the sum of \$9,152.37 which is now available from a United States Department of Justice – Bureau of Justice Assistance Grant in the amount of \$9,152.37; and,

BE IT FURTHER RESOLVED that the like sum of \$9,152.37 is hereby appropriated under the caption of 2017 Bulletproof Vest Partnership Grant; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the United States Department of Justice – Bureau of Justice Assistance 2017 Bulletproof Vest Partnership Grant in the amount of \$9,152.37; and,

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

Vote:

Lane:

McMillan:

Rizzo:

Williams:

Brantley:

RESOLUTION #17-450 - 11/27/17

AWARD CONTRACT FOR ANIMAL CONTROL SERVICES

WHEREAS, the Business Administrator has negotiated with the organization supplying animal control services to the Township and accepted proposals from other providers as required by NJSA 40:48-5.1; and,

WHEREAS, Monmouth County SCPA has proposed a rate of \$7,125.00 per month which is the lowest rate among the proposals received; and,

WHEREAS, funds for this purpose will be provided in the 2018 Municipal Budget, when adopted, in the appropriation entitled Dog Account, 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 an agreement with Monmouth County SCPA for animal control services for the year 2018 at a cost of \$7,125.00 per month; and,

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

RESOLUTION #17-451 - 11/27/17

ACCEPT PERFORMANCE GUARANTEE FILED BY JERSEY SHORE
UNIVERSITY MEDICAL CENTER FOR ROADWAY IMPROVEMENTS
ON DAVIS AND WASHINGTON AVENUES

WHEREAS, Jersey Shore University Medical Center has filed performance bond 106804943, written by Travelers Casualty and Surety Company of America in the amount of \$148,284.00, guaranteeing roadway improvements on Davis and Washington Avenues in connection with off-site improvements for the HOPE Tower; and,

WHEREAS, the required 10% cash surety and inspection fee escrow have been posted; and,

WHEREAS, the acceptance of this Performance Guarantee does not authorize the issuance of any licenses or permits by the Construction Department but serves as certification to the Planning Board/Board of Adjustment that compliance with the Land Development Ordinance of the Township of Neptune has been met;

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Performance Guarantee as stated above be and is hereby accepted; and,

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the Township Engineer and Planning Board Administrative Officer.

RESOLUTION #17-452 - 11/27/17

PLACE LIEN ON 3501 ROUTE 66

WHEREAS, Ordinance #843 of the Township of Neptune states that where a violation or condition exists on any property in the Township of Neptune that is of such a nature as to constitute an immediate threat to life, health, safety and the well being of residents in this township unless abated without delay, the Code Enforcement Supervisor may abate the violation or condition immediately or order the owner, operator or occupant to correct the violation or condition within a three-day period; and

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

WHEREAS, the Code Enforcement Supervisor has notified the Township Committee of the Township of Neptune that the owners of said property have failed to correct the condition/violation as ordered; and

WHEREAS, the Code Enforcement Supervisor has had the condition corrected in accordance with Article IV, Section 6.2 (a) of Ordinance #843 at a total cost as indicated below,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Tax Collector be and is hereby authorized to place the following costs as a lien against the following properties; and,

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
3903/12	3501 Route 66	7,950.00

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

RESOLUTION #17-453 – 11/27/17

AUTHORIZE THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT
WITH THE BOROUGH OF NEPTUNE CITY FOR BRUSH DISPOSAL

WHEREAS, the Township of Neptune and Borough of Neptune City find it necessary to continue the agreement for disposal of brush collected by the Borough at the Neptune Township Public Works Yard for ultimate disposal and recycling by the Township through a contracted third party; and,

WHEREAS, the Township of Neptune and the Borough of Neptune City desire to enter into an Interlocal Service Agreement pursuant to N.J.S.A. 40:8A-1 et seq. to serve the best interests of residents in both municipalities by enjoying the benefits of economies of scale through this arrangement; and,

WHEREAS, the Borough will agree to transport brush collected from Borough residents to the Township Public Works Yard and pay the Township at a rate of \$10.00 per cubic yard; and,

