

**TOWNSHIP COMMITTEE WORKSHOP MEETING – MAY 24, 2021 – 6:00 P.M.**

**In person attendance at this meeting is permitted. In addition, video and audio access to the meeting is via [townhallstreams.com/towns/neptune\\_nj](http://townhallstreams.com/towns/neptune_nj).**

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

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

Also present: Vito D. Gadaleta, Business Administrator; Gene Anthony, Township Attorney; and Richard J. Cuttrel, 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 and the Asbury Park Press on April 29, 2021, which indicated the ability to attend the meeting in person and included instructions on accessing and participating in the meeting virtually through [townhallstreams.com](http://townhallstreams.com). The Notice was filed with the Municipal Clerk and posted on the Township web site ([www.neptunetownship.org](http://www.neptunetownship.org)), along with the meeting agenda, ordinances and resolutions.

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Discussion – Ordinance regarding the non-opt provision under the new state Cannabis Law.
2. Review Committee calendars.

Res. # 21-196 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Vote: Cafferty, \_\_\_\_\_; Lane, \_\_\_\_\_; Williams, \_\_\_\_\_; York, \_\_\_\_\_; Brantley, \_\_\_\_\_.

RESOLUTION #21-196 – 5/24/21

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

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

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

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

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

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

Real Estate negotiations – Purchase of property on Drummond Avenue  
Personnel – Recommendation for hire in position of Driver

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.

**TOWNSHIP COMMITTEE MEETING – MAY 24, 2021 – 7:00 P.M.**

In person attendance at this meeting is permitted. In addition, video and audio access to the meeting is via [townhallstreams.com/towns/neptune\\_nj](http://townhallstreams.com/towns/neptune_nj). Questions and comments will also be accepted via [townhallstreams.com/towns/neptune\\_nj](http://townhallstreams.com/towns/neptune_nj).

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

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
Keith Cafferty	_____
Robert Lane, Jr.	_____
Nicholas Williams	_____
Tassie D. York	_____
Dr. Michael Brantley	_____

Also present at the dais: Gene Anthony, Township Attorney; Vito D. Gadaleta, Business Administrator; and Richard J. Cuttrel, 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 Coaster and the Asbury Park Press on April 29, 2021, which indicated the ability to attend the meeting in person and included instructions on accessing and participating in the meeting virtually through [townhallstreams.com](http://townhallstreams.com). The Notice was filed with the Municipal Clerk and posted on the Township web site ([www.neptunetownship.org](http://www.neptunetownship.org)), along with the meeting agenda, ordinances and resolutions.

**APPROVAL OF MINUTES** – Motion offered by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve the minutes of the meeting held on May 10th.

**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. Public comments will also be accepted remotely via [townhallstreams.com/towns/neptune\\_nj](http://townhallstreams.com/towns/neptune_nj).

**ORDINANCES** - For each ordinance with a public hearing, the public is permitted one visit to the microphone with a limit of five minutes. Public comments will also be accepted remotely via [townhallstreams.com/towns/neptune\\_nj](http://townhallstreams.com/towns/neptune_nj).

**ORDINANCE NO. 21-20** – An ordinance to amend Volume I, Chapter XII of the Code of the Township of Neptune entitled "Property Maintenance" by amending the requirements and fees for a Certificate of Inspection. - Final Reading

*Explanatory Statement: This ordinance amends the Property Maintenance Code to update the regulations, remove conflicts, include current processes, and update the fee schedule for the issuance of a Certificate of Inspection*

Public Hearing:

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

**ORDINANCE NO. 21-21** – An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding resident only handicapped parking zones on Main Avenue and Heck Avenue - Final Reading

*Explanatory Statement: This ordinance authorizes a resident only handicapped parking zone in front of 85 Main Avenue, 99 Main Avenue, and 92 Heck Avenue.*

Public Hearing:

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

**ORDINANCE NO. 21-22** – An ordinance repealing Ordinance No. 08-33 adopting a Redevelopment Plan for the Route 35 and West Bangs Avenue area (currently designated on the tax map as Block 808, Lots 5, 6, 7 and 8 and formerly designated on the tax map as Block 249, Lots 1, 4, 5, 6, and 10.1; and Block 250, Lots 1.01 and 3) located in the Township of Neptune, County of Monmouth, New Jersey - Final Reading

*Explanatory Statement: This ordinance removes the Redevelopment Zone, adopted in 2008, for the property located at northwest corner of the intersection of Route 35 and West Bangs Avenue.*

\*\* Motion to reschedule Public Hearing until June 14, 2021 meeting to allow the Planning Board to review for consistency with the Master Plan

Motion Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
In favor: \_\_\_\_\_ Opposed: \_\_\_\_\_

**ORDINANCE NO. 21-23** – Bond ordinance providing for improvements to various parks, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$200,000 therefor and authorizing the issuance of \$190,000 bonds or notes of the Township to finance part of the cost thereof - Final Reading

*Explanatory Statement: This Bond Ordinance authorizes an appropriation of \$200,000 for improvements to various parks within the Township, including but not limited to, ballfield improvements, construction and reconstruction at Jumping Brook Park, Bert Willis Fields, Loffredo Field and Sunshine Village Park, the acquisition and installation of a playground and parks equipment at Bradley Park, and the development of South Riverside Park*

Public Hearing:

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

**ORDINANCE NO. 21-24** – Bond ordinance providing for roadway reconstruction and drainage improvements to Myrtle Avenue, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$400,000 therefor (including \$226,803 NJDOT Transportation Trust Fund grant) and authorizing the issuance of \$173,197 bonds or notes of the township to finance part of the cost thereof - Final Reading

*Explanatory Statement: This Bond Ordinance authorizes an appropriation of \$400,000 for roadway reconstruction and drainage improvements to Myrtle Avenue in the Township, as further described in the Myrtle Avenue Roadway Reconstruction Project documents on file with the Township Engineer*

Public Hearing:

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

**ORDINANCE NO. 21-25** – An ordinance to amend Volume I, Chapter II, of the Code of the Township of Neptune by adding Section 2-49 to create the Neptune Township Advisory Committee on sustainable practices also known as the "Green Team" - First Reading

*Explanatory Statement: This ordinance creates an advisory committee on sustainable practices (Green Team) comprised of five regular and two alternate citizen voting members and three non-voting Township officials.*

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

**ORDINANCE NO. 21-26** – Bond ordinance providing for the construction of a pump track bicycle and skateboard recreational facility within Sunshine Village Park, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$380,000 (including a Monmouth County Open Space Trust Fund grant expected to be received in the amount of \$250,000) therefor and authorizing the issuance of \$123,500 bonds or notes of the Township to finance part of the cost thereof - First Reading

*Explanatory Statement: This Bond Ordinance authorizes an appropriation of \$380,000 for construction of a pump track bicycle and skateboard recreational facility within Sunshine Village Park.*

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

**ORDINANCE NO. 21-27** – An ordinance to amend Volume I, Chapter VII, of the Code of the Township of Neptune by adding a multi-way stop intersection at the intersection of Stockton Avenue and Pennsylvania Avenue - First Reading

*Explanatory Statement: This ordinance creates a three-way stop intersection at the intersection of Stockton Avenue and Pennsylvania Avenue.*

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

The Clerk announces that the Public Hearings on Ordinances 21-25, 21-26 and 21-27 will be held on Monday, June 14, 2021.

