

**TOWNSHIP COMMITTEE WORKSHOP MEETING – JUNE 14, 2021 – 6:00 P.M.**

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

ROLL CALL

PRESENT/ABSENT

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. Cuttrell, Municipal Clerk.

Mayor Brantley announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on May 27, 2021, 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 is posted on the Township web site ([www.neptunetownship.org](http://www.neptunetownship.org)) and the meeting is being streamed live via [townhallstreams.com](http://townhallstreams.com).

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Review Committee calendars.

Res. # 21-213 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

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

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

RESOLUTION #21-213 – 6/14/21

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:

Personnel – Update on AFSCME negotiations  
Personnel – Police promotion to rank of Lieutenant  
Personnel – Recommendations to fill two DPW Driver vacancies  
Personnel – Police Department Promotional Policy

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 – JUNE 14, 2021 – 7:00 P.M.**

Mayor Brantley calls the meeting to order 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 at the dais: Gene Anthony, Township Attorney; Vito D. Gadaleta, Business Administrator; and Richard J. Cuttrell, Municipal Clerk.

Silent Prayer and Flag Salute

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

Mayor Brantley announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on May 27, 2021, 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, ordinances, and resolutions are posted on the Township web site ([www.neptunetownship.org](http://www.neptunetownship.org)) and the meeting is being streamed live via townhallstreams.com.

**APPROVAL OF MINUTES** – Motion offered by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve the minutes of the meeting held on May 24th.

**PROCLAMATION** – Mayor Brantley will issue a proclamation recognizing June 19<sup>th</sup> as Juneteenth Day in the Township of Neptune.

**RESOLUTION TO PROMOTE POLICE OFFICER**

The candidate who is recommended for promotion will be introduced.

Public comments regarding Resolution #21-214 only. The public will be permitted one visit to the microphone with a limit of five minutes.

Res. # 21-214 – Promote Police Officer to the rank of Lieutenant.

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

Oath of Office administered by Mayor Brantley.

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

**REPORT OF THE BUSINESS ADMINISTRATOR** – The Business Administrator will report on capital projects and matters of general interest.

**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. 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.*

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" - Final 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.*

Public Hearing:

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 - Final 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.*

Public Hearing:

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 - Final Reading

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

Public Hearing:

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

**ORDINANCE NO. 21-28** – An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding a resident only handicapped parking zone on Clark Avenue - First Reading

*Explanatory Statement: This ordinance authorizes a resident only handicapped parking zone in front of 60 Clark Avenue.*

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

**ORDINANCE NO. 21-29** – Bond Ordinance providing for the acquisition of a telephone system, video surveillance systems, computers, servers, and other technology improvements, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$100,000 therefor and authorizing the issuance of \$95,000 bonds or notes of the Township to finance part of the cost thereof - First Reading

*Explanatory Statement: This Bond Ordinance authorizes as appropriation of \$100,000 for the acquisition of a telephone system, video surveillance systems, computers, servers, and other technology improvements for use by the Township.*

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

**ORDINANCE NO. 21-30** – Bond Ordinance providing for the construction and reconstruction of sidewalks and municipal facilities, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$300,000 therefor and authorizing the issuance of \$285,000 bonds or notes of the Township to finance part of the cost thereof – First Reading

*Explanatory Statement: This Bond Ordinance authorizes as appropriation of \$300,000 for The construction and reconstruction, as applicable, of various sidewalks and municipal facilities within the Township, including, but not limited to, the repair and/or replacement, as applicable, of concrete sidewalks at Ocean Grove Memorial Park, the reconstruction of the driveway and drainage improvements at the Township's first aid squad buildings, the replacement of the exterior stairway and sidewalks at the Township's municipal complex, and repairs to and repainting of the exterior walls of the Township's municipal complex, and all other related improvements.*

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

**ORDINANCE NO. 21-31** – Bond Ordinance providing for Phase II (General) of the Public Works Facility Improvement Program, including the construction and reconstruction of municipal facilities, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$1,600,000 therefor and authorizing the issuance of \$1,520,000 bonds or notes of the Township to finance part of the cost thereof – First Reading

*Explanatory Statement: This Bond Ordinance authorizes as appropriation of \$1,600,000 for Phase II of the Public Works Facility improvement program, including, but not limited to, the construction and reconstruction, as applicable, of various municipal facilities within the Township, such construction and reconstruction to include, but not be limited to, the construction of garages, storage buildings, drainage, roadways, driveways, recycling and training facilities, parking lots, and all other related improvements.*

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

**ORDINANCE NO. 21-32** – Bond Ordinance providing for Phase II (Sewer Utility) of the Public Works Facility Improvement Program, including the construction and reconstruction of municipal facilities, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$600,000 therefor and authorizing the issuance of \$570,000 bonds or notes of the Township to finance part of the cost thereof – First Reading

*Explanatory Statement: This Sewer Utility Bond Ordinance authorizes as appropriation of \$600,000 for Phase II of the Public Works Facility improvement program, including, but not limited to, the construction and reconstruction, as applicable, of various municipal facilities within the Township, such construction and reconstruction to include, but not be limited to, the construction of garages, storage buildings, drainage, roadways, driveways, recycling and training facilities, parking lots, and all other related improvements*

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

**ORDINANCE NO. 21-33** – Bond Ordinance providing for various sanitary sewer infrastructure improvements, including to the Clinton Avenue force main, Seaview Island pump station, and New York Road pump station, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$800,000 therefor and authorizing the issuance of \$760,000 bonds or notes of the township to finance part of the cost thereof – First Reading

*Explanatory Statement: This Sewer Utility Bond Ordinance authorizes as appropriation of \$800,000 for the construction and reconstruction, as applicable, of, and improvements to, the sanitary sewer system infrastructure, including, but not limited to, the reconstruction of the Clinton Avenue Force Main, the construction and installation of flood protection for the Seaview Island Pump Station, and various improvements to the New York Road Pump Station, and all other related improvements*

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

The Clerk announces that the Public Hearings on Ordinances 21-28 through 21-33 will be held on Monday, June 28, 2021.

### **CONSENT AGENDA**

Res. #21-215 – Place lien on property (425 South Riverside Drive).

Res. #21-216 – Employ Emergency Medical Technician in the EMS Department on a part-time basis.

Res. #21-217 – Authorize an amendment to the 2021 municipal budget to realize monies from the New Jersey Department of Law and Public Safety.

