

TOWNSHIP COMMITTEE WORKSHOP MEETING – NOVEMBER 8, 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) and the meeting is being streamed live via townhallstreams.com.

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Review Committee calendars.

Res. # 21-381 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____

Vote: Cafferty, _____; Lane, _____; Williams, _____; York, _____; Brantley, _____.

RESOLUTION #21-381 – 11/8/21

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 – Recommendations for hiring of Custodian, Bookkeeper, and two Drivers
Personnel – Planning Board alternate member vacancy

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 – NOVEMBER 8, 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. Cuttrel, Municipal Clerk.

Silent Prayer and Flag Salute

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

Mayor Brantley announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on 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) and the meeting is being streamed live via townhallstreams.com.

APPROVAL OF MINUTES – Motion offered by _____, seconded by _____, to approve the minutes of meeting of October 25th.

PRESENTATION – POUND THE PAVEMENT EVENT - The Pound the Pavement for Purple Committee will present the results of the annual run/walk which benefits the Lustgarten Foundation and their support of research related to the treatment, cure and prevention of pancreatic cancer.

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. 21-44 – An ordinance to amend the Land Development Ordinance of the Township of Neptune by allowing for a clustering option in the R-1 Very Low Density Residential Zone District – Final Reading

Explanatory Statement: This ordinance provides for a Clustering Overlay Zone in the low density R-1 district only and establishes standards and regulations for a cluster development application classified as a major subdivision, and major site plan, if applicable.

Public Hearing:

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

ORDINANCE NO. 21-45 – An ordinance amend and supplement Section 412 of the Land Development Ordinance of the Township of Neptune by amending Section 412.21F, rescinding Section 412.21G through M, and establishing an ordinance under Section 4-34 of the Code of the Township of Neptune entitled, "Temporary Trailers, Dumpsters, Portable Storage Units and Like Portable On-Demand Storage Containers" – Final Reading

Explanatory Statement: This ordinance amends the regulations pertaining to trailers, dumpsters, storage units, and storage containers and moves the ordinance from the Land Use Code to the General Code.

Public Hearing:

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

ORDINANCE NO. 21-46 – 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 Inskip Avenue – Final Reading

Explanatory Statement: This ordinance authorizes a resident only handicapped parking zone in front of 146 Inskip Avenue.

Public Hearing:

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

ORDINANCE NO. 21-47 – An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding resident only handicapped parking zones on Pilgrim Pathway and Webb Avenue and removing resident only handicapped parking zones on Atlantic Avenue, Beach Avenue and Inskip Avenue – First Reading

Explanatory Statement: This ordinance authorizes resident only handicapped parking zones in front of 15 Pilgrim Pathway and 143 Webb Avenue and the removal of existing handicapped parking zones in front of 16 Atlantic Avenue, adjacent to 16 Lake Avenue and in front of 126 Inskip Avenue.

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

ORDINANCE NO. 21-48 – An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by removing the no parking zone on the east side of Benson Avenue between Main Avenue and Broadway – First Reading

Explanatory Statement: This ordinance removes the no parking zone on Benson Avenue between Main Avenue and Broadway which will allow for parking on both sides of the street.

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

ORDINANCE NO. 21-49 - An ordinance to amend Volume I, Chapter IX, Section 9-1.22 of the Code of the Township of Neptune, entitled, "Employment of Township Committee Members and Relatives; Relatives of Local Government Agency or Authority Members and Relatives of Department Heads, Supervisors or Other Administrators" – First Reading

Explanatory Statement: This ordinance amends the personnel chapter of the Municipal Code to establish restrictions and prohibitions on activities of elected officials, administrators, and department heads as it relates to business transactions and employment of relatives.

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

The Clerk announces that the Public Hearings on Ordinances 21-47, 21-48, 21-49 will be held at the next regularly scheduled Township Committee meeting on Monday, November 22, 2021.

CONSENT AGENDA

Res. #21-382 – Place lien on various properties.

Res. #21-383 – Approve the transfer of Taxi Medallion License No. 019.

Res. #21-384 – Authorize the purchase of a Ford truck through the Educational Services Commission of New Jersey Purchasing Program.

