

TOWNSHIP COMMITTEE MEETING – NOVEMBER 16, 2020

Mayor Lane called the meeting to order at 6:00 p.m. In addition to live attendance, the Mayor announced that video and audio access to the meeting is available via townhallstreams.com/towns/neptune_nj.

The Mayor requested the Clerk to call the roll. The following members were present: Dr. Michael Brantley, Kevin B. McMillan, Carol Rizzo, (via phone), Nicholas Williams, and Mayor Robert Lane, Jr.

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

The Mayor announced 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 October 22, 2020, which indicated the ability to attend the meeting in person and included instructions on accessing and participating in the meeting virtually through townhallstreams.com. The Notice was filed with the Municipal Clerk and posted on the Township web site (www.neptunetownship.org), along with the meeting agenda, ordinances and resolutions.

The following items were discussed in open session:

Mr. Gadaleta stated that a resolution is on the agenda to enter into a Shared Services Agreement with the County to utilize a software program to assist communities participating in the Community Rating System. The County received a LEAP grant to cover 55.5% of the costs; however, the State advised that CARES Act funding can be used for the balance of the costs so the Township will not have to contribute any funds.

The Committee discussed the Governor's Executive Order which gives municipalities and counties the ability to extend the curfew for non-essential businesses from 10pm to 8pm during the public health emergency. The Mayor stated that he was not inclined to move the closing time to 8pm. Mr. Gadaleta stated that if it is implemented by surrounding towns, the Township would have to reconsider. Mr. Gadaleta added that new regulations have set the maximum number of people allowed indoors at ten so there is a chance the Committee will have to change the format for public meetings. There is a clause exempting political activities so clarification will be sought from the State Attorney General.

Mr. Anthony reviewed draft amendments to the noise ordinance. The amendments include the opportunity for multiple fines in a single day. The ordinance will be placed on the December 7th agenda for introduction. Mr. Gadaleta stated that he received a letter from the Compass Pointe homeowners that the noise problem in the Shark Island vicinity is not originating from the Headliner but from a different establishment in that area. That establishment was closed over the past weekend and there was no noise problem.

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

Dr. Brantley 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:

Litigation/Personnel – Labor Attorney present to discuss Davis v. Neptune
Potential Litigation – Encroachment at 148 Drummond Avenue

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; McMillan, aye; Rizzo, aye; Williams, aye; and Lane, aye.

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

Mr. Gadaleta advised the Committee that Barry Colicelli, former Police Consultant, has filed litigation against the Township. The matter has been referred to Eric Bernstein, Labor Attorney.

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

Mayor Lane called the regular meeting to order at 7:00 p.m. by announcing that in person attendance is permitted. In addition, video and audio access to the meeting is via townhallstreams.com/towns/neptune_nj. Questions and comments will also be accepted via townhallstreams.com/towns/neptune_nj.

The Mayor requested the Clerk to call the roll. The following members were present: Dr. Michael Brantley, Kevin B. McMillan, Carol Rizzo (by phone), Nicholas Williams, and Mayor Robert Lane, Jr.

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

The Mayor led a moment of Silent Prayer and the Flag Salute.

The Mayor announced 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 October 22, 2020, which indicated the ability to attend the meeting in person and included instructions on accessing and participating in the meeting virtually through townhallstreams.com. The Notice was filed with the Municipal Clerk and posted on the Township web site (www.neptunetownship.org), along with the meeting agenda, ordinances and resolutions.

APPROVAL OF MINUTES

Mr. McMillan offered a motion, seconded by Mr. Williams, to approve the minutes of the meeting held on October 26, 2020. All were in favor, with a correction to properly list Dr. Brantley as present.

COMMENTS FROM THE DAIS

Dr. Brantley attended a Veterans Day ceremony at VFW Post 266 and reiterated the need to always recognize our veterans. He congratulated Keith Cafferty on his election to the Township Committee.

Mr. McMillan congratulated Keith Cafferty and thanked his supporters for the write-in votes. He also attended the Veterans Day ceremony at VFW Post 266.

Mr. Williams stated that Mark Balzarano, Public Works Director, has retired after 30 years with the Township. A new Director has been hired. The Marina is slowly closing with many boats coming out in advance of the recent storm. Mr. Williams announced the passing of Rick Taylor, long-time supporter of Neptune Schools with services being held on November 20th.

Ms. Rizzo stated that the annual audit was received. All aspects of the Township operations were reviewed and no deficiencies were noted. There was a comment about the general ledger and the necessary adjustments were made. Ms. Rizzo stated there were 1 million new cases of covid last week in the United States. She asked that people do not go out of their homes unless necessary and wear a mask. She extended congratulations to Keith Cafferty.

Mayor Lane stated that the Township has been dealing with covid all year. As the numbers continue to increase, he asked that everyone protect themselves and practice social distancing. The holidays this year will be different because of the pandemic. He participated in three trunk or treat events. He also attended the Veterans Day ceremony at VFW Post 266 and thanked all of the soldiers who fought for us. The annual Pound the Pavement 5km run was conducted this year as a virtual race. \$20,000 was collected for the Lustgarten Foundation.

PUBLIC COMMENTS ON RESOLUTIONS

Mayor Lane asked for public comments regarding resolutions on this agenda either in person or remotely via townhallstreams.com/towns/neptune_nj and they were as follows:

Barbara Burns, 4 Ocean Avenue, asked about the resolution inviting Keith Cafferty to participate in Township business. Mr. Gadaleta replied that anytime a person is newly elected to the Township Committee, the governing body allows the new member to participate in business for the balance of the year to be brought up to speed.

Rich Williams, 1 Abbott Avenue, asked for more information on the areas in need of redevelopment. Mr. Gadaleta replied this designation is for undeveloped or unused areas that meet a certain criteria. One is at Route 66 and Green Grove Road which has been vacant for 32 years. The other is the area near the Route 33 and 35 intersection. This has limited tenancy and vacant lots all owned by a single owner. The Township Planner will look at the area and work with the Owner/Developer. Mr. Anthony stated that the state statute governing this process has six criterias to make a property eligible for area in need of redevelopment designation. A property only needs to match one of the six to be eligible.

ORDINANCE NO. 20-30 - APPROVED

Mr. McMillan offered the following ordinance, moved and seconded by Ms. Rizzo, that it be approved:

ORDINANCE NO. 20-30

AN ORDINANCE TO AMEND VOLUME I, CHAPTER IX OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING SECTION 9-18.7 ENTITLED "DIRECT DEPOSIT OF EMPLOYEE COMPENSATION"

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

ORDINANCE NO. 20-31 - APPROVED

Dr. Brantley offered the following ordinance, moved and seconded by Ms. Rizzo, that it be approved:

ORDINANCE NO. 20-31

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY REMOVING CERTAIN HANDICAPPED PARKING ZONES ON ABBOTT AVENUE AND WEBB AVENUE

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

Mr. Cuttrell stated that the Public Hearings on Ordinances 20-30 and 20-31 will be held on Monday, December 7, 2020.

