

TOWNSHIP COMMITTEE WORKSHOP MEETING – FEBRUARY 11, 2019 – 6:00 P.M.

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

ROLL CALL

PRESENT/ABSENT

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

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

Mayor Rizzo announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 3, 2019, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Leanne Hoffman, Township Engineer, present to discuss living shoreline project on South Riverside Drive.

2. Discussion – Ordinance amendment concerning smoking in parks and open spaces. (PW)

3. Business Administrator's report.

4. Review Committee calendars.

Res. # 19-100 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____

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

RESOLUTION #19-100 – 2/11/19

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:

Personnel – Recommendations for hire of part-time Public Safety Officers
Litigation – Hubbard v. Township of Neptune

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 – FEBRUARY 11, 2019 – 7:00 P.M.

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

ROLL CALL

PRESENT/ABSENT

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

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 Rizzo announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 3, 2019 posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at www.neptunetownship.org.

APPROVAL OF MINUTES – Motion offered by _____, seconded by _____, to approve the minutes of the meetings held on January 28th.

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

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

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

ORDINANCE NO. 19-02 – Bond Ordinance providing for the construction of a living shoreline flood mitigation project along the Shark River, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$1,350,000 therefor (inclusive of an \$835,529.25 FEMA grant) and authorizing the issuance of \$488,000 bonds or notes of the Township to finance part of the cost thereof - First Reading

Explanatory Statement: This ordinance authorizes an appropriation of \$1,350,000.00, inclusive of an \$835,529.25 FEMA grant, for the construction of a living shoreline and ancillary flood mitigation improvements along the Shark River in the area of South Riverside Drive, including, but not limited to, the installation of tideflex valves, a geotube core and drainage pipes, marsh and dune plantings, beach sand and offshore sill, and other related improvements

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

The Public Hearing on Ordinance 19-02 will be held on Monday, February 25, 2019.

CONSENT AGENDA

Res. #19-101 – Authorize a reduction in the performance guarantee filed by High Pointe at Neptune, LLC for site improvements at 774 & 778 Wayside Road.

Res. #19-102 – Authorize temporary no parking on certain streets in connection with events celebrating the 150th anniversary of Ocean Grove.

Res. #19-103 – Rescind offer of employment extended to Kevin Marter for the position of Driver in the Department of Public Works.

Res. #19-104 – Authorize the execution of a Shared Services Agreement with the City of Asbury Park for maintenance of Wesley Lake.

Res. #19-105 – Authorize Ocean Grove Camp Meeting Association’s annual Independence Day Parade.

Res. #19-106 – Authorize the Township of Neptune and the Neptune Joint Veterans Association to co-sponsor a Memorial Day Parade.

Res. #19-107 – Authorize execution of a Shared Service Agreement with the Township of Shrewsbury for Municipal Clerk services.

Res. #19-108 – Accept a FFY18 Emergency Management Assistance/Emergency Management Performance Grant from the NJ Department of Law & Public Safety.

Res. #19-109 – Authorize Counterclaim against Shaun Hubbard in the Neptune Township adv. Shaun Hubbard matter.

Res. #19-110 – Authorize Revocable License Agreement between the Ocean Grove Camp Meeting Association and Neptune Township for the use of a parking lot located at Block 101, Lot 9 a/k/a 40 Broadway and Block 101, Lot 8 a/k/a east of Ocean Avenue.

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

The Mayor announces the following appointment to the Historic Preservation Commission:

Doug MacMorris as the Alternate #2 member to an unexpired one-year term

Res. # 19-111 - Confirm Mayor's appointment to the Historic Preservation Commission.

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

Res. #19-112 – Employ Public Safety Officers in the Emergency Medical Services Department on a part-time basis.

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

Res. #19-113 – Authorize the payment of bills.