WHEREAS, this Interlocal Service Agreement shall be effective for two (2) years beginning on January 1, 2018,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Interlocal Services Agreement with the Borough of Neptune City, a copy of which is on file in the Office of the Municipal Clerk, providing for the disposal of the Borough's brush at the Township Public Works Yard for two (2) years beginning January 1, 2018 at a rate of \$10.00 per cubic yard payable to the Township; and,

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

RESOLUTION #17-454 - 11/27/17

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 001

WHEREAS, Ibrahem Abdo-Abdelwahed is the owner of Neptune Township Taxi Medallion No. 001; and,

WHEREAS, he has notified the Taxi License Coordinator of the intent to sell and transfer ownership of said medallion to Sheldon Edwards; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted for the transfer of Taxi Medallion License No. 001 to Sheldon Edwards; and,

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

RESOLUTION #17-455 - 11/27/17

AUTHORIZE THE TRANSFER OF 2017 BUDGET APPROPRIATIONS

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of current year appropriations during the last two months of the fiscal year; and,

WHEREAS, the Chief Financial Officer has recommended that the following appropriation transfers be authorized:

<u>GENERAL BUDGET LINE ITEM</u>	<u>TO</u>	<u>FROM</u>
Interest on Bonds	110,000.00	
Roads S&W		55,000.00
Solid Waste S&W		55,000.00

<u>MARINA UTILITY LINE ITEM</u>	<u>TO</u>	<u>FROM</u>
Interest on Bonds	8,950.00	
Note Principal	869.00	
Capital Outlay		9,819.00

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, that 2017 Budget Appropriations be transferred as stated herein; and,

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

RESOLUTION #17-456 – 11/27/17

AUTHORIZE THE PURCHASE OF ENERGY GENERATION SERVICES
FOR PUBLIC USE THROUGH AN ONLINE AUCTION WEBSITE

WHEREAS, Neptune Township has determined to proceed with the Best Practice Energy Reverse Auction in order to procure natural gas for Neptune Township; and,

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the "Act") authorizes the purchase of energy generation service for public use through the use of an online auction service; and,

WHEREAS, Neptune Township will utilize the online auction services of Best Practice Energy, an approved vendor pursuant to the Act, located at www.bestpracticeenergy.com; and,

WHEREAS, Best Practice Energy is compensated for all services rendered through the participating supplier that a contract is awarded to; and,

WHEREAS, the auction will be conducted pursuant to the Local Unit Technology Pilot Program and Study Act,

WHEREAS, if the auction achieves a price of \$0.463/therm or less for a 12 month term, a price of \$0.478/therm or less for an 18 month term, or a price of \$0.458/therm or less for a 24 month term; Neptune Township may award a contract to the winning supplier for the selected term,

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 on behalf of Neptune Township any natural gas contract offered by the participating supplier that submits the winning bid in the Best Practice Energy if the auction achieves a price of \$0.463/therm or less for a 12 month term, a price of \$0.478/therm or less for an 18 month term, or a price of \$0.458/therm or less for a 24 month term; and,

BE IF FURTHER RESOLVED, that a certified copy of the within Resolution be forwarded to the Chief Financial Officer, Township Engineer and Assistant C.F.O.

RESOLUTION #17-457 - 11/27/17

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT
(308 DEAL AVENUE AND 94 WEBB AVENUE)

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
1804	1	Fed Nat Mtg	308 Deal Ave	2017	1,307.47
235	4	Krumm	94 Webb Ave	2017	1,989.09

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

RESOLUTION #17-458 – 11/27/17

AUTHORIZE THE REFUND OF SEWER RENT AS A RESULT OF AN OVERPAYMENT
(17 SHOREBROOK CIRCLE)

WHEREAS, the properties listed below reflect overpayments; and,

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

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the Tax Collector be and hereby is authorized to refund the Sewer Rent as stated herein:

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
3402	9	Keener	17 Shorebrook Circle	2017	230.00

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

RESOLUTION #17-459 – 11/27/17

URGE THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TO CONDUCT
A DESIGN STUDY FOR IMPROVEMENTS TO THE ASBURY PARK TRAFFIC CIRCLE

WHEREAS, the New Jersey Department of Transportation will be undertaking a Bottleneck Improvement Project along NJ Route 66 between Jumping Brook Road and Wayside Road; and