Res. #21-218 – Authorize temporary street closure in connection with the Juneteenth Youth Parade.

Res. #21-219 – Authorize temporary street closure in connection with the Art Fair at the Municipal Marina.

Res. #21-220 – Authorize temporary street closures in connection with the Jersey Shore Arts Center 5km run.

Res. #21-221 – Authorize Township Engineering Consultant to provide permitting services for maintenance dredging at the Municipal Marina.

Res. #21-222 – Authorize execution of a grant award from the Association of NJ Environmental Commissions.

Res. #21-223 – Authorize an amendment to the 2021 municipal budget to realize monies from the Association of NJ Environmental Commissions.

Res. #21-224 – Authorize return of donated emergency services vehicle to the New Jersey Emergency Medical Services Task Force for assignment to the Township of Brick.

Res. #21-225 – Authorize renewal of liquor licenses for the 2021-2022 licensing year.

Res. #21-226 – Authorize renewal of the liquor license held by Krenkel-Liquors, Inc. t/z Krenkel Liquors for the 2021-2022 licensing year.

Res. #21-227 – Authorize refund of taxes as a result of an overpayment (26 McClintock Street).

Res. #21-228 – Authorize an amendment to the 2021 municipal budget to realize monies from the New Jersey Department of Environmental Protection – Clean Communities Program.

Res. #21-229 – Grant unpaid of leave of absence under the Family Medical Leave Act.

Res. #21-230 – Grant unpaid of leave of absence under the Family Medical Leave Act.

Res. #21-231 – Designate Official and Point of Contact for the American Rescue Plan Grant.

Res. #21-232 – Authorize the execution of an agreement with Interfaith Neighbors, Inc. to provide congregate meals at the Neptune Senior Center.

Res. #21-233 – Authorize repair of storm water pipe and headwall in vicinity of 8 Shorebrook Circle.

Res. #21-234 – Reject all bids for South Riverside Drive Bicycle and Pedestrian Path.

Res. #21-235 – Employ temporary seasonal personnel in the Department of Public Works.

Res. #21-236 – Authorize Direct Install Gas/Electric Assessment at the Public Works Building.

Res. #21-237 – Authorize an amendment to the 2021 municipal budget to realize monies from the Municipal Court Alcohol Education, Rehabilitation and Enforcement Program.

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

Res. #21-238 – Designate certain areas along Routes 33 and 35, known informally as the Township Crossroads and identified as Block 1106, Lots 1-7 and Lots 8-17 on the tax map of the Township of Neptune as a non-condemnation area in need of redevelopment.

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

Res. #21-239 – Extend offers of employment for the position of Driver in the Department of Public Works.

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

Res. #21-240 – Adopt Standard Operating Procedure for Promotion in the Police Department.

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

Res. #21-241 – Authorize settlement in matter of Alexander Moss, Jr. v. Neptune Township in the United States Bankruptcy Court, District of New Jersey.

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

Res. #21-242 – Authorize settlement in matter of Swain Tirrell Norfleet v. Neptune Township in the United States Bankruptcy Court, District of New Jersey.

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

Res. #21-243 – 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.

**ADJOURNMENT**





# Neptune

Township - NJ

*Where Community, Business & Tourism Prosper*

## Proclamation

WHEREAS, Juneteenth, or Juneteenth Independence Day, commemorates the traditional observance of the end of slavery in the United States and is observed annually on June 19th; and,

WHEREAS, on January 1, 1863, President Abraham Lincoln issued the Emancipation Proclamation, declaring that "all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and,

WHEREAS, President Lincoln correctly believed slavery to be in violation of the principles of the Declaration of Independence and that its abolition represented a "new birth of freedom" for the United States; and,

WHEREAS, more than two years would pass before the news reached African Americans living in Texas, when on June 19, 1865, Union Major General Gordon Granger and his regiment arrived in Galveston and spread the word that slavery had been abolished; and,

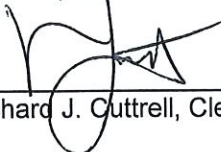
WHEREAS, the following year, the first official Juneteenth celebrations took place in Texas and have continued across the United States throughout the years; and,

WHEREAS, Juneteenth is the oldest nationally celebrated commemoration of the ending of slavery; and,

WHEREAS, Juneteenth is an important opportunity to honor the principles of our Nation and celebrate the achievements and contributions African Americans have made, and continue to make, in our community and across our Nation,

NOW, THEREFORE, BE IT PROCLAIMED, that I, Dr. Michael Brantley, Mayor of the Township of Neptune, along with the entire Neptune Township Committee, do hereby recognize and observe June 19<sup>th</sup> as Juneteenth Day in the Township of Neptune and encourage all citizens to mark the day with remembrance and celebration.

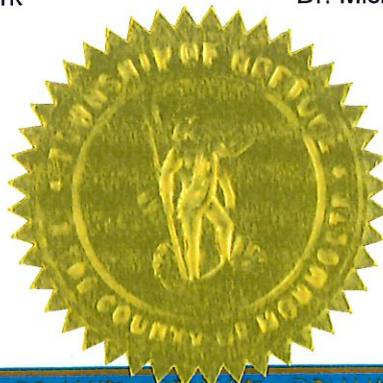
DATED: June 14, 2021

ATTEST:   
Richard J. Cuttrel, Clerk

  
Dr. Michael Brantley, Mayor

Keith Cafferty  
Tassie D. York

Robert Lane, Jr.  
Nicholas Williams



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: May 10, 2021

ADOPTED ON SECOND READING: June 14, 2021

ATTEST:

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Richard J. Cuttrell,  
Municipal Clerk

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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: May 24, 2021

APPROVED, PASSED, AND ADOPTED: June 14, 2021

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Richard J. Cuttrell,  
Municipal Clerk

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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: May 24, 2021

APPROVED, PASSED, AND ADOPTED: June 14, 2021

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Richard J. Cuttrell,  
Municipal Clerk

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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:

May 24, 2021

APPROVED, PASSED, AND ADOPTED:

June 14, 2021

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

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

ORDINANCE NO. 21-28

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A RESIDENT ONLY HANDICAPPED PARKING ZONE ON CLARK AVENUE

BE IT ORDAINED, by the Township Committee of the Township of Neptune that the Code of the Township of Neptune is hereby amended as follows:

SECTION 1

Volume I, Chapter VII, Section 7-21.7 – Resident Handicapped On-Street Parking, is hereby amended by adding the following:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Clark Avenue	1	South side of Clark Avenue beginning 55 feet east of the southeast intersection of Clark Avenue and Pilgrim Pathway

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

ORDINANCE NO. 21-29

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A TELEPHONE SYSTEM, VIDEO SURVEILLANCE SYSTEMS, COMPUTERS, SERVERS, AND OTHER TECHNOLOGY IMPROVEMENTS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$95,000 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 \$100,000, said sum being inclusive of a down payment in the amount of \$5,000 (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 \$100,000 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 \$95,000 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 \$95,000 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 acquisition a telephone system, video surveillance systems, computers, servers, and other technology improvements for use by the Township, and all other related improvements, including, but not limited to, as applicable, engineering and design work, site 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 \$95,000.