CONSENT AGENDA

Mr. McMillan offered the following resolutions of the Consent Agenda, moved and seconded by Mr. Williams, that they be adopted:

CONFIRM THE RECEIPT OF THE ANNUAL REPORT OF AUDIT FOR THE TOWNSHIP OF NEPTUNE FOR THE YEAR 2019

WHEREAS, N.J.S.A 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and,

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and,

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

Auditor's Opinions
Schedule of Findings and Questioned Costs
Schedule of Findings and Recommendations
General Comments

and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

Auditor's Opinions
Schedule of Findings and Questioned Costs
Schedule of Findings and Recommendations
General Comments

as evidenced by the group affidavit form of the governing body; and,

WHEREAS, such resolution of certification shall be adopted by the Governing body no later than forty-five (45) days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and,

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S.52:27BB-52 - " A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune, hereby states that if it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

ACCEPT A CORRECTIVE ACTION PLAN IN CONNECTION WITH THE 2019 AUDIT RECOMMENDATIONS

WHEREAS, the Township Committee previously accepted the 2019 Township of Neptune audit by resolution; and,

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

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Corrective Action Plan of the 2019 Township of Neptune Audit be and is hereby accepted and is authorized for submission to the Division of Local Government Services; and,

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

AUTHORIZE CHANGE ORDER #3 (FINAL) IN CONNECTION WITH THE 11TH AVENUE SEWER

REHABILITATION PROJECT

WHEREAS, on March 25, 2019, a contract was awarded to Lucas Construction Group in the amount of \$1,829,800.00 in connection with the 11th Avenue sewer rehabilitation project; and,

WHEREAS, on March 9, 2020, the Township Committee adopted Resolution #20-142 which authorized Change Order #1 for a net increase of \$206,151.26 revising the total contract amount to \$2,035,951.26; and,

WHEREAS, on April 27, 2020, the Township Committee adopted Resolution #20-166 which authorized Change Order #2 for a net increase of \$139,550.00 revising the total contract amount to \$2,175,501.26; and,

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

WHEREAS, these changes have been approved by the Township Engineer; and,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes Change Order #3 in the contract with Lucas Construction Group in connection with the 11th Avenue sewer rehabilitation project resulting in a net decrease of \$197.46 revising the total contract amount to \$2,175,303.80; 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.

INVITE COMMITTEEPERSON-ELECT KEITH CAFFERTY TO BECOME INVOLVED IN 2020 TOWNSHIP BUSINESS

WHEREAS, at the election held on November 3, 2020, Keith Cafferty was elected as a member of the Township Committee to begin a three year term on January 1, 2021; and,

WHEREAS, it is desirable that this Committeeperson-Elect be aware of on going Township business;

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes Committeeperson-Elect Keith Cafferty to sit in on any and all meetings scheduled for the Township Committee of the Township of Neptune for the balance of 2020.

EMPLOY TEMPORARY SEASONAL PERSONNEL IN THE DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, the Director of Public Works and Human Resources Director have forwarded their recommendation to extend the length of time that current seasonal employees have been employed in this capacity until November 30, 2020; and,

WHEREAS, funds for this purpose are available in the 2020 Municipal Budget 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 Jordan McLaughlin, Ralph Parkman, and Elijah Dennis be and are hereby employed in the Department of Public Works as temporary seasonal employees to perform various tasks within the Department, from September 1, 2020 to November 30, 2020, not to exceed forty (40) hours per week, at a salary of \$15.00 per hour with no health benefits; and,

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

EMPLOY PART-TIME SEASONAL/ON-CALL DRIVERS IN THE DEPARTMENT OF PUBLIC WORKS FOR SNOW PLOWING

WHEREAS, the Township desires to create a pool of individuals with commercial drivers license who would be called upon during major snowfalls to operate snow plows as a supplement to

the full-time Public Works staff; and,

WHEREAS, the Director of Public Works has forwarded his recommendations to employ workers for this purpose; and,

WHEREAS, funds will be provided in the 2020 municipal budget in the appropriation entitled Streets & Roads S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following individuals be and are hereby employed in the Department of Public Works as part-time employees on an on-call basis only for snow plowing during major snow/ice events during the 2020-2021 winter season at an hourly rate of \$25.00; and,

Greg E. LaFrance	Raymond Koeppel	William Burge
Samar Reid	Sidney Chasey	Caesar Cowart
Frank Martuscelli, Sr.	Mark Maxwell	John Matthews
Kevin Marter	Dennis Jemaly	

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

AUTHORIZE THE EXECUTION OF A SHARED SERVICE AGREEMENT WITH THE COUNTY OF MONMOUTH TO PROVIDE COMMUNITY RATING SYSTEM PROJECT MANAGEMENT SOFTWARE

WHEREAS, the Township of Neptune has determined that its best interests would be served by joining the County of Monmouth in an agreement whereby the County would provide the Township with Community Rating System (CRS) Project Management Software; and,

WHEREAS, the Community Rating System (CRS) Project Management Software, including its related software products, services and websites (collectively referred to as "CRS Software") provides for a municipal platform, elevation certificate storage and file management, and a CRS resident platform; and

WHEREAS, CRS Software is owned by its developer, namely Forerunner, and the County has obtained a limited license from Forerunner for use of CRS Software; and

WHEREAS, under the terms of its license, Monmouth may operate a CRS Software web-based system for itself and may also sublicense the use of the system for use by other contracting units in Monmouth County; and,

WHEREAS, the cost for a three year sublicense to the Township is \$13,500.00 of which the County will contribute \$7,353.00 through the LEAP Challenge Grant resulting in a cost to the Township of \$6,147.00; and,

WHEREAS, this Township's cost share may be further reduced, or eliminated, if this project is eligible and approved for CARES Act funding; and,

WHEREAS, funds for this purpose, as required, are available in the 2020 municipal budget in the appropriation entitled Administration O.E. and the Chief Financial Officer has so certified in writing; and,

WHEREAS, the Township of Neptune and the County of Monmouth desire to enter into a Shared Service Agreement pursuant to N.J.S.A. 40:8A-1 et seq. for the Township and County to cooperatively participate in this project; and,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Shared Service Agreement with the County of Monmouth, a copy of which is on file in the Office of the Municipal Clerk, whereby the County will provide the Township with Community Rating System (CRS) Project Management Software through December 31, 2023 at a total cost to the Township of not to exceed \$6,147.00, which may be reduced or eliminated dependent upon CARES Act funding; and,

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

AUTHORIZE RELEASE OF CASH PERFORMANCE BOND FILED BY NEW YORK CONCOURSE, LLC FOR SITE IMPROVEMENTS AT HEADLINER (1401 HIGHWAY 35)

WHEREAS, on March 27, 2017, New York Concourse, LLC submitted a cash performance bond in the amount of \$38,184.00 guaranteeing site improvements at the Headliner, 1401 Highway 35 (Block 5606, Lots 2-14); and,

WHEREAS, on December 20, 2018, the Township Committee adopted Resolution #18-424 which authorized a reduction in the bond amount to \$19,092.00; and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of September 18, 2020 and said performance bond can be released contingent upon the payment of the required affordable housing contribution; and,

WHEREAS, the Developer has requested that the affordable housing contribution be paid from his cash performance bond escrow account; and,

WHEREAS, the Township Engineer also recommended a waiver of the posting of a maintenance guarantee because the project is minor and the improvements are over 3 years old

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

- the cash performance guarantee in the amount of \$19,092.00, plus any accrued interest, posted by New York Concourse, LLC for site improvements at the Headliner, 1401 Highway 35, along with the remaining balance in the inspection fee escrow, be and is hereby authorized to be released.
- a maintenance guarantee is not required for the reasons as stated herein.
- the amount of \$4,312.50 shall be deducted from the cash performance guarantee escrow as payment for the required affordable housing contribution and deposited into the Township's Affordable Housing Trust Fund.