WHEREAS, east of this project area, the Asbury Park Traffic Circle, at the intersections of NJ Route 35, NJ Route 66, and Asbury Avenue, has long been an area of congestion and difficult merges for drivers coming to and from Neptune Township, Ocean Township and Asbury Park; and

WHEREAS, a design study should be undertaken by the New Jersey Department of Transportation to improve the flow of traffic and safety at the Circle;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Neptune Township hereby urges the New Jersey Department of Transportation to undertake a design study for improvements at the Asbury Park Traffic Circle; and

BE IT FURTHER RESOLVED that the Township Committee calls upon the governing bodies of the Township of Ocean and City of Asbury Park to adopt a similar resolution of support for a design study; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Commissioner of the NJDOT, to the 11th Legislative District and to the Mayors of the Township of Ocean and the City of Asbury Park.

RESOLUTION #17-460 - 11/27/17

AUTHORIZE ADDENDUM TO OFF-SITE CONTRIBUTION AGREEMENT WITH
JERSEY SHORE UNIVERSITY MEDICAL CENTER TO INCLUDE ADDITIONAL
PAVING OF WASHINGTON, UNION AND TAYLOR AVENUES

WHEREAS, Jersey Shore University Medical Center (JSUMC) is completing construction of a ten story building commonly referred to as the HOPE Tower and a nine level parking garage to be utilized in conjunction with the proposed HOPE Tower; and,

WHEREAS, on October 26, 2015, the Township Committee adopted Resolution #15-430 which authorized the Township and JSUMC to enter into an Off-Site Contribution Agreement to delineate cost responsibility for various off-site improvements in connection with this project; and,

WHEREAS, included in the off-site improvements is the construction of a new sanitary sewer line along Davis Avenue, Washington Avenue and Taylor Avenue; and,

WHEREAS, the Offsite Contribution Agreement did not discuss road improvements outside of those to be completed as part of the new sanitary sewer line construction; and

WHEREAS, pursuant to Township Ordinance, the sanitary sewer line contractor is only responsible to repave one half of the affected roadways from curb to centerline of roadway, leaving one half of the affected roads in need of resurfacing; and

WHEREAS, the Township Engineer has recommended that Township consider paving the balance of the affected roadways utilizing the JSUMC paving contractor; and

WHEREAS, funds for this purpose are available in the Sewer Capital Outlay account 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 an addendum to the Off-Site Contribution Agreement with Jersey Shore University Medical Center (JSUMC) to establish cost sharing between the Township and JSUMC for the paving of Washington Avenue, Union Avenue and Taylor Avenue, with the Township's share of the cost not to exceed \$59,068.12; and,

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

RESOLUTION #17-461 – 11/27/17

AUTHORIZE THE PAYMENT OF BILLS

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

CURRENT FUND	\$6,829,328.17
GRANT FUND	8,333.80
TRUST FUND	27,184.74
GENERAL CAPITAL FUND	376,715.01
SEWER OPERATING FUND	420,878.51
MARINA OPERATING FUND	96,062.68
BILL LIST TOTAL	\$7,758,502.91

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

RESOLUTION #17-462 – 11/27/17

AUTHORIZE STANDARD OPERATING PROCEDURE FOR PROMOTION -
NEPTUNE TOWNSHIP POLICE DEPARTMENT

WHEREAS, the Chief of Police issued a Standard Operating Procedure (SOP) for promotion within the Neptune Township Police Department on September 13, 2017 involving the ranks of Deputy Chief through Sergeant; and

WHEREAS, neither the Neptune Township Police Committee, as the appropriate authority, nor the Governing Body of the Township of Neptune ever had an opportunity to review and approve said Order (SOP) prior to its issuance by the Chief of Police; and

WHEREAS, the Police Committee, as the appropriate authority, believes that the aforesaid Order (SOP) should be amended; subject to a complete review of procedures for promotion and recommendations made to the Township Committee for future adoption by Resolution,

THEREFORE, BE IT RESOLVED, by the M Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that based on the recommendation of the Police Committee of the Township of Neptune, the Governing Body hereby adopts a new Standard Operating Procedure, which amends and in some cases rescinds the prior Order (SOP) of September 13, 2017, which specifically addresses the position of Deputy Chief, but also refers to other positions in the Neptune Township Police Department, and that this Order (SOP) shall go into effect immediately; subject to a review and further recommendations of the Police Committee to the Governing Body of the Township of Neptune with regard to Standard Operating Procedure for Promotions. A true copy of the recommended and adopted Standard Operating Procedure for Promotions with regard to the Neptune Township Police Department is attached hereto and made a part hereof as Exhibit A; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Police Committee and Chief of Police.