(c) The estimated cost of said improvement or purpose is \$100,000, 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 \$5,000 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 seven (7) 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 \$95,000 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 \$10,000 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:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Dr. Michael Brantley,  
Mayor

ORDINANCE NO. 21-30

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS AND MUNICIPAL FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 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 \$300,000, said sum being inclusive of a down payment in the amount of \$15,000 (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 \$300,000 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 \$285,000 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 \$285,000 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 and reconstruction, as applicable, of various sidewalks and municipal facilities within the Township, including, but not limited to, the repair and/or replacement, as applicable, of concrete sidewalks at Ocean Grove Memorial Park, the reconstruction of the driveway and drainage improvements at the Township's first aid squad buildings, the replacement of the exterior stairway and sidewalks at the Township's municipal complex, and repairs to and repointing of the exterior walls of the Township's municipal complex, and all other related improvements, including, but not limited to, as applicable, engineering and design work, site 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 \$285,000.

(c) The estimated cost of said improvement or purpose is \$300,000, 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 \$15,000 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 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 \$285,000 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 \$50,000 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:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Dr. Michael Brantley,  
Mayor

ORDINANCE NO. 21-31

BOND ORDINANCE PROVIDING FOR PHASE II (GENERAL) OF THE PUBLIC WORKS FACILITY IMPROVEMENT PROGRAM, INCLUDING THE CONSTRUCTION AND RECONSTRUCTION OF MUNICIPAL FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,520,000 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 \$1,600,000, said sum being inclusive of a down payment in the amount of \$80,000 (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 \$1,600,000 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 \$1,520,000 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 \$1,520,000 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 Phase II of the Public Works Facility improvement program, including, but not limited to, the construction and reconstruction, as applicable, of various municipal facilities within the Township, such construction and reconstruction to include, but not be limited to, the construction of garages, storage buildings, drainage, roadways, driveways, recycling and training facilities, parking lots, and all other related improvements, including, but not limited to, as applicable, engineering and design work, site 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 \$1,520,000.

(c) The estimated cost of said improvement or purpose is \$1,600,000, 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 \$80,000 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 twenty (20) 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 \$1,520,000 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 \$250,000 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:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Dr. Michael Brantley,  
Mayor

ORDINANCE NO. 21-32

BOND ORDINANCE PROVIDING FOR PHASE II (SEWER UTILITY) OF THE PUBLIC WORKS FACILITY IMPROVEMENT PROGRAM, INCLUDING THE CONSTRUCTION AND RECONSTRUCTION OF MUNICIPAL FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$570,000 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 \$600,000, said sum being inclusive of a down payment in the amount of \$30,000 (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 Sewer Utility 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 \$600,000 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 \$570,000 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 \$570,000 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 Phase II of the Public Works Facility improvement program, including, but not limited to, the construction and reconstruction, as applicable, of various municipal facilities within the Township, such construction and reconstruction to include, but not be limited to, the construction of garages, storage buildings, drainage, roadways, driveways, recycling and training facilities, parking lots, and all other related improvements, including, but not limited to, as applicable, engineering and design work, site 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 \$570,000.

(c) The estimated cost of said improvement or purpose is \$600,000, 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 \$30,000 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 twenty (20) 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 \$570,000 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 \$100,000 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:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Dr. Michael Brantley,  
Mayor

ORDINANCE NO. 21-33

BOND ORDINANCE PROVIDING FOR VARIOUS SANITARY SEWER INFRASTRUCTURE IMPROVEMENTS, INCLUDING TO THE CLINTON AVENUE FORCE MAIN, SEAVIEW ISLAND PUMP STATION, AND NEW YORK ROAD PUMP STATION, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$760,000 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 \$800,000, said sum being inclusive of a down payment in the amount of \$40,000 (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 Sewer Utility 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 \$800,000 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 \$760,000 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 \$760,000 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 and reconstruction, as applicable, of, and improvements to, the sanitary sewer system infrastructure, including, but not limited to, the reconstruction of the Clinton Avenue Force Main, the construction and installation of flood protection for the Seaview Island Pump Station, and various improvements to the New York Road Pump Station, and all other related improvements, including, but not limited to, as applicable, engineering and design work, site 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 \$760,000.

(c) The estimated cost of said improvement or purpose is \$800,000, 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 \$40,000 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 forty (40) 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 \$760,000 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 \$150,000 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:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Dr. Michael Brantley,  
Mayor

RESOLUTION #21-214 - 6/14/21

PROMOTE POLICE OFFICER TO THE RANK OF LIEUTENANT

WHEREAS, due to the retirement of Lt. Christopher Schembri, there is a vacancy in the rank of Lieutenant; and,

WHEREAS, the formal promotional process was followed and on December 9, 2020, an Eligibility List for the position of Lieutenant was issued; and,

WHEREAS, the Chief of Police has submitted a recommendation to promote a Sergeant to the rank of Lieutenant in a process consistent with the Department's Standard Operating Procedure for promotions pursuant to Police Accreditation Standard 2.3.1; and,

WHEREAS, funds will be provided in the 2021 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 Sgt. Paul Monahan be and is hereby promoted to the rank of Lieutenant in the Police Department, at an annual salary as indicated in the F.O.P. Local #19 bargaining agreement, effective June 15, 2021; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief of Police, Police Committee Chairperson, Chief Financial Officer, Assistant C.F.O., and Human Resources 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 JUNE 14, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-215 - 6/14/21

PLACE LIEN ON PROPERTY (425 SOUTH RIVERSIDE 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,

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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>
5408/17	425 South Riverside Drive	\$1,265.00

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON JUNE 14, 2021**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #21-216 – 6/14/21