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

AUTHORIZE THE PURCHASE OF FOUR (4) PANASONIC TOUGHBOOK TABLETS WITH ACCESSORIES AND EXTENDED WARRANTY THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Office of Emergency Management Director has recommended the purchase of four (4) Panasonic Toughbook Tablets with accessories and five year extended warranty through authorized vendors 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, Telrepc, Inc. has been awarded New Jersey State Contract No. 89980 for the Toughbook Tablets and Contract #MNWNC-124 for the accessories and five year extended warranty; 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 total cost of the tablets shall not exceed \$17,300.00 and the cost of the accessories and five year extended warranty shall not exceed \$6,380.00; and,

WHEREAS, funds for this purpose are available from Ordinance No. 19-21 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 four (4) Panasonic Toughbook Tablets with accessories and five year extended warranty through New Jersey Cooperative Purchasing Program Contracts No. 89980 and MNWNC-124 for the Office of Emergency Management be and is hereby authorized at an amount not to exceed \$17,300.00 for the tables and \$6,380.00 for the accessories and warranty (total cost of \$23,680.00); and,

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

RENEW CONTRACT FOR ANIMAL CONTROL SERVICES

WHEREAS, the Business Administrator has negotiated with the organization currently supplying animal control services to the Township and he has received from the Chief of Police a satisfactory report of the organization's work over the past calendar year; and,

WHEREAS, pursuant to NJSA 40:48-5.1 a municipality may contract with an approved organization providing animal control services for a period not exceeding five (5) years; and,

WHEREAS, on December 19, 2019, the Township Committee adopted Resolution #19-422 which authorized the execution of an agreement with Monmouth County SPCA for animal control services for the year 2020, with the authorization to renew said contract annually through 2024; and,

WHEREAS, Monmouth County SPCA has proposed a rate of \$7,125.00 per month which is the same rate as provided in the 2020 contract; and,

WHEREAS, funds for this purpose will be provided in the 2021 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 SPCA for animal control services for the year 2021 at a cost of \$7,125.00 per month; and,

BE IT FURTHER RESOLVED, this agreement may be renewed annually through 2024; and,

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

AUTHORIZE THE CHIEF FINANCIAL OFFICER AND OTHER TOWNSHIP OFFICIALS TO UNDERTAKE CERTAIN ACTIONS IN CONNECTION WITH THE EXTENSION OF THE MATURITY DATE OF A NOT TO EXCEED \$816,413 GENERAL IMPROVEMENT BOND ANTICIPATION NOTE AND A NOT TO EXCEED \$67,450 MARINA UTILITY BOND ANTICIPATION NOTE

WHEREAS, on December 19, 2019, the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township") issued (i) a not to exceed \$816,413 General Improvement Bond Anticipation Note, numbered BAN 2019-5 (the "General Improvement Note") to provide for the current refunding of a prior general improvement bond anticipation note of the Township issued in the aggregate principal amount of \$816,413 on December 21, 2018 and maturing on December 20, 2019 (the "Prior General Improvement Note") (which Prior General Improvement Note was originally issued on December 21, 2018 to finance, on a temporary basis, general capital improvements in and by the Township), and (ii) a not to exceed \$67,450 Marina Utility Bond Anticipation Note, numbered BAN 2019-6 (the "Marina Note" and together with the General Improvement Note, the "2019 Notes") to provide for the current refunding of a prior marina utility bond anticipation note of the Township issued in the aggregate principal amount of \$67,450 on December 21, 2018 and maturing on December 20, 2019 (the "Prior Marina Note") (which Prior Marina Note was originally issued on December 21, 2018 to finance, on a temporary basis, marina capital improvements in and by the Township); and

WHEREAS, the Township issued the 2019 Notes to the Sewer Operating Fund of the Township; and

WHEREAS, such 2019 Notes bear interest at a rate of zero and zero hundredths percentum (0.00%) per annum and currently mature on December 18, 2020; and

WHEREAS, the Township has determined that there exists a need within the Township to finance the costs of various general capital improvements (the "General Improvements Project"), sewer capital improvements (the "Sewer Improvements Project") and marina capital improvements (the "Marina Improvements Project" and together with the General Improvements Project and the Sewer Improvements Project, the "Project") throughout the Township; and

WHEREAS, the Township has determined to finance the Project with the proceeds of a loan (the "Loan") to be made to the Township by the Monmouth County Improvement Authority (the "MCIA") in connection with an MCIA 2020 Pooled Governmental Loan Program (the "2020 MCIA Bond Program") currently scheduled to close on or about December 23, 2020 (the "Anticipated MCIA Closing Date"); and

WHEREAS, the General Improvement Note and the Marina Note both currently mature on December 18, 2020, which is prior to the December 23, 2020 Anticipated MCIA Closing Date for the 2020 MCIA Bond Program; and

WHEREAS, the Township desires to extend the maturity date of both 2019 Notes to January 13, 2021 (the "Extended Maturity Date") to accommodate the Anticipated MCIA Closing Date in order to participate in the 2020 MCIA Bond Program; and

WHEREAS, the Township desires that all other terms of the General Improvement Note and the Marina Note held by the Sewer Operating Fund of the Township remain the same, including the interest rate of zero and zero hundredths percentum (0.00%) per annum; and

WHEREAS, the Township seeks to authorize the extension of the maturity date of the 2019 Notes currently held by the Sewer Operating Fund of the Township to the Extended Maturity Date.

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY as follows:

SECTION 1. Pursuant to and in accordance with Bond Ordinance Number 16-27 and Bond Ordinance Number 17-36 duly adopted by the Township (collectively, the "General Improvement Bond Ordinances"), on December 19, 2019, a General Improvement Bond Anticipation Note of the Township in an aggregate principal amount not to exceed \$816,413, numbered BAN 2019-5 (the "General Improvement Note") was issued for the purpose of currently refunding a prior general improvement bond anticipation note of the Township issued in the aggregate principal amount of \$816,413 on December 21, 2018 and maturing on December 20, 2019 (the "Prior General Improvement Note") (which Prior General Improvement Note was originally issued on December 21, 2018 to finance, on a temporary basis, general capital improvements in and by the Township).

SECTION 2. Pursuant to and in accordance with Bond Ordinance Number 16-29 duly adopted by the Township (the "Marina Bond Ordinance"), on December 19, 2019, a Marina Utility Bond Anticipation Note of the Township in an aggregate principal amount not to exceed \$67,450, numbered BAN 2019-6 (the "Marina Note" and together with the General Improvement Note, the "2019 Notes") was issued for the purpose of currently refunding a prior marina utility bond anticipation note of the Township issued in the aggregate principal amount of \$67,450 on December 21, 2018 and maturing on December 20, 2019 (the "Prior Marina Note") (which Prior Marina Note was originally issued on December 21, 2018 to finance, on a temporary basis, marina capital improvements in and by the Township).

SECTION 3. The 2019 Notes were issued to the Sewer Operating Fund of the Township.

SECTION 4. The 2019 Notes are dated December 19, 2019 and currently mature on December 18, 2020, and bear interest from their date, which interest is at a rate of zero and zero hundredths percentum (0.00%) per annum.

SECTION 5. The 2019 Notes are subject to prepayment by the Township at any time prior to their stated date of maturity, including the Extended Maturity Date (as hereinafter defined).

SECTION 6. The maturity date of the 2019 Notes is hereby extended from December 18, 2020 to January 13, 2021 (the "Extended Maturity Date"), to accommodate the Township's participation in the 2020 MCIA Bond Program (as hereinafter defined) and to enable the Township to receive the proceeds of a loan (the "Loan") to be made to the Township by the Monmouth County Improvement Authority (the "MCIA") in connection with an MCIA 2020 Pooled Governmental Loan Program (the "2020 MCIA Bond Program") currently scheduled to close on or about December 23, 2020 (the "Anticipated MCIA Closing Date").

SECTION 7. All other terms of the General Improvement Note and the Marina Note held by the Sewer Operating Fund of the Township shall remain the same, including the interest rate of zero and zero hundredths percentum (0.00%) per annum on the 2019 Notes.

SECTION 8. The Mayor, the Chief Financial Officer and the Clerk of the Township, along with any other authorized officer of the Township, are hereby authorized to execute any certificates or documents necessary or desirable, and to take any and all actions necessary or desirable, in connection with the extension of the maturity date of the 2019 Notes from December 18, 2020 to the Extended Maturity Date of January 13, 2021.

SECTION 9. This resolution shall take effect immediately.

The resolutions of the Consent Agenda were adopted on the following vote: Brantley, aye; McMillan, aye; Rizzo, aye; Williams, aye; and Lane, aye.