Offered by: _____ Seconded by: _____

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

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

ADJOURNMENT

ORDINANCE NO. 19-02

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A LIVING SHORELINE FLOOD MITIGATION PROJECT ALONG THE SHARK RIVER, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,350,000 THEREFOR (INCLUSIVE OF AN \$835,529.25 FEMA GRANT) AND AUTHORIZING THE ISSUANCE OF \$488,000 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 \$1,350,000, said sum being inclusive of a FEMA Pre-Disaster Mitigation Grant in the amount of \$835,529.25 (the "FEMA Grant") and a down payment in the amount of \$26,470.75 (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 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 \$1,350,000 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 \$488,000 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 \$488,000 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 the construction of a living shoreline and ancillary flood mitigation improvements along the Shark River in the area of South Riverside Drive in the Township, including, but not limited to, the installation of Tideflex Valves, a Geotube Core and drainage pipes, marsh and dune plantings, beach sand and offshore sill, all other related improvements, all engineering, design, architectural and preservation work, consulting work, preparation of plans and specifications, construction planning, surveying, permits, bid documents, construction inspection and contract administration, environmental testing, remediation and disposal, conduction and preparation of reports and studies, equipment rental and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto, all as set forth in the project documents on file in the Office of the Township Engineer.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$488,000.

(c) The estimated cost of said improvement or purpose is \$1,350,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the FEMA Grant in the amount of \$835,529.25 and the Down Payment in the amount of \$26,470.75 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, other than the FEMA Grant, 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, other than the FEMA Grant, 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 ten (10) 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 \$488,000 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 \$200,000 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. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvement or purpose described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will be issued in an amount not to exceed \$488,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. 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. 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

Carol Rizzo,
Mayor

RESOLUTION #19-101 – 2/11/19

AUTHORIZE A REDUCTION IN THE PERFORMANCE GUARANTEE FILED BY
HIGH POINTE AT NEPTUNE, LLC FOR SITE IMPROVEMENTS AT
774 & 778 WAYSIDE ROAD

WHEREAS, Irrevocable Letter of Credit 2874-1, in the amount of \$919,620.00 has been filed by High Pointe at Neptune, LLC guaranteeing site improvements at the High Pointe at Neptune subdivision, 774 & 778 Wayside Road (Block 2201, Lot 27); and,

WHEREAS, at the request of the Developer, the Township Engineer has inspected the site improvements and has recommended a reduction in the performance guarantee; and,

WHEREAS, the Developer will be notified to post an amended Letter of Credit reducing the amount from \$919,620.00 to \$410,755.32 and the Municipal Clerk will accept said amended Letter of Credit; and,

WHEREAS, the cash portion of the performance guarantee will also be reduced by a proportionate amount,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a reduction in the Performance Guarantee for High Pointe at Neptune subdivision, 774 & 778 Wayside Road (Block 2201, Lot 27), be and is hereby approved to the amount of \$410,755.32 and the amended Letter of Credit submitted to affect said reduction shall be accepted; and,

BE IT FURTHER RESOLVED, that the proportionate amount of cash portion of the performance guarantee in the amount of \$56,565.54 shall be refunded to the Developer; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 12, 2019



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-102 - 2/11/19

AUTHORIZE TEMPORARY NO PARKING ON CERTAIN STREETS IN
CONNECTION WITH EVENTS CELEBRATING THE
150TH ANNIVERSARY OF OCEAN GROVE

WHEREAS, the Ocean Grove Camp Meeting Association has several events scheduled this Summer in celebration of the 150th anniversary of the founding of Ocean Grove that will require temporary no parking restrictions for pedestrian safety; and,

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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the temporary closure and posting of temporary no parking on the following streets at the times indicated:

July 6, 2019 – 8:00 a.m. to 11:00 p.m.
Pilgrim Pathway between Bath Avenue and Pitman Avenue
McClintock Street between Central Avenue and Pilgrim Pathway

July 27, 2019 – 8:00 a.m. to 11:00 p.m.
Central Avenue between eastbound Ocean Pathway and westbound Ocean Pathway

August 10, 2019 – 8:00 a.m. to 11:00 p.m.
Central Avenue between eastbound Ocean Pathway and westbound Ocean Pathway
Beach Avenue between eastbound Ocean Pathway and westbound Ocean Pathway