EMPLOY EMERGENCY MEDICAL TECHNICIAN  
IN THE EMS DEPARTMENT ON A PART-TIME BASES

WHEREAS, on April 12, 2021, the Township Committee adopted Resolution #21-159 which authorized an offer of employment to Cristian Sevilla for the position of full-time Emergency Medical Technician in the EMS Department; and,

WHEREAS, Cristian Sevilla has since declined the full-time position but desires to work in a part-time capacity in the same position; and,

WHEREAS, the EMS Director and Human Resources Director have recommended that he be employed in a part-time capacity; and,

WHEREAS, funds are available in the 2021 Municipal Budget 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 Cristian Sevilla be and is hereby employed as a part-time Emergency Medical Technician, effective immediately, contingent upon successful completion of a background investigation and medical evaluation, at an hourly rate of \$21.22; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the EMS Director, Chief Financial Officer, Assistant C.F.O, 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 JUNE 14, 2021**



Richard J. Cuttrell, Municipal Clerk

4

RESOLUTION #21-217 - 6/14/21

AUTHORIZE AN AMENDMENT TO THE 2021 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY

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 \$5,287.86 which is now available from a State Body Armor Replacement Fund Program Grant in the amount of \$5,287.86; and,

BE IT FURTHER RESOLVED that the like sum of \$5,287.86 is hereby appropriated under the caption of 2020 Body Armor Replacement Fund Grant; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Law & Public Safety – FY2020 State Body Armor Replacement Fund (BARF) Program in the amount of \$5,287.86; and,

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

Vote:

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 JUNE 14, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-218 - 6/14/21

AUTHORIZE TEMPORARY STREET CLOSURE IN CONNECTION  
WITH THE JUNETEENTH YOUTH PARADE

WHEREAS, the Black History Month Committee is holding a Youth Parade on June 19, 2021 as part of its Juneteenth Celebration; and,

WHEREAS, it is necessary to temporarily close West Lake Avenue between Route 35 and the Asbury Park border; and,

WHEREAS, the Police Department has reviewed and approved this street closure,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the temporary closure of West Lake Avenue between 12:45 p.m. and 1:45 p.m. on Saturday, June 19, 2021; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Sgt. MacConchie, and Director of Public Works.

---

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON JUNE 14, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-219 - 6/14/21

AUTHORIZE TEMPORARY STREET CLOSURE IN CONNECTION  
WITH THE ART FAIR AT THE MUNICIPAL MARINA

WHEREAS, an Art Fair has been scheduled at the Municipal Marina patio space on August 7, 2021; and,

WHEREAS, it is necessary to temporarily close Melrose Avenue between Valley Road and South Riverside Drive; and,

WHEREAS, the Police Department has reviewed and approved this street closure,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the temporary closure of Melrose Avenue between 10:00 a.m. and 3:00 p.m. on Saturday, August 7, 2021; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Sgt. MacConchie, and Director of Public Works.

---

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON JUNE 14, 2021**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #21-220 - 6/14/21

AUTHORIZE TEMPORARY STREET CLOSURES IN CONNECTION  
WITH THE JERSEY SHORE ARTS CENTER 5KM RUN

WHEREAS, the Jersey Shore Arts Center is holding its annual Run for the Arts 5km run on Saturday, September 18, 2021; and,

WHEREAS, it is necessary to temporarily close portions of Main Avenue, Ocean Avenue and Broadway for the safety of the runners; and,

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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates temporary street closures on the following streets between 8:00 A.M. and 9:00 A.M. (or until such time as the last runner passes) on Saturday, September 18, 2021:

- 1) Eastbound Main Avenue – entire length
- 2) Northbound Ocean Avenue between Main Avenue and Ocean Pathway
- 3) Pilgrim Pathway between Surf Avenue and McClintock Street
- 4) Eastbound Broadway between Central Avenue and Ocean Avenue

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- 5) Central Avenue between Broadway and Pilgrim Pathway
- 6) Fletcher Lake Drive – entire length

(Entry points into Ocean Grove at Stockton Avenue, Pennsylvania Avenue and Broadway will be subject to temporary closure as runners pass)

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Sgt. MacConchie, Director of Public Works, and Ocean Grove Fire Official.

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON JUNE 14, 2021**



Richard J. Cuttrell, Municipal Clerk



RESOLUTION #21-221 - 6/14/21

AUTHORIZE TOWNSHIP ENGINEERING CONSULTANT TO PROVIDE PERMITTING SERVICES FOR MAINTENANCE DREDGING AT THE MUNICIPAL MARINA

WHEREAS, the Township of Neptune desires to initiate the process to obtain a permit from the NJDEP to allow for maintenance dredging at the Shark River Municipal Marina; and,

WHEREAS, it is necessary for a Township Engineer Consultant to perform professional engineering services including a bathymetric survey, sediment sampling and analysis, and fish habitat assessment in connection with this project; and,

WHEREAS, the Township Engineer solicited proposals for said services from each engineering firm in the 2021 engineering pool; and,

WHEREAS, Leon S. Avakian, Inc. submitted the lowest quote and has experienced in this type of work; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 20-22, and the Chief Financial Officer has so certified in writing,

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THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes Leon S. Avakian, Inc. to perform the services as stated herein as Township Engineering Consultant, said proposal on file in the Office of the Municipal Clerk, at an amount not to exceed \$39,550.00 for the permitting phase of a maintenance dredging project at the Shark River Municipal Marina; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Harbor Master, 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 JUNE 14, 2021**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #21-222 - 6/14/21

AUTHORIZE EXECUTION OF A GRANT AWARD FROM THE  
ASSOCIATION OF NJ ENVIRONMENTAL COMMISSIONS

WHEREAS, the Environmental/Shade Tree Commission has received notification of a 2021 Open Space Stewardship Project grant award from the Association of NJ Environmental Commissions in the amount of \$1,000.00 for costs associated with the creation of a rain garden on Township acquired property on South Riverside Drive; and,

WHEREAS, the Environmental/Shade Tree Commission has recommended that the grant be accepted,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a 2021 Open Space Stewardship Project Grant Award Offer from the Association of NJ Environmental Commissions in the amount of \$1,000.00 to create a rain garden on Township acquired property on South Riverside Drive; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Grant Coordinator and Environmental/Shade Tree Commission Secretary.