AUTHORIZE AND DIRECT THE TOWNSHIP OF NEPTUNE PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN AREAS ALONG ROUTE 66 IDENTIFIED AS BLOCK 3903, LOTS 12 AND 13 ON THE TAX MAP OF THE TOWNSHIP OF NEPTUNE, HAVING BEEN MERGED INTO A SINGLE LOT KNOWN AS LOT 12, QUALIFY AS AN AREA IN NEED OF REDEVELOPMENT (NON-CONDEMNATION) PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW

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

WHEREAS, Article VIII, Section III of the Constitution of the State of New Jersey establishes that the clearance, replanning, development or redevelopment of certain areas within the State shall constitute a public purpose and public use; and

WHEREAS, the Legislature of the State of New Jersey (the "Legislature") has adopted a comprehensive set of redevelopment laws, the centerpiece of which is the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Act"), allowing for, *inter alia*, the substantial improvement to underutilized, unused, fragmented deteriorated or general blighted properties through the careful design, writing and implementation of redevelopment plans; and

WHEREAS, the Act provides a mechanism to assist local governments in their efforts to promote such programs of redevelopment; and

WHEREAS, the Act sets forth the procedures for a municipality to declare an area in need of redevelopment and to develop and effectuate a redevelopment plan; and

WHEREAS, the Act specifically provides that no area of a municipality shall be deemed a redevelopment area unless the governing body of the municipality shall, by Resolution, authorize the planning board to undertake a preliminary investigation to determine whether a proposed area qualifies as an area in need of redevelopment by meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, pursuant to N.J.S.A. 40A:-12A-6, "[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condemnation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a "Condemnation Redevelopment Area")"; and

WHEREAS, the Township Committee of the Township of Neptune finds it to be in the best interest of the Township and its residents to authorize and direct the Planning Board of the Township of Neptune (the "Planning Board"), pursuant to N.J.S.A. 40A:12A-4 and N.J.S.A. 40A:12A-6, to undertake such a preliminary investigation of the real property listed below which lies along Route 66 which are identified as Block 3903, 12 and 13 on the Tax Map of the Township of Neptune, having been merged into a single lot known as Lot 12 (collectively, the "Study Area"), with the primary objective being to improve the quality of life of the Township's residents and to improve the economic foundation of the Township so that long term tax stability is achieved for all of the Township residents.

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

1. Pursuant to N.J.S.A. 40A:12-1, et seq., the Planning Board is hereby authorized and directed to undertake an investigation to determine whether the real property set forth below in the Property List, and as it is designated on the Tax Map of the Township of Neptune (collectively referred to herein as the Study Area), or any portion thereof, qualifies as a non-condemnation redevelopment area in accordance with the criteria set forth at N.J.S.A. 40A:12A-5.

2. The Planning Board shall conduct a public hearing regarding the Property and said public hearing shall be conducted after public notice has been given in accordance with N.J.S.A. 40A:12A-6 and after completing the public hearing and deliberation, the Planning Board shall submit a recommendation to the Township Committee whether or not the Study Area, or any portion thereof, should be determined and designated to be a non-condemnation redevelopment area.
3. In the event that the Property or any portion thereof shall be determined and designated to be an area in need of redevelopment, the Township of Neptune shall be authorized to use all powers, except for the power of eminent domain, provided by the Legislature of the State of New Jersey for use in such a redevelopment area in order to accomplish the goals of redevelopment.
4. The Business Administrator and Staff of the Township of Neptune are hereby authorized and directed to take all actions as shall be deemed necessary or desirable to implement this Resolution.
5. This Resolution shall be effective immediately upon adoption, according to law.

Property List (referred to herein as the Study Area):

Block 3903, Lots 12 and 13, having been merged into a single lot known as Lot 12.

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

AUTHORIZE AND DIRECT THE TOWNSHIP OF NEPTUNE PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN AREAS ALONG ROUTES 33 AND 35, KNOWN INFORMALLY AS THE TOWNSHIP CROSSROADS AND IDENTIFIED AS BLOCK 1106, LOTS 1-7 AND LOTS 8-17 AND BLOCK 1107, LOTS 1-12 ON THE TAX MAP OF THE TOWNSHIP OF NEPTUNE, QUALIFY AS AN AREA IN NEED OF REDEVELOPMENT (NON-CONDEMNATION) PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW

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

WHEREAS, Article VIII, Section III of the Constitution of the State of New Jersey establishes that the clearance, replanning, development or redevelopment of certain areas within the State shall constitute a public purpose and public use; and

WHEREAS, the Legislature of the State of New Jersey (the "Legislature") has adopted a comprehensive set of redevelopment laws, the centerpiece of which is the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Act"), allowing for, *inter alia*, the substantial improvement to underutilized, unused, fragmented deteriorated or general blighted properties through the careful design, writing and implementation of redevelopment plans; and

WHEREAS, the Act provides a mechanism to assist local governments in their efforts to promote such programs of redevelopment; and

WHEREAS, the Act sets forth the procedures for a municipality to declare an area in need of redevelopment and to develop and effectuate a redevelopment plan; and

WHEREAS, the Act specifically provides that no area of a municipality shall be deemed a redevelopment area unless the governing body of the municipality shall, by Resolution, authorize the planning board to undertake a preliminary investigation to determine whether a proposed area qualifies as an area in need of redevelopment by meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, pursuant to N.J.S.A. 40A:-12A-6, "[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condensation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a "Condensation Redevelopment Area")"; and

WHEREAS, the Township Committee of the Township of Neptune finds it to be in the best interest of the Township and its residents to authorize and direct the Planning Board of the Township of Neptune (the "Planning Board"), pursuant to N.J.S.A. 40A:12A-4 and N.J.S.A. 40A:12A-6, to undertake such a preliminary investigation of the real properties listed below which lie along Routes 33 and 35, in an area known informally as the Township Crossroads, which are identified as Block 1106, Lots 1-7 and Lots 8-17 and Block 1107, Lots 1-12 on the Tax Map of the Township of Neptune (collectively, the "Study Area"), with the primary objective being to improve the quality of life of the Township's residents and to improve the economic foundation of the Township so that long term tax stability is achieved for all of the Township residents; and

WHEREAS, it appears that the parcels within the Study Area, by reason of faulty arrangement of design, deleterious land use, obsolescence, obsolete layout, and/or other factors, have remained stagnant, unproductive, underutilized and undervalued and as a result, may be detrimental to the health, safety, or welfare of the Township's residents and are specifically recommended to be studied by the Planning Board as set forth herein.

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

1. Pursuant to N.J.S.A. 40A:12-1, et seq., the Planning Board is hereby authorized and directed to undertake an investigation to determine whether the real property set forth below in the Property List, and as it is designated on the Tax Map of the Township of Neptune (collectively referred to herein as the Study Area), or any portion thereof, qualifies as an area in need of redevelopment in accordance with the criteria set forth at N.J.S.A. 40:12A-5.
2. The Planning Board shall conduct a public hearing regarding the Property and said public hearing shall be conducted after public notice has been given in accordance with N.J.S.A. 40:12A-6 and after completing the public hearing and deliberation, the Planning Board shall submit a recommendation to the Township Committee whether or not the Study Area, or any portion thereof, should be determined and designated to be an area in need of redevelopment.
3. In the event that the Property or any portion thereof shall be determined and designated to be an area in need of redevelopment, the Township of Neptune shall be authorized to use all powers, except for the power of eminent domain, provided by the Legislature of the State of New Jersey for use in such a redevelopment area in order to accomplish the goals of redevelopment.
4. The Business Administrator and Staff of the Township of Neptune are hereby authorized and directed to take all actions as shall be deemed necessary or desirable to implement this Resolution.
5. This Resolution shall be effective immediately upon adoption, according to law.

Property List (collectively referred to herein as the Study Area):

Block 1106, Lots 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17; and
Block 1107, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12.