**CONSENT AGENDA**

Res. #21-197 – Employ Special Law Enforcement Officer – Class II in the Police Department of a part-time basis.

Res. #21-198 – Approve the transfer of Taxi Medallion License No. 035.

Res. #21-199 – Authorize the execution of a Shared Service Agreement with the Neptune Township Board of Education for School Resource Officers.

Res. #21-200 – Appoint member to the Rent Leveling Board.

Res. #21-201 – Authorize Change Order #2 to the contract for site remediation services at the Clinton Avenue pumping station.

Res. #21-202 – Accept the resignation of Jorge Segura-Villalta as a Driver in the Department of Public Works.

Res. #21-203 – Place lien on property (400 Overlook Drive).

Res. #21-204 – Designate Technical Assistant to the Construction Official on a temporary basis.

Res. #21-205 – Authorize an amendment to the 2021 municipal budget to realize monies from the New Jersey Board of Public Utilities.

Res. #21-206 – Authorize execution of a Monmouth County Workforce Agreement with the County of Monmouth Division of Workforce Development.

**CONSENT AGENDA** Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Vote: Cafferty, \_\_\_\_\_; Lane, \_\_\_\_\_; Williams, \_\_\_\_\_; York, \_\_\_\_\_; Brantley, \_\_\_\_\_.

Res. #21-207 – Authorize the purchase of a Caterpillar bulldozer through the Sourcewell National Purchasing Cooperative.

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

Res. #21-208 – Extend offer of employment for the position of Driver in the Department of Public Works.

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

Res. #21-209 – Authorize the purchase of body cameras and accessories through the State Cooperative Purchasing Program.

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

Res. #21-210 – Authorize an independent investigation of prior disciplinary action involving allegations of misconduct in the Public Works Department and the appointment of an Independent Investigator.

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

Res. #21-211 – Reclassify employee to the position of Sanitation Supervisor in the Department of Public Works.

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

Res. #21-212 – Authorize the payment of bills.

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Vote: Cafferty, \_\_\_\_\_; Lane, \_\_\_\_\_; Williams, \_\_\_\_\_; York, \_\_\_\_\_; 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. Public Comments will also be accepted remotely via [townhallstreams.com/towns/neptune\\_nj](http://townhallstreams.com/towns/neptune_nj).

**ADJOURNMENT**

ORDINANCE NO. 21-20

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XII, OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED "PROPERTY MAINTENANCE" BY AMENDING THE REQUIREMENTS AND FEES FOR A CERTIFICATE OF INSPECTION

BE IT ORDAINED, by the Township Committee of the Township of Neptune that Volume I, Chapter XII, Section 12-1.2, Additions, Insertions, and Changes, be and is hereby amended as follows:

**Section 12-1.2 – Additions, Insertions, and Changes**

**jj. Chapter 9 - Certificates of Inspection; Transfer of Title and Certificates of Occupancy**

**PM 901.1 Scope**

The provisions of this chapter shall govern the procedures for a Certificate of Inspection, Transfer of Title and Certificates of Occupancy for the sale, transfer or conveyance of property; renting or leasing of property and installing or constructing improvements to all properties within the boundaries of the Township of Neptune.

**PM 901.2 Application forms**

Applications for Certificate of Inspection, Transfer of Title, Updates and other inspections as may be applicable to this Chapter shall be made on the forms prescribed by the code official or by using the online portal. Applications may be obtained by the public at the Code Enforcement Office. The applicant must include the name of the owner as it appears on the deed to the property, the name of the purchaser as it is to appear on the deed to the property or tenant; and names of each occupant, and shall be signed by the Owner, Landlord Purchaser or Tenant or designated agent. If the Owner, Landlord, Purchaser or Tenant is a trustee, estate, corporation or other entity, the applicant shall also include the current name and address of the trustee, executor/administrator or registered agent and the registered agent's address as may be set forth in the legal documents of the entity or formation papers of the corporation and any amendments thereto. The applicant shall attach to the application a copy of the legal documents of formation and any amendments thereto, to show evidence of the registration and the name and address of the registered agent.

**PM 901.3 Application**

The application prescribed by the municipality to request the code enforcement officer or construction officer to inspect a property, structure, dwelling unit, apartment, office, store, commercial or industrial building or other space to determine compliance or non-compliance with the provisions of the BOCA Basic Property Maintenance Code or any other applicable ordinances of the municipality.

**Certificate of Inspection:** A certificate issued by the code officer or code enforcement office demonstrating that a property, structure, dwelling unit, apartment, office, store, commercial or industrial building or space is in full compliance with the provisions of the BOCA Basic Property Maintenance Code and any other applicable ordinances of the municipality, and which also permits occupancy in such property, structure, dwelling unit, etc. by those person(s) or entities included in the application.

**Conditional or Temporary Certificate of Inspection:** A certificate issued by the code officer or code enforcement office demonstrating that a property, structure, dwelling unit, apartment, office, store, commercial or industrial building or space is in substantial compliance with the provisions of the BOCA Basic Property Maintenance Code and any other applicable ordinances of the municipality; does not impair the habitability of the property, structure,



dwelling unit, etc.; and which also permits occupancy in such property, structure, dwelling unit, etc. by those person(s) or entities included in the application.

**Certificate of Transfer of Title:** A certificate issued by the code officer or code enforcement office authorizing the sale or transfer of a property, structure, dwelling unit, apartment, office, store, commercial or industrial building or space, and which does not permit occupancy in such property, structure, dwelling unit, etc. by those person(s) or entities included in the application until such time as an application for, and issuance of, a Certificate of Inspection or Conditional or Temporary Certificate of Inspection with Occupancy is issued. An application for a Certificate of Inspection may be modified to a Transfer of Title (without occupancy permitted), provided that a revised application is submitted within 30 days of the original application.