---

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON JUNE 14, 2021**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #21-223 - 6/14/21

AUTHORIZE AN AMENDMENT TO THE 2021 MUNICIPAL BUDGET TO REALIZE  
MONIES FROM THE ASSOCIATION OF NJ ENVIRONMENTAL COMMISSIONS

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 \$1,000.00 which is now available from an Association of NJ Environmental Commissions 2021 Open Space Stewardship Project Grant in the amount of \$1,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$1,000.00 is hereby appropriated under the caption of 2021 Association of NJ Environmental Commissions Grant; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the Association of NJ Environmental Commissions Grant – 2021 Open Space Stewardship Project in the amount of \$1,000.00; and,

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

Vote:

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 JUNE 14, 2021**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #21-224 - 6/14/21

AUTHORIZE RETURN OF DONATED EMERGENCY MEDICAL SERVICES VEHICLE  
TO THE NEW JERSEY EMERGENCY MEDICAL SERVICES TASK FORCE FOR  
ASSIGNMENT TO THE TOWNSHIP OF BRICK

WHEREAS, the New Jersey Emergency Medical Services Task Force (NJEMSTF) donated a 2005 Freightliner truck to the Township of Neptune for use by the Township's Emergency Medical Services; and,

WHEREAS, the NJEMSTF has provided a new vehicle to the Township to replace the 2005 Freightliner and has requested it be returned for assignment to the Township of Brick,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the return of a donated 2005 Freightliner Truck VIN#1FVACYDJ95HU12346 to the Township of Brick at no cost; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the OEM Coordinator and EMS Director.

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**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON JUNE 14, 2021**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #21-225 – 6/14/21

AUTHORIZE RENEWAL OF LIQUOR LICENSES  
FOR THE 2021-2022 LICENSING YEAR

WHEREAS, the following liquor licensees have completed the on-line Alcoholic Beverage Control renewal application, paid the required state and local fees, been reviewed by the Neptune Township Police Department, and has been issued a New Jersey State Sales Tax Clearance Certificate by the State Division of Taxation,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses, and Club Licenses in the Township of Neptune be and are hereby renewed for the period July 1, 2021 to June 30, 2022:

PLENARY RETAIL CONSUMPTION LICENSES

<u>LICENSE NUMBER</u>	<u>NAME</u>	<u>ADDRESS</u>
1334-33-004-006	Ruby Tuesday, Inc.	Inactive
1334-33-007-004	Garden Bar Liquors t/a Sprengel's Sports Bar	2447 Route 33
1334-33-008-019	MJS Enterprises Neptune LLC t/a Simko's Grill	1311 Route 35
1334-33-010-007	Jumping Brook Spirits, Inc. t/a Jumping Brook Spirits	3701 Route 33
1334-33-011-003	35 Brew Inc., t/a Headliner	1401 Route 35
1334-33-013-004	Mom's Kitchen, Inc. t/a Il Posto	1129 5th Avenue
1334-32-014-012	Saker Shop-Rites, Inc, t/a ShopRite Liquors and Wines of Neptune	2200 Route 66
1334-33-019-008	Brick House Acquisition NJ, LLC t/a Brick House Tavern & Tap	3655 Route 66
1334-32-020-007	Chens Group, Inc. t/a Sunsets	302 South Concourse
1334-33-021-005	Ayles Corp., t/a "Shore Lanes"	701 Route 35
1334-33-023-009	Neptune Ale House, LLC t/a MJ's	3295 Route 66
1334-33-024-005	Foxybella, LLC t/a The Grand Tavern	1105 6 <sup>th</sup> Avenue

1334-32-025-011	Ferrinella, LLC t/a Delvetto's	3705 Route 33
1334-33-026-007	Matrix/Jumping Brook, LLC t/a Jumping Brook Golf & Country Club	210 Jumping Brook Rd
1334-36-037-003	One NJ Neptune 230 Management, LLC t/a Residence Inn	230 Jumping Brook Rd
1334-36-038-001	Longwood Hospitality, LLC t/a Hampton Inn & Suites	4 McNamara Way

PLENARY RETAIL DISTRIBUTION LICENSES

<u>LICENSE NUMBER</u>	<u>NAME</u>	<u>ADDRESS</u>
1334-44-001-004	Karan NJ Inc. t/a "Rick's Wines & Liquors Store"	2832 West Bangs Ave
1334-44-006-005	Jai Durga Ma, Inc. t/a Guy's Package Store	1417 Corlies Avenue
1334-44-015-003	Prit & Prisha, Inc. t/a Discount Liquor Warehouse	1611 Asbury Avenue

CLUB LICENSES

<u>LICENSE NUMBER</u>	<u>NAME</u>	<u>ADDRESS</u>
1334-31-027-001	Frederick Dempsey Post No. 266 American Legion	240 Drummond Ave.
1334-31-029-003	Shark River Beach & Yacht Club, Inc.	360 S. Riverside Dr.
1334-31-032-001	Neptune Township American Legion Post #346	21 Gully Road
1334-31-035-001	Lodge 128 BPOE of the USA, Inc.	3409 West Bangs Ave.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed electronically with the Division of Alcoholic Beverage Control and in the file of each Licensee in the Office of the Municipal Clerk.

**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 6/14/2021

  
Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-226 - 6/14/21

AUTHORIZE RENEWAL OF THE LIQUOR LICENSE HELD BY KRENKEL-LIQUORS, INC.  
T/A KRENKEL LIQUORS FOR THE 2021-2022 LICENSING YEAR

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Plenary Distribution Consumption License known as 1334-44-009-005 be renewed to Krenkel-Liquors, Inc. t/a Krenkel Liquors, located at 700 Highway 35 for the 2021-2022 licensing year under the following conditions (continued from the prior licensing period):

1) There will be no ingress and egress for customers of the liquor store and the main food store within the building. The only ingress and egress of the liquor store will be from the outside of the building. Employees of Krenkel's may utilize a door, or common counter area only to be utilized by employees of Krenkel's, within the subject building for ingress and egress between the two businesses.

2) A surveillance camera will be installed on the outside of the building to monitor the package goods store. Alternatively, a camera installed on the inside of the store will suffice so long as it monitors the outside of the store.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control, Municipal Clerk and the License Holder.