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

PROVIDE FOR THE COMBINATION OF CERTAIN ISSUES OF NOT EXCEEDING \$12,754,393 GENERAL OBLIGATION BONDS, SERIES 2020, CONSISTING OF \$8,156,943 GENERAL IMPROVEMENT BONDS, SERIES 2020, \$3,435,000 SEWER UTILITY BONDS, SERIES 2020 AND \$1,162,450 MARINA UTILITY BONDS, SERIES 2020, OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF SUCH BONDS, AND PROVIDING FOR THE SALE OF SUCH BONDS TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY PURSUANT TO THE AUTHORITY'S 2020 POOLED GOVERNMENTAL LOAN PROGRAM

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

WHEREAS, the Township of Neptune (the "Township"), in the County of Monmouth, State of New Jersey, has determined that there exists a need within the Township to finance the costs

of various general capital improvements (the “General Improvements Project”), sewer capital improvements (the “Sewer Improvements Project”) and marina capital improvements (the “Marina Improvements Project” and together with the General Improvements Project and the Sewer Improvements Project, the “Project”) throughout the Township; and

WHEREAS, the Township Committee has duly adopted various bond ordinances (the “Ordinances”) to appropriate moneys and authorize the issuance of bonds or bond anticipation notes to undertake the Project; and

WHEREAS, the Township has determined to finance the Project with the proceeds of a loan (the “Loan”) to be made to the Township by the Monmouth County Improvement Authority (the “MCIA”) in connection with an MCIA 2020 Pooled Governmental Loan Program currently scheduled to close on or about December 23, 2020 (the “2020 MCIA Bond Program”); and

WHEREAS, in order for the Township to receive the Loan from the MCIA, it is necessary to combine the bonds authorized under said Ordinances, by fund, into one issue of bonds per fund, namely (i) a general improvement bond series in the principal amount of \$8,156,943, (ii) a sewer utility bond series in the principal amount of \$3,435,000, and (iii) a marina utility bond series in the principal amount of \$1,162,450, aggregating said amount, and to memorialize the applicable obligations of the general improvement fund, the sewer utility fund and the marina utility fund of the Township), pursuant to the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the “Local Bond Law”); and

WHEREAS, to evidence the Loan, the Township will authorize, execute, attest and deliver to the MCIA the Township’s \$12,754,393 General Obligation Bonds, Series 2020, consisting of \$8,156,943 General Improvement Bonds, Series 2020 (the “General Improvement Bonds”), \$3,435,000 Sewer Utility Bonds, Series 2020 (the “Sewer Utility Bonds”) and \$1,162,450 Marina Utility Bonds, Series 2020 (the “Marina Utility Bonds” and together with the General Improvement Bonds and the Sewer Utility Bonds, the “Bonds”) in accordance with the provisions hereof and pursuant to the terms of the Local Bond Law and other applicable law; and

WHEREAS, section 27(a)(2) of the Local Bond Law allows for the sale of the Bonds to the MCIA without any public offering, all under the terms and conditions set forth herein and in a Bond Purchase Agreement by and between the Township and the MCIA to be dated as of the date of the sale of such Bonds.

NOW THEREFORE, BE IT RESOLVED BY A TWO-THIRDS VOTE OF THE FULL MEMBERSHIP OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

SECTION 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the bonds of the Township, authorized pursuant to the general improvement bond ordinances (the “General Improvement Ordinances”) of the Township heretofore adopted and described in Section 2 hereof, shall be combined into a single issue of General Improvement Bonds, Series 2020, in the aggregate principal amount of not exceeding \$8,156,943, aggregating said amount and to memorialize the obligations of the general improvement fund of the Township.

SECTION 2. The principal amount of bonds authorized by each General Improvement Ordinance to be combined into a single issue as above provided, the General Improvement Ordinances authorizing the General Improvement Bonds described by reference to the ordinance number, description and date of final adoption, amount of issue and average period of usefulness determined in each of the General Improvement Ordinances, are respectively as follows:

<u>Ordinance Number</u>	<u>Description and Date of Final Adoption</u>	<u>Amount of Issue</u>	<u>Useful Life</u>
16-27	Various 2016 capital improvements, finally adopted August 22, 2016	\$2,319,943	15.84 years
17-36	Acquisition of green acres property located on South Riverside Drive, finally adopted August 28, 2017	\$192,000	40.00 years
18-05	Construction of skate park at Sunshine Village Fields, finally adopted March 12, 2018	\$185,000	15.00 years

<u>Ordinance Number</u>	<u>Description and Date of Final Adoption</u>	<u>Amount of Issue</u>	<u>Useful Life</u>
18-18	Acquisition of office equipment and furniture for various departments in the Township, finally adopted June 11, 2018	\$190,000	5.00 years
18-19, as amended and repeated by 19-10	Various 2018 road improvements, finally adopted June 11, 2018 (18-19), and April 22, 2019 (19-10)	\$1,562,500	20.00 years
18-20	Acquisition of garbage truck and field communications vehicle, finally adopted June 11, 2018	\$427,500	5.00 years
19-30	Phase II (General) of the public works facility improvement program, finally adopted September 23, 2019	\$950,000	20.00 years
19-39	Improvements to the Township Police Department within the Municipal Complex, finally adopted December 19, 2019	\$237,500	15.00 years
20-12	Acquisition of real property in West Lake Avenue Redevelopment Zone and demolition of improvements thereon, finally adopted May 18, 2020	\$665,000	40.00 years
20-19	Various 2020 roadway and drainage improvements, finally adopted August 10, 2020	\$1,000,000	15.00 years
20-20	Acquisition of vehicles, equipment, office equipment and furniture, finally adopted August 10, 2020	\$427,500	5.00 years
TOTALS		\$8,156,943	

SECTION 3. The following matters are hereby determined with respect to the combined issue of General Improvement Bonds:

(a) The average period of usefulness, computed on the basis of the respective amounts of General Improvement Bonds presently authorized to be issued pursuant to each of the General Improvement Ordinances and the respective periods or average periods of usefulness therein determined, is not more than 18.12 years.

(b) The General Improvement Bonds of the combined issue shall be designated "General Improvement Bonds, Series 2020", and shall mature within the average period of usefulness hereinabove determined.

(c) The General Improvement Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law that are applicable to the sale and issuance of bonds to a public entity under section 27(a)(2) of the Local Bond Law.

SECTION 4. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the General Improvement Bonds described in Section 2 hereof have been sold or issued heretofore, and the several General Improvement Ordinances described in Section 2 have not been rescinded heretofore and now remain in full force and effect as authorizations for the respective amounts of bonds set opposite the descriptions of the General Improvement Ordinances set forth in Section 2 hereof.

(b) The several purposes or improvements authorized by the respective General Improvement Ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and some of such improvements or purposes, if applicable and permitted by law, a deduction may be taken in any annual or supplemental debt statement.

SECTION 5. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the bonds of the Township, authorized pursuant to the sewer utility bond ordinances (the “Sewer Utility Ordinances”) of the Township heretofore adopted and described in Section 6 hereof, shall be combined into a single issue of Sewer Utility Bonds, Series 2020, in the aggregate principal amount of not exceeding \$3,435,000, aggregating said amount and to memorialize the obligations of the sewer utility fund of the Township.

SECTION 6. The principal amount of bonds authorized by each Sewer Utility Ordinance to be combined into a single issue as above provided, the Sewer Utility Ordinances authorizing the Sewer Utility Bonds described by reference to the ordinance number, description and date of final adoption, amount of issue and average period of usefulness determined in each of the Sewer Utility Ordinances, are respectively as follows:

<u>Ordinance Number</u>	<u>Description and Date of Final Adoption</u>	<u>Amount of Issue</u>	<u>Useful Life</u>
18-07	Various Sewer Utility improvements to Heck Avenue and the Tremont Pump Station, finally adopted March 12, 2018	\$1,200,000	40.00 years
19-31	Phase II (Sewer Utility) of the public works facility improvement program, finally adopted September 23, 2019	\$475,000	20.00 years
19-32	Replacement of various sewer force mains and lines, Phase V of the Gables Area sewer line replacement project and the replacement of the sanitary sewer system infrastructure, finally adopted September 23, 2019	\$760,000	40.00 years
20-21	Phase VI of the Gables Area sanitary sewer rehabilitation project, replacement of sewer force mains and lines, pump station improvements and sanitary sewer system infrastructure improvements, finally adopted August 10, 2020	\$1,000,000	40.00 years
TOTALS		\$3,435,000	

SECTION 7. The following matters are hereby determined with respect to the combined issue of Sewer Utility Bonds:

(a) The average period of usefulness, computed on the basis of the respective amounts of Sewer Utility Bonds presently authorized to be issued pursuant to each of the Sewer Utility Ordinances and the respective periods or average periods of usefulness therein determined, is not more than 37.23 years.