**Certificate of Occupancy:** A certificate issued by the construction officer or construction office indicating that any new construction, addition, remodel, renovation, demolition or other improvement has been completed, inspected and certified to comply with the New Jersey Uniform Construction Code.

## **PM 902.0 REQUIREMENTS**

### **PM 902.1 When Required**

A Certificate of Inspection must be obtained by the owner of real property prior to the sale, transfer, lease, rental or occupancy of any structure, dwelling unit, apartment, office, store, commercial or industrial buildings located within the Township of Neptune. The Certificate of Inspection shall certify that said property is in compliance with all of the provisions of the BOCA Basic Property Maintenance Code and all other applicable ordinances of the Township of Neptune.

### **PM 902.2 Certificate of Inspection**

Prior to the sale, transfer, lease, rental or other conveyance of, or permission of use, property located in the Township of Neptune that has any structure dwelling unit, apartment, office, store, commercial or industrial building which is or will be occupied upon the sale, transfer, lease, rental or other conveyance of or permission to use such property, the Seller, Landlord and/or Buyer shall obtain a Certificate of Inspection or a Conditional or Temporary Certificate of Inspection as may be permitted herein. An application shall be filed in the form prescribed by the Code Enforcement Department, and shall be signed by the Seller/Landlord, Buyer/Tenant, or other designated agents.

1. A Certificate of Inspection shall be issued by the municipality upon the inspection by the code enforcement officer of that portion of the property to be occupied and any common area, exterior property, accessory structures or other improvement affecting the occupancy, provided such inspection finds that it complies with all of the provisions of the BOCA Basic Property Maintenance Code and all other applicable Ordinances of the Township of Neptune.

Inspections for Condominiums, Cooperative Units, Townhouses or similar single family housing units shall be limited to the specific unit only for purposes of issuing a Certificate of Inspection. If there are any violations in the common areas, notices for such violations shall be addressed to the Association, Incorporation or other owner and any interested party or agent, who shall then comply with the requirements set forth in the BOCA Basic Property Maintenance Code or any other applicable ordinances of the Township of Neptune, or be subject to fines, penalties and/or costs as permitted by the Ordinances of Township of Neptune.

2. A Conditional or Temporary Certificate of Inspection may be issued, in the discretion of the Code Officer, for buildings, units or structures which are not in full compliance with the provisions of the BOCA Basic Property Maintenance Code or any other applicable ordinances of the Township of Neptune, provided that the code deficiencies do not impair the habitability of the structure or impinge on the health, safety or general welfare of the owner-occupant. Prior to the issuance of a Conditional Certificate, the potential

owner-occupant(s) must provide the code officer with a notarized letter signed by all potential adult occupants, which specifically enumerates the deficiencies and states that the owner-occupant(s) accept the deficiencies and agree to correct such deficiencies within thirty (30) days of closing of title, subject to extensions as may be permitted under Section PM 902.6 herein.

For multi-family dwellings, the Code Officer, in their discretion, may issue a Conditional or Temporary Certificate of Inspection even if there are life safety violations in a particular apartment or unit, providing that the specific unit will not be occupied until the life safety violations have been corrected and a Certificate of Inspection issued, and such violations are not in the common areas and do not impair the habitability of the remaining apartments or units.

Inspections for Condominiums, Cooperative Units, Townhouses or similar single family housing units shall be limited to the specific unit only for purposes of issuing a Certificate of Inspection. If there are any violations in the common areas, notices for such violations shall be addressed to the Association, Incorporation or other owner and any interested party or agent, who shall then comply with the requirements set forth in the BOCA Basic Property Maintenance Code or any other applicable ordinances of the Township of Neptune, or be subject to fines, penalties and/or costs as permitted by the Ordinances of the Township of Neptune.

3. Certificate of Transfer of Title: Upon the sale or transfer of property located in the Township of Neptune that has any structure, dwelling unit, apartment, office, store, commercial or industrial building which is not occupied at the time of the inspection, and which will not be occupied upon the closing of title, the Seller or Purchaser, prior to the closing of title and transfer of deed, Assignment of Lease or other legal document, may obtain a Certificate of Transfer of Title or in lieu of a Certificate or Conditional Certificate of Inspection. The purchaser of such a building or structure shall not permit the building or structure to become occupied until the owner as it appears on the deed makes an application under this chapter for a Certificate of Inspection for owner occupancy or a sale issued by the code enforcement office or a Certificate of Occupancy issued by the construction department, as may be applicable.

#### **PM 902.3 Summer Seasonal Rentals**

A Certificate of Inspection for Summer Seasonal Rentals shall be made once prior to the initial occupancy. A summer season begins May 23<sup>rd</sup> and ends on September 30<sup>th</sup>. A Summer Seasonal Update application shall be submitted with the applicable fee for each change of occupants during the summer season and shall be submitted prior to the occupancy of those occupants. The application shall include the names of all occupants and shall include the beginning and ending dates of that occupancy. The update fee is as established herein.

#### **PM 902.4 Change of Occupant**

Within the first 10 days from the date of inspection an owner or agent may change the names of the occupants, as long as the property has not been occupied. There shall be a charge for this change. In the event of changes or additions after 10 days from the date of inspection, a new application shall be required

#### **PM 902.5 Special/Emergency Inspections**

Inspections may be requested or required to be made during non-regular business hours (hours in which the Code Enforcement Department is closed) at an additional fee as described in Section PM 903.0 FEES.

#### **PM 902.6 Conditional or Temporary Certificate of Inspection; Expiration**

The Code Officer may, in their discretion, issue a Conditional or Temporary Certificate of Inspection upon written notarized application by the occupant(s) in accordance with Section PM 902.2. Any conditional or temporary Certificate of Inspection issued pursuant to the terms of this Ordinance shall expire within thirty (30) days of the

date of issuance thereof. Conditional or Temporary Certificates of Inspection are renewable with an additional notarized letter conforming to the requirements of Section PM 902.2 and approvable by the code official, in their discretion. The Code Officer may only issue a Conditional or Temporary Certificate of Inspection for any property where the Purchaser or Owner and their immediate family will be the only occupant.