NEPTUNE TOWNSHIP POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

SUBJECT: PROMOTION

ACCREDITATION STANDARDS: 2.3.1

EFFECTIVE DATE: NOVEMBER 27, 2017

**BY THE ORDER OF: NEPTUNE TOWNSHIP POLICE COMMITTEE, AS APPROVED BY
THE NEPTUNE TOWNSHIP COMMITTEE**

**AMENDS ORDERS: PROMOTION SOP V2C18 09/18/15 AND
ORDER OF 09/13/2017**

PURPOSE: To provide all eligible candidates for promotion with fair notice and equal access to the promotional process. Additionally, to strive to identify the most qualified members of the police department for promotion to leadership positions within the department and to set forth the components of the promotional process that will be utilized by the Police Department, the Neptune Township Police Committee and Neptune Township Committee in carrying out the process. In situations where the Chief of Police position is vacant, the Deputy Chief or Acting Deputy Chief shall assume all roles and duties herein that are assigned to the Chief of Police. All promotions require the final authorization, approval and concurrence of the Police Committee as the appropriate authority and the Governing Body of the Township of Neptune by way of Resolution, which is approved at a public meeting.

POLICY: Promotion denotes vertical movement in the organization hierarchy from one rank to another, accompanied by increases in salary. The promotional process begins with identifying employees who have the potential for assuming greater responsibility and who possess the skills, knowledge and abilities required to perform at the level being considered for promotion. This agency will use a promotional process governed by N.J.S.A. Title 40A, as well as one which is in compliance with applicable standards of the New Jersey State Association of Chiefs of Police (NJSACOP).

PROCEDURE:

I. Eligibility and Process

General Considerations: All prior Orders that have established as a minimum requirement for promotion an Associate's Degree from an accredited college/university or an honorable discharge from active duty military service in any branch of the United States Military Service, or which established that as of January 1, 2018 that a minimum requirement

would be to have a Bachelor's Degree are hereby rescinded pending review by the Police Committee and ultimate approval by the Governing Body of the Township of Neptune. Until completion of that review and approval by the Governing Body, existence of an Associate's Degree, honorable discharge from the United States Military Service and/or a Bachelor's Degree will be considerations for point credits in evaluating eligibility, but not be a minimal requirement or dispositive of eligibility, and the existence or non-existence shall be utilized to weigh eligibility of the candidate with other credits, including experience and prior service in the Neptune Township Police Department and/or other law enforcement agencies.

A. Deputy Chief

1. It is recognized that the position of Deputy Chief is an appointment made based on the review and recommendation of the Police Committee and approval by Resolution of the Governing Body of the Township of Neptune; after consultation by the Police Committee with the Chief of Police.
2. Applicants for the position of Deputy Chief, or any other position until further review of the Police Committee and the Governing Body of the Township of Neptune, shall not be required to possess a minimum of an Associate's Degree from an accredited college/university or be honorably discharged from the active military service in the branch of the United States Military, or be in possession of a Bachelor's Degree beginning January 1, 2018; but all such degrees and honorable discharges shall be taken into consideration as point credits in any evaluation.
3. The position of Deputy Chief will consist of an oral interview conducted by the Neptune Township Police Committee. The Police Committee conducting the interview will have access to the candidate's resume; the candidate's experience report; personnel file, consisting of past evaluations, career experience, accommodations, disciplinary notices and sustained abuse of sick time (if any). The Police Committee will also take into consideration the candidate's experience, seniority, accomplishments, time and service with regard to the Neptune Township Police Department or other law enforcement agencies, education and honorable military service. Applicants will submit a letter of intent, resume and complete a candidate experience report prior to the deadline established by the Police Committee.
 - a. Each candidate shall prepare and provide a typed Personal Profile of himself/herself. This Profile shall include, at a minimum, the candidate's career objectives, educational achievements (including but not limited to academic, law enforcement-related, management, instructor certification and military experience), past and current responsibilities with the Police Department, commendations/letters, any and all