(b) The Sewer Utility Bonds of the combined issue shall be designated “Sewer Utility Bonds, Series 2020”, and shall mature within the average period of usefulness hereinabove determined.

(c) The Sewer Utility Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law that are applicable to the sale and issuance of bonds to a public entity under section 27(a)(2) of the Local Bond Law.

SECTION 8. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the Sewer Utility Bonds described in Section 6 hereof have been sold or issued heretofore, and the several Sewer Utility Ordinances described in Section 6 have not been rescinded heretofore and now remain in full force and effect as authorizations for the respective amounts of bonds set opposite the descriptions of the Sewer Utility Ordinances set forth in Section 6 hereof.

(b) The several purposes or improvements authorized by the respective Sewer Utility Ordinances described in Section 6 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and some of such improvements or purposes, if applicable and permitted by law, a deduction may be taken in any annual or supplemental debt statement.

SECTION 9. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the bonds of the Township, authorized pursuant to the marina utility bond ordinances (the “Marina Utility Ordinances”) of the Township heretofore adopted and described in Section 10 hereof, shall be combined into a single issue of Marina Utility Bonds, Series 2020, in the aggregate principal amount of not exceeding \$1,162,450, aggregating said amount and to memorialize the obligations of the marina utility fund of the Township.

SECTION 10. The principal amount of bonds authorized by each Marina Utility Ordinance to be combined into a single issue as above provided, the Marina Utility Ordinances authorizing the Marina Utility Bonds described by reference to the ordinance number, description and date of final adoption, amount of issue and average period of usefulness determined in each of the Marina Utility Ordinances, are respectively as follows:

<u>Ordinance Number</u>	<u>Description and Date of Final Adoption</u>	<u>Amount of Issue</u>	<u>Useful Life</u>
06-33, as amended by 07-19	Acquisition of property for the Marina Utility and various improvements, finally adopted August 14, 2006 (06-33) and March 26, 2007 (07-19)	\$190,000	35.73 years
11-03	Various improvements to the Shark River Marina, finally adopted January 24, 2011	\$245,000	35.00 years
12-18	Various marina utility improvements, finally adopted June 11, 2012	\$65,000	15.00 years
15-04	Reconstruction of the Municipal Marina Building, finally adopted February 23, 2015	\$370,000	20.00 years
15-51	Shark River dredging, finally adopted November 9, 2015	\$130,000	15.00 years
16-29	Planning for the Shark River Municipal Marina site remediation project, finally adopted August 22, 2016	\$67,450	5.00 years
20-22	Improvements to docks and ramps, and preliminary costs related to dredging the Marina Basin, finally adopted August 10, 2020	\$95,000	5.00 years
TOTALS		\$1,162,450	

SECTION 11. The following matters are hereby determined with respect to the combined issue of Marina Utility Bonds:

(a) The average period of usefulness, computed on the basis of the respective amounts of Marina Utility Bonds presently authorized to be issued pursuant to each of the Marina Utility Ordinances and the respective periods or average periods of usefulness therein determined, is not more than 22.79 years.

(b) The Marina Utility Bonds of the combined issue shall be designated “Marina Utility Bonds, Series 2020”, and shall mature within the average period of usefulness hereinabove determined.

(c) The Marina Utility Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law that are applicable to the sale and issuance of bonds to a public entity under section 27(a)(2) of the Local Bond Law.

SECTION 12. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the Marina Utility Bonds described in Section 10 hereof have been sold or issued heretofore, and the several Marina Utility Ordinances described in Section 10 have not been rescinded heretofore and now remain in full force and effect as authorizations for the respective amounts of bonds set opposite the descriptions of the Marina Utility Ordinances set forth in Section 10 hereof.

(b) The several purposes or improvements authorized by the respective Marina Utility Ordinances described in Section 10 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and some of such improvements or purposes, if applicable and permitted by law, a deduction may be taken in any annual or supplemental debt statement.

SECTION 13. The General Improvement Bonds, the Sewer Utility Bonds and the Marina Utility Bonds are sometimes collectively referred to herein as the "Bonds". The General Improvement Ordinances, the Sewer Utility Ordinances and the Marina Utility Ordinances are sometimes collectively referred to herein as the "Ordinances".

SECTION 14. In accordance with the provisions of N.J.S.A. 40A:2-27(a)(2) and pursuant to the Ordinances, the Township hereby authorizes the sale and award of, and hereby sells and awards, the Township's \$12,754,393 General Obligation Bonds, Series 2020, consisting of \$8,156,943 General Improvement Bonds, Series 2020 (the "General Improvement Bonds"), \$3,435,000 Sewer Utility Bonds, Series 2020 (the "Sewer Utility Bonds") and \$1,162,450 Marina Utility Bonds, Series 2020 (the "Marina Utility Bonds" and together with the General Improvement Bonds and the Sewer Utility Bonds, the "Bonds") to the MCIA in accordance with the provisions hereof and in accordance with the terms of a Bond Purchase Agreement to be executed by and between the Township and the MCIA (the "Bond Purchase Agreement"). The Mayor of the Township (the "Mayor") and Chief Financial Officer of the Township (the "Chief Financial Officer") are each hereby authorized and directed on behalf of the Township, in consultation with Bond Counsel (as hereinafter defined), to negotiate the terms of such Bond Purchase Agreement, to be dated the date of sale of the Bonds, to approve the terms of aforesaid Bond Purchase Agreement and to execute and deliver said Bond Purchase Agreement to the MCIA. The Bonds have been referred to and described in the Ordinances being finally adopted at duly called and held meetings of the Township Committee and published as required by law, and which Ordinances were combined for purposes of sale pursuant to this resolution, all pursuant to terms of the Local Bond Law and other applicable law.

SECTION 15. In accordance with the provisions of N.J.S.A. 40A:2-27(a)(2), the Chief Financial Officer is hereby authorized and directed to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the MCIA and the terms and conditions hereof and as set forth in the Bond Purchase Agreement, the following items with respect to the Bonds, except those terms and conditions which are set forth in the Bond Purchase Agreement:

- (a) The aggregate principal amount of the Bonds to be issued, provided that the total amount of Bonds issued shall not exceed the aggregate principal amount of \$12,754,393, issued in three series aggregating said amount;
- (b) The maturity and principal installments of the Bonds, which maturity shall not exceed 18.12 years for the General Improvement Bonds, 37.23 years for the Sewer Utility Bonds, and 22.79 years for the Marina Utility Bonds, respectively;
- (c) The date of the Bonds of each series;
- (d) The interest rates of the Bonds of each series;
- (e) The purchase price of the Bonds of each series; and
- (f) The terms and conditions under which the Bonds of each series shall be subject to redemption prior to their stated maturities.

SECTION 16. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Bonds by the parties authorized under Section 17(c) hereof.

SECTION 17. The Township Committee hereby determines that certain terms of the Bonds shall be as follows:

- (a) The Bonds of each series shall be issued in a single denomination and shall be numbered (i) GI-1 for the General Improvement Bonds, (ii) SU-1 for the Sewer Utility Bonds, and (iii) MU-1 for the Marina Utility Bonds (or such other designation as determined by Bond Counsel);
- (b) The Bonds of each series shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and

- (c) The Bonds of each series shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Clerk of the Township (the "Township Clerk").

SECTION 18. The Bonds of each series shall be in the form set forth in Exhibit A attached hereto with such additions, deletions and omissions as may be necessary for the Township to comply with the requirements of the 2020 MCIA Bond Program, upon the advice of Bond Counsel.