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON JUNE 14, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-227 - 6/14/21

AUTHORIZE THE REFUND OF TAXES AS A RESULT  
OF AN OVERPAYMENT (26 McCLINTOCK STREET)

WHEREAS, the properties listed below reflect overpayments; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune,  
County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to  
refund the taxes as stated herein; and,

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
144	9	ORR	26 MC CLINTOCK ST	2021	3646.14

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Tax  
Collector, 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 JUNE 14, 2021**



**Richard J. Cuttrell, Municipal Clerk**



RESOLUTION #21-228 - 6/14/21

AUTHORIZE AN AMENDMENT TO THE 2021 MUNICIPAL BUDGET TO REALIZE  
MONIES FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION – CLEAN COMMUNITIES PROGRAM

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 \$68,182.80 which is now available from the NJDEP Clean Communities Program in the amount of \$68,182.80; and,

BE IT FURTHER RESOLVED that the like sum of \$68,182.80 is hereby appropriated under the caption of NJDEP – Clean Communities Program 2020; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Environmental Protection Clean Communities Program in the amount of \$68,182.80; and,

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

Vote:

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 JUNE 14, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-229 - 6/14/21

GRANT UNPAID LEAVE OF ABSENCE UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, Diana Pajak, Department Secretary in the Code/Construction Department, has requested an unpaid leave of absence under the provisions of the Family Medical Leave Act; and,

WHEREAS, the Human Resources Director has approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that Diana Pajak, Department Secretary in the Code/Construction Department, is hereby granted an unpaid leave of absence under the provisions of the Family Medical Leave Act from April 13, 2021 to July 6, 2021; and,

BE IT FURTHER RESOLVED, that a 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 JUNE 14, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-230 - 6/14/21

GRANT UNPAID LEAVE OF ABSENCE UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, David Stempien, Engineering Technician in the Engineering Department, has requested an unpaid leave of absence under the provisions of the Family Medical Leave Act; and,

WHEREAS, the Human Resources Director has approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that David Stempien, Engineering Technician in the Engineering Department, is hereby granted an unpaid leave of absence under the provisions of the Family Medical Leave Act from May 12, 2021 to July 19, 2021; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Township Engineer, 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 JUNE 14, 2021**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #21-231 - 6/14/21

DESIGNATE OFFICIAL AND POINT OF CONTACT  
FOR THE AMERICAN RESCUE PLAN GRANT

WHEREAS, the Township will be receiving grant funding through the American Rescue Plan; and,

WHEREAS, the grant program requires the appointment of a Designated Official to execute the grant as well as a municipal Point of Contact for the program,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that Michael J. Bascom, Chief Financial Officer, is hereby designated as the "Designated Official" and Alexis Perez, Administrative Assistant to the C.F.O. as the "Point of Contact" for matters and documents relating to the American Rescue Plan grant; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer 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 JUNE 14, 2021**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #21-232 - 6/14/21

AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH INTERFAITH NEIGHBORS,  
INC. TO PROVIDE CONGREGATE MEALS AT THE NEPTUNE SENIOR CENTER

WHEREAS, Interfaith Neighbors, Inc., provides noon-time meal services to senior citizens at the Neptune Senior Center; and,

WHEREAS, Interfaith Neighbors, Inc., wishes to continue the engagement of services of Neptune Township and Neptune Township wishes to continue to provide services to Interfaith Neighbors and to the senior citizens who participate in this program at the Neptune Senior Center; and,

WHEREAS, Interfaith Neighbors, Inc. will provide payment to the Township of Neptune in the amount of \$1,984.00 per month for kitchen staff,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk are hereby authorized to execute an agreement with Interfaith Neighbors, Inc. to provide noon-time meals to senior citizens at the Neptune Senior Center for the year 2021 and payment at the rate of \$1,984.00 per month to the Township; and,

---

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Senior Center Director, Chief Financial Officer, and Grant Coordinator.

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON JUNE 14, 2021**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #21-233 - 6/14/21

AUTHORIZE REPAIR OF STORM WATER PIPE AND HEADWALL  
IN VICINITY OF 8 SHOREBROOK CIRCLE

WHEREAS, there is a failure at the junction of an existing 18" storm drain pipe and the headwall to the rear of 8 Shorebrook Circle; and,

WHEREAS, the Assistant Township Engineer recommends repair be made and has obtained quotes from potential contractors; and,

WHEREAS, the cost of said item is less than the bid threshold but exceeds \$17,500.00 and therefore must be awarded by Resolution of the governing body; and,

WHEREAS, said quotes were reviewed by the Assistant Director of Public Works and the Purchasing Agent who have recommended that the low quote be accepted in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 19-29, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Lucas Construction Group be and is hereby authorized to make the necessary repairs to the storm wall pipe and headwall to the rear of 8 Shorebrook Circle pursuant to their quote of \$28,000.00; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Assistant Township Engineer and Public Works 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 JUNE 14, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-234 - 6/14/21

REJECT ALL BIDS FOR SOUTH RIVERSIDE DRIVE BICYCLE AND PEDESTRIAN PATH

WHEREAS, on October 27, 2020, the Township Engineer received bids for the award of a contract for the South Riverside Drive Bicycle and Pedestrian Path; and,

WHEREAS, funding was received for this project through a New Jersey Department of Transportation Federal Aid TAP Grant; and,

WHEREAS, on December 21, 2020, the Township Committee adopted Resolution #20-419 which awarded the bid to Albert Marine Construction, later amended by adoption of Resolution #21-59 on January 1, 2021, to reflect the correct bid amount of \$447,749.55, contingent upon approval by the New Jersey Department of Transportation; and

WHEREAS, the Township received a letter from the New Jersey Department of Transportation, dated January 8, 2021, which stated that the federally required Form CR-266 submitted by Albert Marine Construction was non-compliant, all other bidders were also non-compliant, and the Township should rebid the project; and,

WHEREAS, on March 3, 2021, the Township received bids for the award of a contract for the project; and,

WHEREAS, since that time, the NJDEP rescinded the permits for the project and are requiring that the Township repeat the permitting process; and,

WHEREAS, as a result, the Township will be unable to award a contract from the bids received on March 3, 2021 and plans to resubmit for permits and once again put the project out to bid,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that all bids received on March 3, 2021 for the award of a contract in connection for the South Riverside Drive Bicycle and Pedestrian Path be and are hereby rejection due to the rescinding of the project permits by the NJDEP; and,

BE IT FURTHER RESOLVED, that the appropriate Township Departments are hereby authorized to resubmit the project to the NJDEP for applicable permits and upon receipt of permits, rebid the project; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Township Attorney 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 JUNE 14, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-235 - 6/14/21

EMPLOY TEMPORARY SEASONAL PERSONNEL  
IN THE DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, the Director of Public Works and Human Resources Director have forwarded their recommendations; and,