**PM 903.0 FEES**

**PM 903.1 Payment**

All fees are payable to the Township of Neptune. All fees are non-refundable and non-transferable. Applications shall be considered incomplete and shall not be processed until all required fees are paid in full. Incomplete applications not processed within 15 days of receipt shall become void.

**PM 903.2 Fees for Initial Certificate of Inspection; Conditional or Temporary Certificate of Inspection; Change of Occupants for Summer Seasonal Rental or Transfer of Title**

1. For applications for a Certificate of Inspection; Conditional or Temporary Certificate of Inspection, Summer Seasonal Rental or Transfer of Title, the fees shall be as follows:
  - (a) If the application is received 5 or more business days prior to the anticipated closing date, occupancy date or requested inspection date:

Commercial Uses, Detached Single-Family Dwellings, Townhouses, Condominiums, Structures with 2 or more Dwellings, or non-residential units	\$150.00 per structure, plus \$75.00 for each additional unit within the same structure and to be inspected on the same date at the same time.
Change of Tenant (per Section 902.4)	\$25.00
Hotels/Motels/Rooming and Boarding Houses, Schools/Day Care Facilities, Nursing Homes and Health Care Centers	\$150.00 per structure, plus \$25.00 per room, rooming unit or office to be inspected on the same date at the same time.
Transfer of Title	\$85.00

Summer Seasonal Rental Fees for initial Certificate of Inspection shall be in accordance with the fees of this section

Summer Seasonal updates	\$25.00 for each occupancy change
-------------------------	-----------------------------------

- (b) If the application is received five (5) or less business days prior to the anticipated closing date, occupancy date or requested inspection date, the fees under paragraph 1(a) above, shall be increased by \$50.00 for each required inspection.

**PM 903.3 Reinspection**

1. Reinspections shall be limited to violations set forth in the prior inspection report and any additional life safety, habitability or statutorily mandated violations inspections that may be evident or mandatory at the time of the reinspection. If the prior violations are not corrected, or life safety, habitability or statutorily mandated code requirements are evident, the Code Officer shall note the violations on the inspection form and fail the inspection. The applicant would be required to complete the repairs and apply for another reinspection. All reinspections must be performed within 30 days of the original inspection date. Inspections not completed within the 30 days will be considered void and require a new application and fee to be submitted. A 30 day extension may be granted by the code enforcement officer upon receipt of a written request.

Reinspection fees: A reinspection fee shall be paid for each and every time a code officer is scheduled to reinspect a property to determine whether cited violations have been corrected. A Reinspection shall be required prior to the issuance of a Certificate of Inspection after a Conditional or Temporary Certificate of Inspection was issued.

The fees for each reinspection shall be as follows:

Commercial Uses, Detached Single Family Dwellings, Townhouses, Condominiums, Structures with 2 or more Dwellings or non-residential units	\$50.00 per structure, plus \$35.00 for each additional unit within the same structure and to be inspected on the same date at the same time
Hotels/Motels/Rooming Boarding Houses, Schools/Day Care Facilities, Nursing Homes and Healthcare Centers	\$50.00 plus \$25.00 per room, rooming unit or office to be reinspected on the same date at the same time
Transfer of Title	\$25.00

**PM 903.4 Fees for inspections during non-business hours are in addition to the regular applications fees as described in PM 903.2 and PM 903.3**

Minimum fee	\$150.00 up to two hours
Each hour in excess of 2 hours (Any fraction of an hour shall be considered one hour)	\$100.00 per hour

**PM 904.0 AUTOMATED TRASH/RECYCLING CONTAINERS**

**PM 904.1 Requirements**

The Certificate of Inspection requirements shall include a provision that the applicant for a Certificate of Inspection shall be responsible to ensure that at least one automated trash container and one automated recycling container for each housing unit will remain with the property. The Code Enforcement Department Certificate of Inspection

checklist shall include verification that at least one trash container and one recycling container exist for each dwelling unit.

Nothing in this chapter or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this chapter.

APPROVED ON FIRST READING: May 10, 2021

APPROVED, PASSED, AND ADOPTED: May 24, 2021

---

Richard J. Cuttrell,  
Municipal Clerk

---

Dr. Michael Brantley,  
Mayor

ORDINANCE NO. 21-21

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING RESIDENT ONLY HANDICAPPED PARKING ZONES ON MAIN AVENUE AND HECK 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>
Main Avenue	1	North side of Main Avenue beginning 91 feet east of the northeast intersection of Main Avenue and Pennsylvania Avenue
Main Avenue	1	North side of Main Avenue beginning 45 feet east of the northeast intersection of Main Avenue and New Jersey Avenue
Heck Avenue	1	South side of Heck Avenue beginning 25 feet west of the southwest intersection of Heck Avenue and Pennsylvania Avenue

SECTION 2

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

APPROVED ON FIRST READING: May 10, 2021

APPROVED, PASSED, AND ADOPTED: May 24, 2021

\_\_\_\_\_  
Richard J. Cuttrell,  
Municipal Clerk

\_\_\_\_\_  
Dr. Michael Brantley,  
Mayor

ORDINANCE NO. 21-22

AN ORDINANCE REPEALING ORDINANCE NO. 08-33 ADOPTING A REDEVELOPMENT PLAN FOR THE ROUTE 35 AND WEST BANGS AVENUE AREA (CURRENTLY DESIGNATED ON THE TAX MAP AS BLOCK 808, LOTS 5, 6, 7 and 8 AND FORMERLY DESIGNATED ON THE TAX MAP AS BLOCK 249, LOTS 1, 4, 5, 6, AND 10.1; AND BLOCK 250, LOTS 1.01 and 3) LOCATED IN THE TOWNSHIP OF NEPTUNE, COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Act"), authorizes the governing body to adopt by ordinance redevelopment plans for areas in need of redevelopment or rehabilitation; and

WHEREAS, on May 29, 2007, the Township Committee adopted Resolution No. 07-276 which designated the Route 35 and West Bangs Avenue area, currently designated on the Tax Map of the Township of Neptune as Block 808, Lots 5, 6, 7 and 8 and formerly designated on the Tax Map of the Township of Neptune as Block 249, Lots 1, 4, 5, 6 and 10.1 and Block 250, Lots 1.01 and 3 (referred to as the "Property"), as an area in need of redevelopment; and

WHEREAS, on September 22, 2008, the Township Committee adopted Ordinance No. 08-33 establishing a superseding Redevelopment Plan for the Route 35 and West Bangs Avenue Area (the "Redevelopment Plan"), which area is comprised of the Property, and which Redevelopment Plan permitted the Township to utilize any of its powers under the Act in order to achieve its goals under the Redevelopment Plan; and

WHEREAS, on September 14, 2020, the Township Committee adopted Ordinance No. 20-26 amending Section 404.1 of the Township's Land Development Ordinance by amending the permitted, conditional and accessory uses in the B-1 Town Commercial Zone (the "Zoning") which zoning would otherwise apply to the Property but for the Redevelopment Plan; and

WHEREAS, N.J.S.A. 40:48-2 and N.J.S.A. 40A:12A-22 authorize the governing body to repeal ordinances as it may deem necessary and proper for the good government, order and protection of persons and property and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the Township Committee has determined that the application of the Zoning to the Property is in the best interest of the Township and thus, the Redevelopment Plan is no longer necessary.

THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune, that:

SECTION 1.

1. The Township Committee has considered the overall land use and planning goals of the Township and has determined that the application of the Zoning to the Property is in the best interest of the Township.

2. Ordinance No. 08-33 adopting a superseding Redevelopment Plan for the Route 35 and West Bangs Avenue Area shall be and is hereby repealed in its entirety.
3. The Property shall henceforth be subject to the existing Zoning requirements for the area, as provided by applicable law.

SECTION 2.

If any subsection, paragraph or provision of this ordinance is declared to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining provisions of this Ordinance.

SECTION 3.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4.

This ordinance shall take effect following adoption and approval in accordance with applicable law and shall be published as required by law.

APPROVED ON FIRST READING:

ADOPTED ON SECOND READING:

ATTEST:

---

Richard J. Cuttrell,  
Municipal Clerk

---

Dr. Michael Brantley,  
Mayor



ORDINANCE NO. 21-23

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO VARIOUS PARKS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvement or purpose stated in Section 3 hereof, there is hereby appropriated the sum of \$200,000, said sum being inclusive of a down payment in the amount of \$10,000 (the "Down Payment") for said improvement required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), which Down Payment is now available from the General Capital Improvement Fund by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$200,000 appropriation not provided for by application hereunder of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$190,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$190,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is improvements to various parks within the Township, including but not limited to, ballfield improvements, construction and reconstruction at Jumping Brook Park, Bert Willis Fields, Loffredo Field and Sunshine Village Park, the acquisition and installation of a playground and parks equipment at Bradley Park, and the development of South Riverside Park, and all other related improvements, engineering and design work, consulting, preparation of plans and specifications, construction planning, surveying, permits, bid documents, construction inspection and contract administration, equipment rental and all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans and specifications therefor on file in the Office of the Township Clerk and available for public inspection and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$190,000.

(c) The estimated cost of said improvement or purpose is \$200,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Down Payment in the amount of \$10,000 available for such improvement or purpose.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Township for the improvement and purpose authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement or purpose which the Township may lawfully undertake as a general improvement or purpose, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed

duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$190,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$40,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvement or purpose described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 11. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township, which are authorized herein, and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

APPROVED ON FIRST READING:

May 10, 2021

APPROVED, PASSED, AND ADOPTED:

May 24, 2021

---

Richard J. Cuttrell,  
Municipal Clerk

---

Dr. Michael Brantley,  
Mayor

ORDINANCE NO. 21-24

BOND ORDINANCE PROVIDING FOR ROADWAY RECONSTRUCTION AND DRAINAGE IMPROVEMENTS TO MYRTLE AVENUE, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$400,000 THEREFOR (INCLUDING \$226,803 NJDOT TRANSPORTATION TRUST FUND GRANT) AND AUTHORIZING THE ISSUANCE OF \$173,197 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvement or purpose stated in Section 3 hereof, there is hereby appropriated the sum of \$400,000, including \$226,803 in a State of New Jersey Department of Transportation – Transportation Trust Fund Grant (the "Grant"). No down payment for said improvements is required pursuant to Section 40A:2-11c of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law").

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$400,000 appropriation not provided for by application hereunder of the Grant, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$173,197 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$173,197 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is for roadway reconstruction and drainage improvements to Myrtle Avenue in the Township, as further described in the Myrtle Avenue Roadway Reconstruction Project documents on file with the Township Engineer, and all other related improvements including, but not limited to, as applicable, engineering and design work, consulting, preparation of plans and specifications, construction planning, surveying, permits, bid documents, construction inspection and contract administration, equipment rental and all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans and specifications therefor on file in the Office of the Township Engineer and available for public inspection and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$173,197.

(c) The estimated cost of said improvement or purpose is \$400,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Grant in the amount of \$226,803 available for such improvement or purpose.

SECTION 4. Other than the Grant, in the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Township for the improvement and purpose authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. Other than the Grant, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth, shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement or purpose which the Township may lawfully undertake as a general improvement or purpose, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$173,197 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$60,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvement or purpose described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 11. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township, which are authorized herein, and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for

any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

APPROVED ON FIRST READING: May 10, 2021

APPROVED, PASSED, AND ADOPTED: May 24, 2021

---

Richard J. Cuttrell,  
Municipal Clerk

---

Dr. Michael Brantley,  
Mayor



ORDINANCE NO. 21-25

AN ORDINANCE TO AMEND VOLUME I, CHAPTER II, OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING SECTION 2-49 TO CREATE THE NEPTUNE TOWNSHIP ADVISORY COMMITTEE ON SUSTAINABLE PRACTICES ALSO KNOWN AS THE "GREEN TEAM"

WHEREAS, the Township Committee of the Township of Neptune strives to assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially and a community which will continue to thrive well in changing times; and

WHEREAS, the Mayor and Committee of the Township of Neptune wish to build a model of government, which benefits our residents and business community now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on "Green" issues, the Mayor and Committee of the Township of Neptune wish to establish an advisory committee on sustainable practices, including but not limited to, renewable energy, energy conservation, greenhouse gas emissions reductions and other environmentally beneficial practices, to be known as the "Green Team"; and

WHEREAS, solar and wind power, building upgrades utilizing energy saving equipment and sustainable materials, changes to fleet purchasing, fuel and maintenance, water quality improvements, and operational changes and addressing the future of electric vehicles and the need for recharging stations and any other potential beneficial environmental policy or change will all be considered as the Township moves to do its share to lessen the environmental impact of its operations.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Neptune, that Volume I, Chapter 2, Section 2-49 of the Code of the Township entitled "Advisory Committee on Sustainable Practices "Green Team" be and is hereby added to create the following committee for purposes of advising the Township Committee and recommend improved municipal operations with "green" initiatives which are economically and environmentally sound through research and evaluation as follows:

**SECTION 2-49 – Advisory Committee on Sustainable Practices "Green Team"**

**2-49.1. Creation of Office**

There is hereby created an advisory committee, which shall be known as the Advisory Committee on Sustainable Practices, hereinafter also called the "Green Team."