SECTION 19. The law firm of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Township ("Bond Counsel"), the Township Engineer, the Township Attorney and the Township Auditor are each hereby authorized and directed to perform all actions necessary to consummate the issuance of the Bonds and the respective Project for which each series of the Bonds are issued, including but not limited to, drafting and arranging for the printing and execution of the Bonds and all applicable documentation necessary to memorialize and consummate the issuance of the Bonds and the undertaking of the Project, preparing all necessary financial information, all engineering and design work, preparation of plans and specifications and conducting all necessary studies, searches and analysis in connection with the issuance of the Bonds and the undertaking of the Project. The Mayor, the Chief Financial Officer, the Township Clerk, the Township Attorney and any other Township representative (including Bond Counsel or the Township Auditor) are each hereby authorized and directed to execute and deliver any certificates necessary or desirable in connection with the financial and other information related thereto.

SECTION 20. The Mayor, the Chief Financial Officer, the Township Clerk and any other Township representative, are each hereby authorized and directed to (i) execute any certificates or documents necessary or desirable in connection with the sale of the Bonds, including the Bond Purchase Agreement, or the undertaking of the Project, and each are hereby further authorized and directed to deliver same to the County of Monmouth, New Jersey (the "County") and/or the MCIA, as applicable, upon delivery of the Bonds and the applicable receipts of payment therefor, or in accordance with the 2020 MCIA Bond Program and (ii) perform such other actions as they deem necessary, desirable or convenient, in consultation with Bond Counsel, in relation to the execution and delivery of the Bonds and any certificates or documents necessary or desirable in connection therewith.

SECTION 21. The Mayor and Chief Financial Officer are each hereby authorized and directed, without further authorization, to enter into and execute a continuing disclosure agreement or such other agreement as may be required by the MCIA for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time, in a form satisfactory to Bond Counsel.

SECTION 22. The Township hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended, in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on gross proceeds above the yield on the Bonds, if necessary.

SECTION 23. Upon the adoption hereof, the Township Clerk shall forward certified copies of this resolution: (a) via electronic email, to (i) John D. Draikiwicz, Esq. of Gibbons, P.C., Newark, New Jersey, the MCIA Bond Counsel, at JDraikiwicz@gibbonslaw.com, and (ii) Lisa A. Gorab, Esq., of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Township, at lgorab@wilentz.com; and (b) via certified first class mail, to (i) John D. Draikiwicz, Esq., Gibbons P.C., One Gateway Center, Newark, New Jersey 07102, and (ii) Lisa A. Gorab, Esq., Wilentz, Goldman & Spitzer, P.A., 90 Woodbridge Center Drive, Woodbridge, New Jersey 07095.

SECTION 24. This resolution shall take effect immediately.

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

AUTHORIZE THE PAYMENT OF BILLS

Mr. Williams offered the following resolution, moved and seconded by Dr. Brantley, 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	1,517,768.76
GRANT FUND	2,930.17
TRUST FUND	153,070.42
GENERAL CAPITAL FUND	737,742.67
SEWER OPERATING FUND	107,000.00
SEWER CAPITAL FUND	371,512.73
MARINA OPERATING FUND	5,194.41
DOG TRUST	76.20
LIBRARY TRUST	12,940.03
BILL LIST TOTAL	\$2,908,235.47

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; McMillan, aye; Rizzo, aye; Williams, aye; and Lane, aye.

AUTHORIZE CERTAIN CASES TO BE CONTINUED BY JAMES K GRACE, ESQ. OF THE LAW FIRM OF GRACE LAW GROUP, LLC

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

WHEREAS, as a result of a Request for Qualifications submitted in December, 2019 through the Fair and Open Process, the Law Firm of Grace, Marmero and Associates, LLP was appointed as Labor Counsel for the Township of Neptune for the year 2020 on January 1, 2020; and

WHEREAS, the Agreement was entered into between the Law Firm of Grace, Marmero and Associates, LLP and the Township of Neptune on January 6, 2020, with an expiration date per Paragraph 12.0 of the Agreement of December 31, 2020; subject to right of prior termination as set forth in Paragraph 5.0 of the Agreement, which specifically allows: "This Agreement may be terminated by Township upon thirty (30) days written notice to Labor and Employment Attorney without cause"; and

WHEREAS, at the April 27, 2020 meeting of the Township Committee, in Executive Session, the performance of the appointed Labor Attorney and the circumstances of said performance was discussed, and it was concluded that it was in the best interest of the Township of Neptune and the citizens of the Township of Neptune, not to continue with the Law Firm of Grace, Marmero and Associates, LLP as the official Labor Attorney and Employment Attorney; except for certain matters which the Law Firm has been representing Neptune Township in, which are near completion; and

WHEREAS, as a result of a Resolution approved by the Township Committee on April 27, 2020 under Resolution #20-175, the Grace, Marmero and Associates, LLP firm was allowed to retain the matter of Neptune Township vs. Nita Raval, Esq. and certain litigation matters pending involving Kyheem Davis, Elena Gonzalez and Christine Savage; and

WHEREAS, it was learned in October, 2020 that the original Grace, Marmero and Associates, LLP firm dissolved and became two separate law firms; namely, Marmero Law, LLC firm, located at 97 Apple Street, Tinton Falls, New Jersey 07724; consisting of Albert Marmero, Esq. and Michael Burns, Esq., among others, the latter of which had been working on cases for Neptune Township at the time that the Grace, Marmero and Associates, LLP law firm served as Labor Counsel to Neptune Township, located at 1487 State Highway 38W., Second Floor, Hainesport, New Jersey 08036. The now James K. Grace Law Group, consisting of James Grace, Esq., also handled certain cases for Neptune Township under the law firm of Grace, Marmero and Associates, LLP while serving as Labor Counsel to Neptune Township; and

WHEREAS, the Mayor and Township Committee of the Township of Neptune feel it is in the best interest of the Township to allow James K. Grace, Esq. and Michael Burns to continue on cases that they were working on at the time they served as Labor Counsel to Neptune Township, which are near completion; though they no longer serve as Labor Counsel to Neptune Township.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the Township Committee hereby authorizes James K. Grace, Esq., of the law firm of Grace Law Group, located at 1487 State Highway 38W., Second Floor, Hainesport, New Jersey 08036,, to continue on certain cases previously worked upon; namely, Neptune Township v. Nita Raval, Esq., as well as File M118-701.93, the "Davis OPRA Litigation;" File M118-701.594, the "Asbury Park Press OPRA Litigation: to the extent not already handled by counsel assigned by the Township's Insurance Carrier and to further retain any insurance cases assigned by the Township JIF to the extent allowed by the JIF, with an expiration date of December 31, 2020; unless extended by subsequent Resolution, with the understanding that this continuation is allowed as a result of a Request for Qualifications submitted in December, 2019 under the Fair and Open Process to the then law firm of Grace, Marmero and Associates, LLP, but subject to new Proof of Insurance and Registration Statement under the new law firm name of Grace Law Group, LLC; and,

BE IT FURTHER RESOLVED, that the Township Attorney, Gene J. Anthony, Esq., is authorized to pursue completion of the aforesaid new contracts and necessary documentation authorized by this Resolution; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Attorney, Chief Financial Officer, Business Administrator; and James K. Grace.