Res. #21-385 – Authorize submission of a Strategic Plan for the Neptune Township Municipal Alliance Grant.

Res. #21-386 – Rescind Resolution #21-370 which requested an amendment to the 2021 Municipal Budget to realize monies from the American Rescue Plan Act in order to readopt a future resolution consistent with the process promulgated by the State to realize said funds.

Res. #21-387 – Renew contract for Animal Control Services.

Res. #21-388 – Authorize the cancellation of a grant reserve and receivable.

Res. #21-389 – Employ temporary seasonal personnel in the Department of Public Works.

Res. #21-390 – Authorize a person to person/place to place transfer of the Plenary Retail Consumption License presently issued to ROS Associates, LLC to Arista Keg Company, LLC t/a Buy Rite, 600 Essex Road, Neptune, NJ.

Res. #21-391 – Approve removal of Planning Board member due to absenteeism pursuant to N.J.S.A. 40A:9-12.1.

CONSENT AGENDA Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Williams, _____; York, _____; Brantley, _____.

Res. #21-392 – Extend offer of employment for the position of Custodian in the Building Maintenance Department.

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

Res. #21-393 – Extend offer of employment for the position of Driver in the Department of Public Works.

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

Res. #21-394 – Extend offer of employment for the position of Bookkeeper in the Tax Collection Department.

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

Res. #21-395 – 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

ORDINANCE NO. 21-44

AN ORDINANCE TO AMEND THE LAND DEVELOPMENT
ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY
ALLOWING FOR A CLUSTERING OPTION IN THE R-1 VERY
LOW DENSITY RESIDENTIAL ZONE DISTRICT

WHEREAS, Neptune Township's Land Development Ordinance and Regulations include standards that control the location, scale, and type of land uses within the Township; and

WHEREAS, in accordance with section 40:55D-62 of the Municipal Land Use Law, the Neptune Township Committee is charged with adopting zoning standards ordinances relating to the nature and extent of the uses of the land and of buildings and structures thereon in order to protect the general health, safety, and welfare of the public,

NOW, THEREFORE BE IT ORDAINED by the Township Committee of the Township of Neptune, County of Monmouth, that the Land Development Ordinance of the Township of Neptune is hereby amended as follows:

SECTION 1.

Section 403.01 F. Is hereby added as follows:

F. R-1 Clustering Overlay

1. Cluster Development. In the R-1 District only, a cluster development application classified as a major subdivision (and major site plan, if applicable) shall be permitted in accordance with the following standards and regulations. The cluster development shall consist of single family, detached dwellings.
2. The tract of lands shall have a minimum of 12 acres.
3. In order to determine the maximum number of lots for cluster development subdivision, a conforming plan of a conventional subdivision shall be submitted based on minimum lot areas of 12,500 sq. ft. in the R-1 District. The concept plan shall be in sufficient detail to permit the Planning Board to make an informed decision as to the subdivision satisfying all ordinance requirements and in a form that would be acceptable to the Planning Board as a conventional subdivision without the need for any lot area or lot dimension variances or exceptions to subdivision design standards. The plan shall include areas for drainage and roadways. The number of lots on the conventional concept plan shall be the maximum number of lots permitted under the clustering overlay.
4. Natural features such as trees, natural terrain, open waters and natural drainage areas shall be preserved wherever possible in designing any development containing such features. As part of the subdivision or site plan review process, development should be designed to preserve scenic vistas and views of cultural/historic landmarks and of unique geologic and topographic features. The open space lot shall be placed in a conservation easement, with monuments and demarcated with a split race fence.

5. All lots created under this subdivision option shall be deed restricted against further subdivision for the purpose of creating an additional lot or lots.
6. The subdivided residential lot shall meet the following zoning requirements:
 - a. Minimum lot area: 7,500 sq. ft.
 - b. Minimum lot width: 75 ft.
 - c. Minimum lot frontage: 75 ft.
 - d. Minimum lot depth: 100 feet.
 - e. Minimum front yard setback: 25 feet.
 - f. Minimum rear yard setback: 25 feet.
 - g. Minimum side yard: 5 feet.
 - h. Minimum combined side yard setback: 15 ft.
 - i. Maximum height: 35 feet.
 - j. Maximum number of stories: 2.5
 - k. Maximum Building coverage: 25%.
 - l. Maximum Lot coverage: 35%.