## 2-49.2. Compensation, Reimbursement of Expenses and Clerical Assistance

The members of the Green Team, including non-voting members, shall receive no compensation for their services as members thereof, but may be reimbursed for reasonable and necessary appropriations made available therefore, but only upon request to and approval by the Township Committee. The governing body may also, in its discretion, allow the employment of clerical assistance for the Green Team and annually appropriate funds for compensation and/or reimbursement of expenses for said clerical assistance (if so assigned by the governing body) and legal counsel on an as-needed basis, and approved by the Township Committee.

## 2-49.3. Powers and Duties

The powers and duties of the Green Team shall be to:

- A. Collaborate with Township employees, service providers and other governmental agencies to share resource information and ideas consistent with the purpose of the Green Team.
- B. Encourage participation of all employees to solicit ideas on green initiatives.
- C. Research and analyze green initiatives which make practical and environmental and financial sense.
- D. Make all information of the Green Team available to the public.
- E. Advise the Township Committee on matters affecting "green" initiatives.
- F. Develop strategies for sustainable "green" initiatives in municipal operations.
- G. Seek to coordinate, assist, and unify the efforts of private groups, institutions, and individuals within the Township of Neptune in accordance with the purposes of this chapter.
- H. Maintain a liaison and communication with the public, private agencies and organizations of local, state, and national scope, whose programs and activities have an impact on "green" initiatives.
- I. Carry out other such duties as may be assigned from time to time by the Township Committee.
- J. Address and make recommendations to the Township Committee on green initiatives for the community at large, such as but not limited to future of electric vehicles and the need for recharging stations within the Township.
- K. Serve as an advisory committee to the Township Committee concerning recommendations concerning "green" initiatives and review upon request by the Township Committee plans and recommendations that are suggested by the Township Committee towards "green" initiatives.

#### 2-49.4. Membership, Terms

A. The Green Team shall consist of five (5) regular voting members, two (2) alternative members at large who shall only vote where a voting member is not present at a time of a vote but shall be the first to replace a voting member as a result of a vacancy by order of their appointment; and three (3) non-voting members consisting of the Committee liaison appointed with the consent of Township Committee by the Mayor, Director of the Department of Public Works and the Township Administrator. Of the five (5) regular voting members, one (1) may be a member of the Shade Tree Environmental Commission, if a member is willing and available, and if not, said seat may be filled by a citizen member, and the remaining members shall be citizens of Neptune Township interested in "green" initiative activities. All voting members must live in the Township of Neptune and continue to live in the Township of Neptune while a member. The exception shall be that one (1) voting member may be a non-resident if said member has a business interest within the Township of Neptune or expertise in environmental studies. On the initial appointments to the Green Team, two (2) voting members shall have a term of four (4) years each and other three voting members from the among the group shall have a term of three (3) years each; the two (2) alternate members at large shall have terms as follows: Alternate 1; two (2) years and Alternate 2; one (1) year. The non-voting Committee liaison, Director of Public Works and Business Administrator shall serve for a one (1) year term.

B. The Green Team shall be encouraged to seek participation of other residents of the Township in all activities.

C. The Green Team may create and disband subcommittees as they deem appropriate or as requested by the Township Committee.

#### 2-49.5. Officers and Records

The Green Team, at its annual meeting or reorganization meeting, shall designate a Chairperson from among its voting members, who shall serve for the term of Chairperson for one (1) year. The Green Team may re-elect the same individual as Chairperson on an annual basis at their discretion. At any annual meeting of the Green Team, its members shall elect, from among the voting members, all officers of the Green Team and establish rules and procedures for its members to follow. The Green Team shall keep accurate minutes of its meetings and activities, and shall file an annual report with the Township Committee. The annual report shall cover the activities and work of the Green Team and include recommendation as may be necessary to fulfill the purposes of this Ordinance. Approved minutes of meetings shall be filed with the Township Clerk.

#### 2-49.6. Intent

This chapter shall be deemed an exercise of the powers of the Township Committee to establish a committee with the responsibility to research potential sustainable practices, including but not limited to, renewable energy, energy conservation, greenhouse gas emissions reductions, future electric car charging stations, and other environmentally beneficial practices. The Green Team will also promote sustainable practices to the community at large.

All Ordinances or parts of Ordinances that are inconsistent herewith are repealed, but only to the extent of such inconsistency.

This ordinance shall take effect immediately upon final passage and publication as provided by law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

---

Richard J. Cuttrell,  
Municipal Clerk

---

Dr. Michael Brantley,  
Mayor

ORDINANCE NO. 21-26

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A PUMP TRACK BICYCLE AND SKATEBOARD RECREATIONAL FACILITY WITHIN SUNSHINE VILLAGE PARK, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$380,000 (INCLUDING A MONMOUTH COUNTY OPEN SPACE TRUST FUND GRANT EXPECTED TO BE RECEIVED IN THE AMOUNT OF \$250,000) THEREFOR AND AUTHORIZING THE ISSUANCE OF \$123,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvement or purpose stated in Section 3 hereof, there is hereby appropriated the sum of \$380,000, said sum being inclusive of the sum of (i) \$250,000 as the aggregate amount of a Monmouth County Open Space Trust Fund Grant received or expected to be received by the Township (the "Grant"), and (ii) a down payment in the amount of \$6,500 (the "Down Payment") for said improvement required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), which Down Payment is now available from the General Capital Improvement Fund by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$380,000 appropriation not provided for by application hereunder of the Grant or the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$123,500 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$123,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is the construction of a pump track bicycle and skateboard recreational facility within Sunshine Village Park, and all other related improvements, engineering and design work, consulting, preparation of plans and specifications, construction planning, surveying, permits, bid documents, construction inspection and contract administration, equipment rental and all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans and specifications therefor on file in the Office of the Township Engineer and available for public inspection and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$123,500.

(c) The estimated cost of said improvement or purpose is \$380,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Grant in the amount of \$250,000 and the Down Payment in the amount of \$6,500 available for such improvement or purpose.