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Lt. Zarro, Director of Public Works, Fire Inspector, and Ocean Grove Camp Meeting Association.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 12, 2019



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-103 - 2/11/19

RESCIND OFFER OF EMPLOYMENT EXTENDED TO KEVIN MARTER FOR THE
POSITION OF DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, on January 28, 2019, the Township Committee adopted Resolution #19-95 which extended an offer of employment to Kevin Marter for the position of Driver in the Public Works Department; and,

WHEREAS, Kevin Marter has declined the offer of employment,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an offer of employment extended to Kevin Marter for the position of Driver in the Department of Public Works, be and is hereby rescinded; 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 FEBRUARY 12, 2019



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-104 – 2/11/19

AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT
WITH THE CITY OF ASBURY PARK FOR MAINTENANCE OF WESLEY LAKE

WHEREAS, the Township of Neptune and City of Asbury Park desire to share its best practices and resources for weed harvesting and maintenance at Wesley Lake; and,

WHEREAS, the Township of Neptune and the City of Asbury Park desire to enter into a Shared Services Agreement pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. to serve the best interests of residents in both municipalities by engaging in activities to maintain Wesley Lake; and,

WHEREAS, the Township and City agree to share equally in the costs of these activities and the Township will act as the lead entity in the procurement of services; and,

WHEREAS, this Agreement shall be effective on the date of the signing of said Agreement through December 31, 2023,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Shared Services Agreement with the City of Asbury Park, a copy of which is on file in the Office of the Municipal Clerk, for weed harvesting and maintenance activities at Wesley Lake, at a cost not to exceed \$6,000.00 per year for each municipality; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 12, 2019



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-105 - 2/11/19

AUTHORIZE OCEAN GROVE CAMP MEETING ASSOCIATION'S
ANNUAL INDEPENDENCE DAY PARADE

WHEREAS, the Ocean Grove Camp Meeting Association coordinates and sponsors an annual Independence Day Parade through the streets of the Ocean Grove Historic District that attracts thousands of residents and visitors each year; and,

WHEREAS, the Township participates in the parade as well as providing traffic support and a contribution toward parade expenses,

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

1. Permission is hereby granted for Ocean Grove Camp Meeting Association to hold their annual Independence Day Parade on Wednesday, July 6, 2019.

2. Temporary no parking will be designated from 7:00 A.M. to 1:00 P.M. on July 6, 2019 on the following streets:

Both sides of Whitefield Avenue from Stockton Avenue to Main Avenue
Both sides of westbound Ocean Pathway from Central Avenue to Ocean Avenue
West side of Central Avenue from westbound Ocean Pathway to McClintock Street

3. A contribution in the amount of \$1,000.00 toward expenses incurred in connection with the parade is hereby authorized and funds for this purpose will be available in the 2019 municipal budget in the appropriation entitled Celebration of Public Events and the Chief Financial Officer has so certified in writing.

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 12, 2019



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-106 - 2/11/19

AUTHORIZE THE TOWNSHIP OF NEPTUNE AND THE NEPTUNE JOINT VETERANS ASSOCIATION TO CO-SPONSOR A MEMORIAL DAY PARADE

WHEREAS, the Township Committee desires to continue the tradition of co-sponsoring a Memorial Day parade with the Neptune Joint Veterans Association to honor those who gave the ultimate sacrifice in defense of our Nation,

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

1. Permission is hereby granted to conduct the annual Memorial Day Parade on Monday, May 28, 2018.
2. Temporary no parking will be designated the north side of Surf Avenue between Central Avenue and Ocean Avenue from 8:00 A.M. to 1:00 P.M. on May 27, 2019
3. A contribution in the amount of \$1,500.00 toward expenses incurred in connection with the parade is hereby authorized and funds for this purpose will be available in the 2019 municipal budget in the appropriation entitled Celebration of Public Events and the Chief Financial Officer has so certified in writing.