SECTION 2.

All Ordinances, or parts thereof, inconsistent with the provision of this Ordinance, and the same are hereby repealed to the extent of such inconsistency.

SECTION 3.

Should any section, paragraph, clause or any other portion of the Ordinance be adjusted by a Court of competent jurisdiction to be invalid, such judgement shall not affect or impair the remainder of this Ordinance.

SECTION 4.

This ordinance shall take effect upon its passage and publication according to law upon the filing of a certified copy thereof with the Monmouth County Planning Board.

APPROVED ON FIRST READING: October 7, 2021

APPROVED, PASSED AND ADOPTED: November 8, 2021

ATTEST:

Richard J. Cuttrell
Municipal Clerk

Dr. Michael Brantley
Mayor

ORDINANCE NO. 21-45

AN ORDINANCE TO AMEND AND SUPPLEMENT §412 OF THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY AMENDING §412.21F, RESCINDING §412.21G THROUGH M AND ESTABLISHING AN ORDINANCE UNDER §4-34 OF THE CODE OF THE TOWNSHIP OF NEPTUNE, ENTITLED, "TEMPORARY TRAILERS, DUMPSTERS, PORTABLE STORAGE UNITS AND LIKE PORTABLE ON-DEMAND STORAGE CONTAINERS

WHEREAS, the Township Committee, under Ordinance #7-25, amended and supplemented Section 412 of the Land Development Ordinance of the Township of Neptune by adding a portion concerning Temporary Trailers, Dumpsters, Portable Storage Units and like Portable On-demand Storage Containers under §412.21; and

WHEREAS, the Township Committee would like to now amend Subsections (G) through M by rescinding its enforcement under the Land Use Development Ordinance and creating new enforcement under the Code of the Township of Neptune, while amending §412-21F to refer to this change.

NOW, THEREFORE, BE IT ORDAINED by the Township of Neptune of the County of Monmouth in the State of New Jersey that the Land Development Ordinance, §412.21F, shall be amended as follows and the Land Use Development Ordinance, §412.21G through M shall be rescinded, while creating a new Ordinance under Code of the Township of Neptune, §4-34, entitled "Temporary Trailers, Dumpsters, Portable Storage Units and like Portable On-demand Storage Containers as follows:

§412.21F No Trailer may be temporarily or permanently used for storage of materials in any zoned district except to the extent permitted with regards to Dumpsters, Pods, Mobile Attics and like Portable On-demand storage containers to the extent permitted under §4-34 of the Code of the Township of Neptune.

§4-34.1 TEMPORARY TRAILERS, DUMPSTERS, PORTABLE STORAGE UNITS AND LIKE PORTABLE ON-DEMAND STORAGE CONTAINERS.

Portable Storage Unit – Definition. A transportable unit designed and used for the temporary storage of household goods, personal items, construction materials and supplies and other materials which are placed on a site for the use of occupants of a dwelling or building on a limited basis. Portable storage units include but are not limited to certain trade named units called "PODS", "mobile attics" and like Portable On-demand Storage Containers.

Dumpster – Definition. A rigid container generally used for routine collection, temporary storage of solid waste, construction materials, industrial and other waste materials generally on a temporary basis which is a portable detachable device.

Public Area – Definition. Includes street, sidewalk, highway, public lane, alley, Township parking lot or other public place in the Township under the control and/or ownership of the Township.

Per Year – Definition. Means 52 weeks from the date of issuance of the first permit.

§4-34.2

PLACEMENT OF DUMPSTERS, PORTABLE STORAGE UNITS AND LIKE PORTABLE ON-DEMAND STORAGE CONTAINERS ON PRIVATE PROPERTY.