SECTION 4. Other than the Grant, in the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Township for the improvement and purpose authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. Other than the Grant, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement or purpose which the Township may lawfully

undertake as a general improvement or purpose, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$123,500 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$60,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvement or purpose described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 11. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township, which are authorized herein, and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any

change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

---

Richard J. Cuttrell,  
Municipal Clerk

---

Dr. Michael Brantley,  
Mayor



ORDINANCE NO. 21-27

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A MULTI-WAY STOP INTERSECTION AT THE INTERSECTION OF STOCKTON AVENUE AND PENNSYLVANIA 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 7-11A – Multi-Way Stop Intersections, is hereby amended by adding the following:

Intersection

Stockton Avenue and  
Pennsylvania Avenue

Stop Signs On:

Stockton Avenue and northbound  
Pennsylvania Avenue

SECTION 2

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 #21-197 - 5/24/21

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

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

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

WHEREAS, the Chief of Police and Police Committee have made their recommendation to employ a current Special Law Enforcement Officer – Class I in this position; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Steven Kontogiannis be and is hereby employed as a part-time Special Law Enforcement Officer - Class II, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, and effective upon successful completion of the Special Law Enforcement Officer – Class II training at the Monmouth County Police Academy at an hourly rate of \$22.29; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 24, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-198 - 5/24/21

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 035

WHEREAS, Clive Smith is the owner of Neptune Township Taxi Medallion No. 035; and,

WHEREAS, he has notified the Taxi License Coordinator of the intent to sell and transfer ownership of said medallion to Ibrahim Abdo-Abdelwahed of Royal Transit, LLC; 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. 035 to Ibrahim Abdo-Abdelwahed of Royal Transit, LLC; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 24, 2021**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #21-199 - 5/24/21

AUTHORIZE THE EXECUTION OF A SHARED SERVICE AGREEMENT  
WITH THE NEPTUNE TOWNSHIP BOARD OF EDUCATION  
FOR SCHOOL RESOURCE OFFICERS

WHEREAS, the Township of Neptune and the Neptune Township Board of Education, mindful of their duties and responsibilities to protect and maintain the public health, safety and welfare of its inhabitants, find it necessary to arrange for the placement and reimbursement of up to two (2) School Resource Officers at Neptune Township Public Schools; and,

WHEREAS, the Township and Board have determined that their best interests would be served by enjoying the benefits and sharing the costs of two Special Law Enforcement Officers – Class II contributing to the daily activities of students; and,

WHEREAS, the Township of Neptune and the Neptune Township Board of Education desire to enter into an Shared Service agreement pursuant to N.J.S.A. 40A:65-1 et seq. for the Township and Board to cooperatively participate in this project; and,

WHEREAS, the Township will be responsible for assigning police officers as School Resource Officers and the Board will pay the Township the sum of \$25,000.00 annually to partially defray the salary, benefits and insurance of said officers,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Shared Service Agreement with the Neptune Township Board of Education, a copy of which is on file in the Office of the Municipal Clerk, providing for the assignment of up to two (2) School Resource Officers and a contribution by the Board to the Township in the amount of \$25,000.00 annually for the 2021-2022 and 2022-2023 school years; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 24, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-200 - 5/24/21

APPOINT MEMBER TO THE RENT LEVELING BOARD

WHEREAS, due to the resignation of Committeewoman Tassie York, a vacancy exists on the Rent Leveling Board,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that William Whitley be and is hereby appointed as a member of the Rent Leveling Board for the year 2021; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Secretary to the Rent Leveling Board.

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 24, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-201 - 5/24/21

AUTHORIZE CHANGE ORDER #2 TO THE CONTRACT FOR SITE REMEDIATION SERVICES AT THE CLINTON AVENUE PUMPING STATION

WHEREAS, on January 28, 2019, the Township Committee adopted Resolution #19-89 which authorized T&M Associates to perform required site investigation to address the open NJDEP case at the Clinton Avenue Pump Station; and,

WHEREAS, on July 13, 2020, the Township Committee adopted Resolution #20-246 which authorized Change Order #1 for an increase in the contract of \$16,900.00 due to the discovery of possible contaminants in a monitoring well which required further investigation and potential remediation; and,

WHEREAS, additional changes to the contract are necessary to abandon the existing monitoring wells as well as the preparation of an additional report to the NJDEP in connection with the remediation of product in one of the monitoring wells (the subject of Change Order #1); and,

WHEREAS, this change has been approved by the Business Administrator; and,

WHEREAS, funds for this purpose are available in the 2021 Sewer Utility budget in the appropriation entitled Sewer Capital Outlay and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Change Order #1 in the contract with T&M Associations in connection with site remediation services at the Clinton Avenue Pumping Station resulting in a net increase of \$5,650.00 revising the total contract amount to \$50,050.00; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 24, 2021**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #21-202 - 5/24/21

ACCEPT THE RESIGNATION OF JORGE SEGURA-VILLALTA AS A DRIVER  
IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Public Works Director has received a letter from Jorge Segura-Villalta resigning as a Driver in the Public Works Department effective May 27, 2021,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Jorge Segura-Villalta as a Driver in the Public Works Department is hereby accepted effective May 27, 2021; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 24, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-203 - 5/24/21

PLACE LIEN ON PROPERTY (400 OVERLOOK DRIVE)

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

WHEREAS, the Director of Code Enforcement 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 Director of Code Enforcement 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>
4912/4	400 Overlook Drive	\$ 267.50

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 24, 2021**



Richard J. Cuttrell, Municipal Clerk



RESOLUTION #21-204 - 5/24/21

DESIGNATE TECHNICAL ASSISTANT TO THE CONSTRUCTION OFFICIAL  
ON A TEMPORARY BASIS

WHEREAS, the employee currently designated as the Technical Assistant to the Construction Official will be out of work for an extended period of time; and

WHEREAS, the Construction Official has requested that Heather Kepler, Departmental Secretary, in the Code/Construction Department be assigned to the stipend position on a temporary basis; and,

WHEREAS, the Business Administrator has recommended said designation; and

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Heather Kepler, Departmental Secretary, in the Code/Construction Department, be and is hereby designated as the Technical Assistant to the Construction Official on a temporary basis, effective May 25, 2021, at an annual stipend of \$6,100.00 as authorized by Resolution #21-55; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 24, 2021**