WHEREAS, funds for this purpose are available 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 the following individuals be and are hereby employed in the Department of Public Works as temporary seasonal employees to perform various tasks within the Department, from June 15, 2021 to September 15, 2021, not to exceed forty (40) hours per week, at a salary of \$15.00 per hour with no health benefits:

---

Christopher Newsome  
Nathaniel Parkman

Olayi Okpanachi  
Erick Garrett

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON JUNE 14, 2021**



**Richard J. Cuttrell, Municipal Clerk**



RESOLUTION #21-236 - 6/14/21

AUTHORIZE DIRECT INSTALL GAS/ELECTRIC ASSESSMENT  
AT THE PUBLIC WORKS BUILDING

WHEREAS, the Township desires to authorize a New Jersey Clean Energy Program Direct Install Gas/Electric Assessment at the Public Works Building to realize energy efficiency and cost savings; and,

WHEREAS, the cost of said item is less than the bid threshold but exceeds \$17,500.00 and therefore must be awarded by Resolution of the governing body; and,

WHEREAS, the NJ Board of Public Utilities has approved Hutchinson Mechanical Services as the Contractor for Monmouth County; and,

WHEREAS, funds for this purpose will be provided in the 2021 municipal budget in the appropriations entitled Electric Utility O.E. and Natural Gas Utility, 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 that Hutchinson Mechanical Services be and is hereby authorized to perform a New Jersey Clean Energy Program Direct Install Gas/Electric Assessment at the Public Works Building to identify and replace eligible equipment at an amount not to exceed \$23,000.00; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Assistant Township Engineer and Public Works 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 JUNE 14, 2021**



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #21-237 - 6/14/21

AUTHORIZE AN AMENDMENT TO THE 2021 MUNICIPAL BUDGET TO REALIZE  
MONIES FROM THE MUNICIPAL COURT ALCOHOL EDUCATION,  
REHABILITATION AND ENFORCEMENT PROGRAM

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 \$9,996.75 which is now available from the Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund in the amount of \$9,996.75; and,

BE IT FURTHER RESOLVED that the like sum of \$9,996.75 is hereby appropriated under the caption of Alcohol Education, Rehabilitation and Enforcement Fund; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Courts Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund in the amount of \$9,996.75; and,

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

Vote:

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 JUNE 14, 2021**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #21-238 – 6/14/21

DESIGNATE CERTAIN AREAS ALONG ROUTES 33 AND 35, KNOWN INFORMALLY AS THE TOWNSHIP CROSSROADS AND IDENTIFIED AS BLOCK 1106, LOTS 1-7 AND LOTS 8-17 ON THE TAX MAP OF THE TOWNSHIP OF NEPTUNE AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., the Township Committee may direct the Planning Board to conduct an investigation and public hearing to recommend whether certain areas within the Township are in need of redevelopment pursuant to the procedures set forth at N.J.S.A. 40A:12A-6; and

WHEREAS, pursuant to the Local Redevelopment and Housing Law, the Township Committee of the Township of Neptune (the "Township Committee"), on January 11, 2021, adopted Resolution #21-68 amending previously adopted Resolution #21-361, and authorized and directed the Township of Neptune Planning Board (the "Planning Board") to undertake a preliminary investigation to determine whether certain areas along Routes 33 and 35, known informally as the Township Crossroads and identified as Block 1106, Lots 1-7 and Lots 8-17 (collectively, Lots 1-17) on the Tax Map of the Township of Neptune, qualify as an area in need of redevelopment (non-condemnation) pursuant to the Local Redevelopment and Housing Law; and

WHEREAS, Jennifer C. Beahm, PP, AICP of Leon S. Avakian Inc. Consulting Engineers conducted an investigation and prepared a report entitled "Area in Need of Redevelopment Investigation Report" dated February 2021 (the "Study") pertaining to those certain areas along Routes 33 and 35 identified collectively as Block 1106, Lots 1-17 on the Tax Map of the Township of Neptune (the "Study Area"); and

WHEREAS, the Study was prepared by analyzing the applicability of the statutory criteria under N.J.S.A. 40A:12A-5 to the Study Area, the boundaries of which are set forth on a map contained with the Study; and

WHEREAS, after public notice required by law was published and mailed in accordance with N.J.S.A. 40A:12-6, including by regular and certified mail to the owner(s) of the property within the Study Area, on February 24, 2021, the Township of Neptune Planning Board (the "Planning Board") conducted a public hearing to receive the comments of the public regarding the Study and the proposed designation of the Study Area as a non-condemnation redevelopment area (the "Planning Board Hearing"); and

WHEREAS, at the Planning Board Hearing, Ms. Beahm presented the Study and the findings thereof, concluding that the Study Area met the criteria for an area in need of redevelopment under N.J.S.A. 40A:12A-5(h) and N.J.S.A. 40A:12A-3; and

WHEREAS, at the Planning Board Hearing, members of the public, property owners and persons interested in the investigation were permitted the opportunity to present testimony and objections regarding, *inter alia*, the Study; and

WHEREAS, the Planning Board considered the Study and the presentation thereof as well as other such pertinent information pertaining to the Study Area; and

WHEREAS, on March 24, 2021, the Planning Board adopted Resolution No. 21-07 recommending that Block 1106, Lots 1-17 on the Tax Map of the Township of Neptune be designated as a non-condemnation area in need of redevelopment, which Resolution is incorporated herein by reference; and

WHEREAS, this Resolution further incorporates by reference all documents submitted into the record, including the Study, as well as the presentation thereof and any related comments or testimony provided at the Planning Board Hearing as though same were set forth at length herein; and

WHEREAS, the Township Committee has considered the Study and all documents, comments or testimony presented to the Planning Board as well as the recommendation of the Planning Board that Block 1106, Lots 1-17 on the Tax Map of the Township of Neptune be designated as a non-condemnation area in need of redevelopment.