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 12, 2019



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-107 – 2/11/19

AUTHORIZE EXECUTION OF A SHARED SERVICE AGREEMENT WITH THE
TOWNSHIP OF SHREWSBURY FOR MUNICIPAL CLERK SERVICES

WHEREAS, the Township of Shrewsbury is in need of a part-time Municipal Clerk to provide services of a Municipal Clerk for Shrewsbury Township; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes municipalities to contract with each other for shared services; and

WHEREAS, the Township of Shrewsbury wishes to enter into a Shared Service Agreement with Neptune Township in order to share Neptune Township's Deputy Clerk, Pamela Howard, for one 7-hour day per week during regular business hours, namely Tuesdays, at a hourly fee of \$30.00 per hour or \$210.00 per Tuesday; while allowing Ms. Howard to work privately for Shrewsbury Township under a contract separate and distinct from this Agreement for other hours outside of Tuesday, such as evenings and Saturdays, so as not to conflict with her position in Neptune Township; and

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the governing body hereby authorizes the Township of Neptune enter into a Shared Service Agreement with Shrewsbury Township for the shared services aforesaid and the terms set forth above; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, 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 FEBRUARY 12, 2019



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-108 - 2/11/19

ACCEPT A FFY18 EMERGENCY MANAGEMENT ASSISTANCE/EMERGENCY
MANAGEMENT PERFORMANCE GRANT FROM THE
NJ DEPARTMENT OF LAW & PUBLIC SAFETY

WHEREAS, the Township received notification from the New Jersey Department of Law & Public Safety of a FFY18 Emergency Management Performance Grant/EMAA sub-award; and,

WHEREAS, the FFY18 Emergency Management Performance Grant/EMAA, sub-award #FFY18-EMPG-EMAA-1335, CFDA#: 97.042 is for the performance period from July 1, 2018 to June 30, 2019; and,

WHEREAS, the sub-grant, consisting of a total amount of up to \$24,282.53, including up to \$10,000.00 Federal Award and up to \$14,282.53 local matching funds is for the purpose of enhancing Neptune Township's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and;

WHEREAS, the funds will be used for salary, wages, and fringe benefits, and the funds for the local match will be provided for in the 2019 municipal budget, when adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune does hereby accept the FFY18 Emergency Management Performance Grant/EMAA sub-award; and,

BE IT FURTHER RESOLVED, that the Township of Neptune is accepting the specific grant of funds for the purpose described in the application; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Emergency Management Coordinator and Administrative Assistant to the 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 FEBRUARY 12, 2019



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-109 – 2/11/19

AUTHORIZE COUNTERCLAIM AGAINST SHAUN HUBBARD
IN THE NEPTUNE TOWNSHIP ADV. SHAUN HUBBARD MATTER

WHEREAS, the Township Committee, based on the decision and recommendation of Retired Judge O'Hagan on January 8, 2019, decided to terminate Shaun Hubbard from the Neptune Township Police Department as being "not fit for police duty" and the Township Committee accepted said recommendation and on January 28, 2019 passed a Resolution terminating Shaun Hubbard's employment as a permanent Police Officer, with cause; and

WHEREAS, upon receiving the aforesaid Resolution, Shaun Hubbard's attorney filed a Complaint in Lieu of Prerogative Writs seeking to overturn the termination; and

WHEREAS, legal counsel handling the Shaun Hubbard matter, Jonathan Cohen, Esq., has recommended that the Township file a Counterclaim based on the difference between the amount of money Shaun Hubbard received after he was put back on the payroll in June/July versus the amount of money he would have earned had the Township not suspended him without pay from January, 2017 to June 6, 2018; and,

WHEREAS, funds will be provided for the first three months of 2019 in the 2019 Temporary Budget and funds for the balance of 2019 will be provided in the Budget for the year 2019, when finally adopted, in the appropriation entitled Legal Services O.E., and the Chief Financial Officer has so certified in writing,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the governing body hereby authorizes Labor Counsel of Neptune Township to file a Counterclaim along with an Answer to the Complaint in this matter against Shaun Hubbard; and,