Richard J. Cuttrell, Municipal Clerk

4

RESOLUTION #21-205 - 5/24/21

AUTHORIZE AN AMENDMENT TO THE 2021 MUNICIPAL BUDGET TO REALIZE  
MONIES FROM THE NEW JERSEY BOARD OF PUBLIC UTILITIES

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 2021 in the sum of \$526,100.00 which is now available from the New Jersey Board of Public Utilities in the amount of \$526,100.00; and,

BE IT FURTHER RESOLVED that the like sum of \$526,100.00 is hereby appropriated under the caption of NJBPU Microgrid Project; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from a New Jersey Board of Public Utilities TCDER Microgrid Design Grant in the amount of \$526,100.00; and,

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

Vote:

Cafferty: aye  
Lane: aye  
Williams: aye  
York: aye  
Brantley: aye

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 24, 2021**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #21-206 - 5/24/21

AUTHORIZE EXECUTION OF A MONMOUTH COUNTY WORKSITE AGREEMENT WITH  
THE COUNTY OF MONMOUTH DIVISION OF WORKFORCE DEVELOPMENT

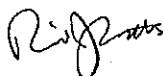
WHEREAS, the County of Monmouth Division of Workforce Development is offering reimbursement for the cost of wages to youth that are employed in jobs that enhance employability and provide necessary skills to assist future employment in the pursuit of career oriented opportunities; and,

WHEREAS, the Recreation Director has recommended that the Township submit an application for the part-time Summer Recreation Program youth staff,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Monmouth County Worksite Agreement with the County of Monmouth Division of Workforce Development for youth employed by the Township for the Summer Recreation Program; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 24, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-207 - 5/24/21

AUTHORIZE THE PURCHASE OF A CATEPILLAR BULLDOZER THROUGH  
THE SOURCEWELL NATIONAL PURCHASING COOPERATIVE

WHEREAS, the Director of Public Works has requested the purchase of a bulldozer for the Sewer Utility utilizing pricing through the Sourcewell National Purchasing Cooperative; 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, the Township of Neptune is authorized pursuant to N.J.S.A. 52:34-6.2(b)(3) to use procurement methods by entering into a nationally recognized cooperative agreement; and;

WHEREAS, the Sourcewell National Purchasing Cooperative is a nationally recognized cooperative agreement and has awarded Contract No. 032119-CAT to Foley, Inc. for a Caterpillar Model D5K2LGP bulldozer; and,

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

WHEREAS, the cost of this equipment shall not exceed \$150,000.00; and,

WHEREAS, funds for this purpose are available in the Sewer Utility budget in the appropriation entitled Acquisition of Vehicles and Equipment and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township of Neptune Committee of the Township of Neptune that the purchase of a Caterpillar Model D5K2LGP bulldozer for the Sewer Utility be and is hereby authorized through Sourcewell National Purchasing Cooperative Contract No. 032119-CAT, awarded to Foley, Inc., at an amount not to exceed \$150,000.00; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 24, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-208 - 5/24/21

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

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

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

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

WHEREAS, funds will be provided in the Municipal Budget in the appropriation entitled Solid Waste S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an offer of employment be and is hereby extended to Sean Ross for the position of Class A Driver in the Department of Public Works at an annual salary of \$32,200.00, on a probationary basis for a period of not less than 90 days and not exceeding one year, contingent upon favorable results of the required pre-employment testing, effective June 1, 2021; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 24, 2021**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #21-209 - 5/24/21

AUTHORIZE THE PURCHASE OF BODY CAMERAS AND ACCESSORIES  
THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Chief of Police has recommended the purchase of body cameras with related accessories and extended warranty through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

WHEREAS, Wireless Communications has been awarded New Jersey State Contract No. 89980 for this equipment; and,

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

WHEREAS, the cost of the equipment shall not exceed \$375,000.00; and,

WHEREAS, funds for this purpose are available from Ordinance No. 21-13 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 body cameras with related accessories and extended warranty for the Police Department through New Jersey Cooperative Purchasing Program Contract No. 89980 awarded to Wireless Communications be and is hereby authorized at an amount not to exceed \$375,000.00; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 24, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-210 – 5/24/21

AUTHORIZE INDEPENDENT INVESTIGATION OF PRIOR DISCIPLINARY ACTIONS  
INVOLVING ALLEGATIONS OF MISCONDUCT IN THE DEPARTMENT OF  
PUBLIC WORKS AND APPOINTING AN INDEPENDENT INVESTIGATOR  
TO UNDERTAKE SAID INVESTIGATION

WHEREAS, disciplinary actions were taken against certain employees in the Public Works Department of the Township of Neptune for various actions construed as inappropriate by the Administration; and

WHEREAS, the Township Committee feels that a further independent investigation is needed to address said disciplinary actions and conduct by the employees of the Public Works Department; and,

WHEREAS, funds will be provided in the 2021 Municipal Budget in the appropriation entitled Legal Services, O.E. and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorizes an independent investigation of prior disciplinary actions involving allegations of misconduct by employees of the Public Works Department, and hereby appoints Michael R. Burns, Esq., of Marmero Law, located at 97 Apple Street, Tinton Falls, New Jersey 07724, at an amount not to exceed \$10,000.00, to undertake the aforesaid investigation and to report his findings back to the Township Committee; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Attorney, Chief Financial Officer, Assistant C.F.O., Human Resources Director, and Michael R. Burns, Esq.

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 24, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-211 – 5/24/21

**\*\*\*\*RESOLUTION DEFEATED/NOT ADOPTED\*\*\*\***

RECLASSIFY EMPLOYEE TO THE POSITION OF SANITATION  
SUPERVISOR IN THE DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, the position was duly posted; and,

WHEREAS, the Human Resources Director, Public Works Director, and Business Administrator have made a recommendation to reclassify an existing employee to said position; and,

WHEREAS, funds will be provided in the 2021 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 Edgardo Santiago, Jr. be and is hereby reclassified to the position of Sanitation Supervisor in the Department of Public Works at an annual salary of \$80,000.00 effective May 25, 2021; and,

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



RESOLUTION #21-212 – 5/24/21

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	8,394,003.55
GRANT FUND	4,884.17
TRUST FUND	2,775.00
GENERAL CAPITAL FUND	37,850.90
SEWER OPERATING FUND	1,102,558.80
SEWER CAPITAL FUND	5,580.54
MARINA OPERATING FUND	42,918.38
DOG TRUST	415.20
LIBRARY TRUST	487.46
BILL LIST TOTAL	\$9,591,474.00

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 24, 2021**



Richard J. Cuttrell, Municipal Clerk