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

1. The Township Committee finds, consistent with the findings of the Planning Board, as follows:
  - a. The Study Area includes the southwest corner of Routes 33 and 35, also bounding 10<sup>th</sup> Avenue and Lafayette Avenue.
  - b. The Study Area is within a commercial zone and includes commercial lots, lots that are classified as vacant, a lot that is classified as public use, and certain lots that are currently used as residential parcels.
  - c. Based upon the detailed property analysis in the Study, the conclusions of which are accepted and incorporated herein as if set forth at length, the findings of the Planning Board, and the public presentation of Jennifer C. Beahm, PP, AICP of Leon S. Avakian Inc. Consulting Engineers, the parcels comprising Block 1106, Lots 1-17 meet the statutory criteria set forth in N.J.S.A. 40A:12A-5(h) for the designation of a non-condemnation area in need of redevelopment, including the following: *"the designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation,"* N.J.S.A. 40A:12A-5(h).
2. The Township Committee hereby determines that Block 1106, Lots 1-17 on the Tax Map of the Township of Neptune should be and hereby are designated as a non-condemnation area in need of redevelopment, as provided in N.J.S.A. 40A:12A-5(h) (setting forth the criteria) and N.J.S.A. 40A:12A-3 (defining "area in need of redevelopment").
3. The Township Clerk shall forthwith transmit a copy of this Resolution to the Commissioner of Community Affairs for review, in accordance with N.J.S.A. 40A:12A-6.

4. Within ten (10) days of the adoption of this Resolution, the Township Clerk shall further serve a notice of the determination of the Township Committee to designate the Study Area (Block 1106, Lots 1-17 on the Tax Map of the Township of Neptune) as a non-condemnation area in need of redevelopment upon all record owners of property located within the delineated area, those whose names are listed on the tax assessor's records, and upon each person, if any, who filed a written objection thereto and supplied an address to which notice can be sent.

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**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON JUNE 14, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-239 - 6/14/21

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

WHEREAS, there are vacancies 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 Kavon McMillon and Qua'dry Lyons 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 21, 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 JUNE 14, 2021**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-240 – 6/14/21

**\*\*\*NOT ADOPTED\*\*\***

ADOPT STANDARD OPERATING PROCEDURE FOR PROMOTION  
IN THE POLICE DEPARTMENT

WHEREAS, the Police Committee has approved a Standard Operating Procedure for promotion in the Police Department and has recommended adoption of said Procedure by the Township Committee,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Standard Operating Procedure for Promotion in the Police Department dated June 11, 2021, a copy of which is on file in the Office of the Municipal Clerk, be and is hereby adopted and made a part of Accreditation Standards 2.3.1, effective immediately; and,

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

RESOLUTION #21-241 – 6/14/21

AUTHORIZE SETTLEMENT IN THE MATTER OF ALEXANDER MOSS, JR. v.  
NEPTUNE TOWNSHIP IN THE UNITED STATES BANKRUPTCY COURT,  
DISTRICT OF NEW JERSEY

WHEREAS, Plaintiff, as part of the Chapter 13 Bankruptcy matter, obtained an Order on February 27, 2013, directing that Plaintiff's driving privileges be restored to the extent that any suspension was based on a pre-petition charge; and

WHEREAS, a discharge was entered in Plaintiff's bankruptcy matter on November 29, 2016 and Neptune Township Municipal Court was notified of the same; and

WHEREAS, in August, 2017, the Neptune Township Municipal Court entered an Order directing the motor vehicle commission to suspend the debtor's driving privileges due to breach of pre-payment agreements stemming from violations subject to the aforesaid Bankruptcy Order; and

WHEREAS, Plaintiff brought a claim for damages due to the continuing suspension of his driver's license in alleged violation of debtor's rights under the Bankruptcy Code and applicable State Law; and

WHEREAS, Special Counsel assigned to the aforesaid case, Michael Celli, Jr., Esq., has recommended a settlement of all damage claims brought by the Plaintiff in the amount of \$24,900.00, and believes that it is in the best interest of the Township of Neptune to settle the aforesaid claims for the aforesaid amount.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, that the governing body hereby authorizes a settlement of the case of Alexander Moss, Jr. v. Township of Neptune, US Bankruptcy No. 12-38448 in the amount of \$24,900.00; and,

BE IT FURTHER RESOLVED, that this settlement authorization is made without prejudice with regard to any changes or actions taken by the Plaintiff prior to agreement to this settlement, and Neptune Township does not admit any guilt or liability with regard to the claims made by the Plaintiff; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Attorney, Special Counsel, Chief Financial Officer, and 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 JUNE 14, 2021**



**Richard J. Cuttrell, Municipal Clerk**



RESOLUTION #21-242 – 6/14/21

AUTHORIZE SETTLEMENT IN THE MATTER OF SWAIN TIRRELL NORFLETT v.  
NEPTUNE TOWNSHIP IN THE UNITED STATES BANKRUPTCY COURT,  
DISTRICT OF NEW JERSEY

WHEREAS, Plaintiff filed a Chapter 13 Petition in Bankruptcy on June 17, 2015, and on August 21, 2015 the Bankruptcy Court issued an Order voiding all prior Orders of Suspension of Plaintiff's driver's license for non-payment of pre-petition fines, with notice being sent to the Neptune Municipal Court on September 1, 2015; and

WHEREAS, notwithstanding the Bankruptcy Court's Order, the Neptune Township Municipal Court continued their collection efforts through suspensions, traffic stops and arrest of the Plaintiff, leading to Plaintiff's present claims of damages as a result of the Municipal Court's actions in violation of the U.S. Bankruptcy Court's Stay; and

WHEREAS, Special Counsel assigned to the aforesaid case, Michael Celli, Jr., Esq., has recommended a settlement in this matter in the amount of \$24,900.00, and believes that it is in the best interest of the Township of Neptune to settle the aforesaid claims for the aforesaid amount.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, that the governing body hereby authorizes a settlement of the case of Swain Tirrell Norflett v. Township of Neptune, US Bankruptcy No. 15-21386 in the amount of \$24,900.00; and,

BE IT FURTHER RESOLVED, that this settlement authorization is made without prejudice with regard to any changes or actions taken by the Plaintiff prior to agreement to this settlement, and Neptune Township does not admit any guilt or liability with regard to the claims made by the Plaintiff; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Attorney, Special Counsel, Chief Financial Officer, and 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 JUNE 14, 2021**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #21-243 – 6/14/21

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	1,740,311.28
GRANT FUND	36,840.86
TRUST FUND	22,763.54
GENERAL CAPITAL FUND	65,990.81
SEWER OPERATING FUND	149,311.90
SEWER CAPITAL FUND	21,380.43
MARINA OPERATING FUND	18,192.07
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LIBRARY TRUST	268.74
BILL LIST TOTAL	\$2,055,059.63

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 JUNE 14, 2021**



**Richard J. Cuttrell, Municipal Clerk**