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

AUTHORIZE CERTAIN CASES TO BE CONTINUED BY MICHAEL BURNS, ESQ. OF THE LAW FIRM OF MARMERO LAW, LLC

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

WHEREAS, as a result of a Request for Qualifications submitted in December, 2019 through the Fair and Open Process, the Law Firm of Grace, Marmero and Associates, LLP was appointed as Labor Counsel for the Township of Neptune for the year 2020 on January 1, 2020; and

WHEREAS, the Agreement was entered into between the Law Firm of Grace, Marmero and Associates, LLP and the Township of Neptune on January 6, 2020, with an expiration date per Paragraph 12.0 of the Agreement of December 31, 2020; subject to right of prior termination as set forth in Paragraph 5.0 of the Agreement, which specifically allows: "This Agreement may be terminated by Township upon thirty (30) days written notice to Labor and Employment Attorney without cause"; and

WHEREAS, at the April 27, 2020 meeting of the Township Committee, in Executive Session, the performance of the appointed Labor Attorney and the circumstances of said performance was discussed, and it was concluded that it was in the best interest of the Township of Neptune and the citizens of the Township of Neptune, not to continue with the Law Firm of Grace, Marmero and Associates, LLP as the official Labor Attorney and Employment Attorney; except for certain matters which the Law Firm has been representing Neptune Township in, which are near completion; and

WHEREAS, as a result of a Resolution approved by the Township Committee on April 27, 2020 under Resolution #20-175, the Grace, Marmero and Associates, LLP firm was allowed to retain the matter of Neptune Township vs. Nita Raval, Esq. and certain litigation matters pending involving Kyheem Davis, Elena Gonzalez and Christine Savage; and

WHEREAS, it was learned in October, 2020 that the original Grace, Marmero and Associates, LLP firm dissolved and became two separate law firms; namely, Marmero Law, LLC firm, located at 97 Apple Street, Tinton Falls, New Jersey 07724; consisting of Albert Marmero, Esq. and Michael Burns, Esq., among others, the latter of which had been working on cases for Neptune Township at the time that the Grace, Marmero and Associates, LLP law firm served as Labor Counsel to Neptune Township. The now James K. Grace Law Group, consisting of James Grace, Esq., also handled certain cases for Neptune Township under the law firm of Grace, Marmero and Associates, LLP while serving as Labor Counsel to Neptune Township; and

WHEREAS, the Mayor and Township Committee of the Township of Neptune feel it is in the best interest of the Township to allow James K. Grace, Esq. and Michael Burns to continue on cases that they were working on at the time they served as Labor Counsel to Neptune Township, which are near completion; though they no longer serve as Labor Counsel to Neptune Township.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the Township Committee hereby authorizes Michael Burns, Esq. of the law firm of Marmero Law, LLC, 97 Apple Street, Tinton Falls, New Jersey 07724 to continue and finalize file M118-701.20, entitled "Gonzalez v. Cuttrel" and OPRA Appellate Division matter involving the Turner Report; File M118-701.28, entitled "Davis v. Neptune Township," an Appellate Division matter involving Media Policy and File M118-701.76, entitled "Butch v. Neptune Township," an OPRA Appellate Division matter based on an Administrative Review, and any case assigned to Michael Burns by Neptune Township's JIF under a revised Agreement from that previously entered into on January 1, 2020 with the then law firm of Grace, Marmero and Associates, LLP, with an expiration date of December 31, 2020; unless extended by subsequent Resolution, with the understanding that this continuation is allowed as a result of a Request for Qualifications submitted in December, 2019 under the Fair and Open Process to the then law firm of Grace, Marmero and Associates, LLP, but subject to new Proof of Insurance and Registration Statement under the new law firm name of Marmero Law, LLC; and,

BE IT FURTHER RESOLVED, that the Township Attorney, Gene J. Anthony, Esq., is authorized to pursue completion of the aforesaid new contracts and necessary documentation authorized by this Resolution; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Attorney, Chief Financial Officer, Business Administrator; and Michael Burns.

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

APPROVE THE SETTLEMENT BETWEEN OFFICER KYHEEM DAVIS AND THE TOWNSHIP OF NEPTUNE, ET AL.

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

WHEREAS, Kyheem Davis is a Police Officer in the Neptune Township Police Department; and

WHEREAS, Kyheem Davis alleged that he experienced discrimination and a hostile work environment and subsequently filed a Complaint formalizing these allegations under Docket Number: MON-L-4209-15; and

WHEREAS, Officer Davis was placed on Administrative Leave with pay, pending the outcome of fitness for duty examination which was completed; and

WHEREAS, the parties entered into mediation in an effort to reach a resolution of ALL issues in dispute, both under the civil docket number and as it relates to Officer Davis's employment; and,

WHEREAS, following mediation, the parties reached an amicable resolution of ALL matters, then outstanding;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune, following a resolution of ALL matters, hereby approves of the Settlement and hereby authorizes the execution of all necessary and appropriate settlement documents and will undertake all actions in furtherance thereof, subject to approval of the Settlement by Officer Davis; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Human Resources Director, Business Administrator, Chief Financial Officer, Chief of Police, and James Grace, Labor Attorney.

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

AUTHORIZE THE FILING OF AN INVOLUNTARY DISABILITY PENSION APPLICATION ON BEHALF OF OFFICER KYHEEM DAVIS BY THE TOWNSHIP OF NEPTUNE

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

WHEREAS, Kyheem Davis is a Police Officer in the Neptune Township Police Department; and

WHEREAS, Kyheem Davis alleged that he experienced discrimination, a hostile work environment and subsequently filed a Complaint formalizing these allegations under Docket Number: MON-L-4209-15; and

WHEREAS, Officer Davis was placed on Administrative Leave, with pay pending the outcome of a fitness for duty examination, which was completed; and

WHEREAS, the parties entered into mediation in an effort to reach a resolution of ALL issues in dispute, both under the civil docket number and as it relates to Officer Davis's employment; and,

WHEREAS, following mediation, the parties reached an amicable resolution of ALL matters outstanding;

WHEREAS, the Township of Neptune, following the completion of fitness for duty examinations of Officer Davis, believes it necessary and appropriate to file the appropriate involuntary disability application for pension purposes regarding Officer Davis; and

WHEREAS, the necessary medical evaluations have been conducted of Officer Davis; and

WHEREAS, the Township of Neptune has determined that Officer Kyheem Davis is totally and permanently disabled from fulfilling his job duties;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Township of Neptune shall immediately undertake ALL tasks necessary and appropriate to effectuate the application for involuntary disability retirement on Officer Kyheem Davis's behalf and shall supply to the Police and Fire Retirement System (PFRS) supporting medical information as necessary; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Human Resources Director, Business Administrator, Chief Financial Officer, Chief of Police, and James Grace, Labor Attorney.

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

The Mayor announced that public may address any concerns relating to the Township by either in person or remotely via townhallstreams.com/towns/neptune_nj. Comments were as follows:

Jill Cox, 20 Waterview Court, spoke in reference to proposed amendments to the noise ordinance. She is interested in enforcement of the ordinances and home parties or other business that violate the ordinance should be shut down. The noise ordinance is never enforced in regards to the Headliner. The police were called prior to this summer and since no changes were made, she did not bother to call this summer. Her neighborhood can hear the DJ and something needs to be done to improve the quality of life. The Mayor asked that she call him directly when it occurs so that he can come out and see for himself. Mr. Gadaleta stated that the ordinance does allow the police to shut down the music. Mr. Anthony responded that the police cannot shut down the establishment, but the Township Committee can. Mr. Anthony suggested that the Police Committee discuss the matter with the Police Department. Mr. Gadaleta added that he received a letter from a local condo association which indicated that Sunsets is the problem.

Frank Gaciofano, 4 Spray Avenue, stated that the North End is a mess and dry weeds are a fire hazard. Mr. Gadaleta stated that Public Works is placing garbage cans in the area and the abandoned bicycles have been removed. Mr. Gaciofano stated that the fence was removed but the debris remains. Mr. Gadaleta stated the property owner has a tentative court date of November 16th.

Joan Venezia, 107 Mt. Hermon Way, stated that the North End is in bad shape. There is debris on the lot including air conditioners, fencing, a ladder and rocks. Mr. Anthony stated that a

summons has been issued but he only sees one summons for one day. He is unsure of the court date.

Rich Williams, 1 Abbott Avenue, asked what the incentives were for an area in need of redevelopment. Mr. Gadaleta stated that would be negotiated with the Developer.

Barbara Burns, 4 Ocean Avenue, asked why these meetings were not conducted via interactive video conference. Mr. Gadaleta replied that may be forthcoming.

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

Richard J. Cuttrel,
Municipal Clerk