disciplinary actions taken against the candidate (including the results of each action), any volunteer work performed and record of sick days used in the past five years. The candidate may include any additional information at his or her choosing. Each candidate is responsible for obtaining and ensuring the accuracy of all required information included in this profile. A candidate may be rejected for a deficiency in their personal profile. This report is to be completed by the candidate and is to be submitted to the Police Committee with their resume and letter of intent. This report is an opportunity for the candidate to identify those specific career experiences that the candidate believes qualifies him/her to serve as Deputy Chief.

4. Applicants for the position of Deputy Chief must have held the rank of Captain, and shall have a minimum of ten (10) years' experience in a police supervisory capacity, supplemented by the completion of approved course work in police administration, police science or related fields.
5. In accordance with N.J.S.A. 40A:14-129, due consideration shall be given to the length and merit of service and to seniority in service to any candidate for promotion to Deputy Chief. Due consideration shall also be given to the recommendation of the Police Committee after consultation with the Chief of Police, which shall be based on the aforementioned factors and a review of the performance of the candidates.
6. This process shall take place in a private closed-door session.
7. The Governing Body of the Township of Neptune, upon recommendation of the Police Committee, may appoint an Acting Deputy Chief of Police while reviewing the eligibility of the Deputy Chief of Police Position, said appointment of which would not affect the ultimate recommendation of the Police Committee and appointment by the Governing Body of the Township of Neptune of a Deputy Chief of Police.

B. Captain

No change from Order of September 13, 2017; subject to future review and approval by the Police Committee and the Governing Body of the Township of Neptune.

C. Lieutenant

No change from Order of September 13, 2017; subject to future review and approval by the Police Committee and the Governing Body of the Township of Neptune.

D. Sergeant

No change from Order of September 13, 2017; subject to future review and approval by the Police Committee and the Governing Body of the Township of Neptune.

II. Record Review

No change from Order of September 13, 2017; subject to future review and approval by the Police Committee and the Governing Body of the Township of Neptune.

III. Scoring Matrix – Sergeant

No change from Order of September 13, 2017; subject to future review and approval by the Police Committee and the Governing Body of the Township of Neptune.

IV. Security of Promotional Materials

No change from Order of September 13, 2017; subject to future review and approval by the Police Committee and the Governing Body of the Township of Neptune.

V. Appeals and Process

- A. Within ten (10) days of the position of promotions, a candidate may file a written letter of appeal. Said letter must contain the reasons or justification for an appeal, and must be submitted to the Police Committee, through the appropriate change of command. The Police Committee will assess the request, and make a determination on how the request will be addressed on a case-by-case basis. Such requests may address the following areas of the promotional process:
1. Review and re-tabulation of the scored elements of the selection process.
 2. Review any evaluation or internal document that was used in the selection process related to the applicant/appellant.
 3. If the appeal impacts upon the results of the promotion(s) as determined by the Police Committee, the applicant/appellant may be permitted to be re-evaluated.
- B. Any candidate for promotion, who believes that may have a conflict with a supervisor conducting a review of the candidate in the promotional process, may request, in writing, to the Police Committee, detailing their perceived conflict. The Police Committee shall evaluate the request and render a decision if the evaluator is to be replaced or not.

VI. Eligibility Lists

No change from Order of September 13, 2017; subject to future review and approval by the Police Committee and the Governing Body of the Township of Neptune. One exception being that the Police Committee shall rank all eligible candidates for promotion in descending order based upon his/her evaluation or score.

VII. Miscellaneous Items

- A. All references above that have not been changed by this Order that make reference to the Chief of Police as the evaluating/grading party shall be amended to refer to the Police Committee as the appropriate authority for review, evaluation and consideration.
- B. Any conflict between this Order and any prior Orders, including Orders for which this Order hereby amends or rescinds, shall be considered determined by this Order alone, based on its wording and intent.