BE IT FURTHER RESOLVED, that the Township Committee authorizes legal fees not to exceed Five Thousand Dollars (\$5,000.00) without additional approval for the purposes of this litigation, subject to possible transfer should and when Neptune Township's insurance carrier decides on coverage; 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, Township Attorney, Police Committee Chairperson, 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 FEBRUARY 12, 2019



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-110 – 2/11/19

AUTHORIZE REVOCABLE LICENSE AGREEMENT BETWEEN THE OCEAN GROVE CAMP MEETING ASSOCIATION AND NEPTUNE TOWNSHIP FOR THE USE OF A PARKING LOT LOCATED AT BLOCK 101, LOT 9 A/K/A 40 BROADWAY AND BLOCK 101, LOT 8 A/K/A EAST OF OCEAN AVENUE

WHEREAS, it is the best interest of Neptune Township to be allowed to use a parking lot owned by the Ocean Grove Camp Meeting Association for public parking during the months of December through March of each year without fee or charge, in return for the Township maintaining the parking lot in terms of snow removal services only to allow for such parking; and

WHEREAS, in order to obtain the aforesaid arrangement, the Ocean Grove Camp Meeting Association must provide the Township with a Revocable License Agreement for the public parking on private property in return for said snow removal services.

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes a Revocable License Agreement between the Ocean Grove Camp Meeting Association and Neptune Township with regard to Block 101, Lot 9 a/k/a 40 Broadway and Block 101, Lot 8 a/k/a East of Ocean Avenue on the Tax Map of the Township of Neptune, located in Ocean Grove and identified as a parking lot, to be utilized for public parking without fee and/or special permits during the months of December through March of each year in return for Neptune Township performing snow removal services when needed in the aforesaid parking lot, and the parties are entering into this Revocable License Agreement in order for Neptune Township to perform said consideration.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute the Revocable License Agreement, a copy of which is on file in the Office of the Municipal Clerk, and return to the Township Attorney for execution by the Ocean Grove Camp Meeting Association and ultimately recording in the Clerk's Office of Monmouth County; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be attached to and accompany the executed Revocable License Agreement.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 12, 2019



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-111 - 2/11/19

CONFIRM MAYOR'S APPOINTMENT TO
THE HISTORIC PRESERVATION COMMISSION

BE IT RESOLVED, that the Township Committee hereby consents to the Mayor's appointment of Doug MacMorris as the Alternate #2 member to the Historic Preservation Commission for a one-year term expiring December 31, 2019; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Secretary of the Historic Preservation Commission.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON FEBRUARY 12, 2019



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-112 - 2/11/19

EMPLOY PUBLIC SAFETY OFFICERS IN THE EMERGENCY MEDICAL SERVICES
DEPARTMENT ON A PART-TIME BASIS

WHEREAS, there is a need for an additional Public Safety Officers on a part-time hourly basis; and,

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

WHEREAS, the EMS Manager and Human Resources Director have made their recommendations; and,

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

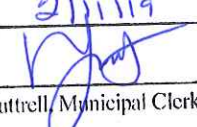
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following individuals be and are hereby employed as part-time Public Safety Officers, effective February 4, 2019, contingent upon successful completion of a background investigation and medical evaluation, at an hourly rate of \$17.87:

Jacob Kay
Rachel Voeltzel
Ashley Tremer

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON 2/11/19


Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-113 – 2/11/19

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 | 393,872.61 |
| GRANT FUND | 37,558.55 |
| TRUST FUND | 38,253.64 |
| GENERAL CAPITAL FUND | 58,345.53 |
| SEWER OPERATING FUND | 96,105.05 |
| SEWER CAPITAL FUND | 1,385.00 |
| MARINA OPERATING FUND | 658.63 |
| MARINA CAPITAL FUND | 5,415.00 |
| LIBRARY TRUST | 118.42 |
| BILL LIST TOTAL | \$631,712.43 |

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 FEBRUARY 12, 2019



Richard J. Cuttrell, Municipal Clerk