- a. Any person looking to place, permit to be placed or utilize a Dumpster as defined above shall require a permit issued by the Director of Code Enforcement and a payment of a non-refundable filing fee of \$30.00 for residential property and \$150.00 for commercial properties or such other fee as may be fixed from time to time by the Township committee and shall be limited to a use not to exceed 60 days. "Portable Storage Units or like storage containers placed on private property shall be limited to 30 days placement and shall require a permit from the Director of Code Enforcement upon payment of a non-refundable fee filing fee of \$30.00 for residential properties and \$150.00 for commercial properties, or such other fee as may be fixed from time to time by the Township Committee. Such Dumpsters and Portable Storage Units or like Portable On-demand Storage Container shall be placed either on vacant private property or located on the side yard or backyard of an existing building or private property. Should the applicant require or request placement in the front of a building on private property; said application shall be treated the same as an application under §4-34.2b of this Ordinance. No property owner or agent for the property owner shall be allowed to apply for a Dumpster or Portable Storage Unit or like Portable On-demand Storage Container permits in excess of 2 permits per year, per property. All Dumpsters and Portable Storage Units and Portable On-demand Storage Containers shall be appropriately labeled as of the date the permit was issued and the date required for removal; representing the maximum time period for use under the permit.
- b. Front yard shall be defined in accordance with the Zoning Code of the Township. Should the applicant seek a hardship from the Director of Code Enforcement, which would allow for placement of the Dumpster or Portable Storage Unit or like Portable On-demand Storage Containers in a location on the front yard of private property or on a public area as defined above, and should the Director of Code Enforcement grant such hardship application as set forth more fully below; said "Dumpster," Portable Storage Unit or like Portable On-demand Storage Container shall be subject to the same time period for removal or renewal as set forth more fully above, but shall be subject to a permit fee of \$100.00 for residential properties and \$300.00 for commercial properties, or such other fee as may be fixed from time to time by the Township Committee, with the same limitations as set forth the above.
- c. Should a permit be issued for placement of the dumpster, portable storage unit or like portable on-demand storage container on a public area as defined above within the Ocean Grove Historic District, the Dumpster, Portable Storage Unit or like Portable On-demand Storage Container shall not be permitted in the public area on a weekend during the summer season. Weekends shall be defined as between Friday at 3 pm and Monday at 8 am. Summer season shall be defined as between the dates of May 15th and September 15th. This prohibition shall extend to Tuesday at 8 am should the weekend be followed by Memorial Day, Labor Day or the Fourth of July legal holidays.

§4-34.3

PROHIBITION OF DUMPSTERS, PORTABLE STORAGE UNITS, PORTABLE STORAGE UNITS OR LIKE PORTABLE ON-DEMAND STORAGE CONTAINERS IN CERTAIN PRIVATE PROPERTY AREAS.

- a. It shall be generally unlawful for any person to construct or place a storage container for garbage, such as a Dumpster, Portable Storage Unit or like Portable On-demand Storage Container as defined in this ordinance upon any front yard of private property or upon any Township owned or unaccepted dedicated street, avenue, highway, lane, alley or public place or area as defined above. No permit shall be issued for such use or storage of Dumpsters, Portable Storage Units or Like Portable On-demand Storage Containers unless the applicant establishes a hardship by satisfying one or more of the following criteria:
 - (1) Narrowness of distance between property lines making placement of the Dumpster, Portable Storage Units or like Portable on-demand Storage Containers elsewhere other than at the front of said private property or at a public area difficult if not impossible.
 - (2) Parking needs affected.
 - (3) Traffic flow affected.
 - (4) Other reasons establishing the necessity of placement on the front of private property or on a public area.
- b. Should the applicant demonstrate a hardship warranting placement of a Dumpster, Portable Storage Unit or like Portable On-demand Storage Container on the front yard of private property or on a public area as defined above, the Director of Code Enforcement shall issue a permit with regards to Dumpsters, Portable Storage Units or similar Portable On-demand Storage Containers on a temporary basis, in the case of a Dumpster for a period not to exceed 60 days and in the case of a Portable Storage Unit or like Portable On-demand Storage Containers not to exceed 30 days. Extensions cannot be granted for more than the aforesaid time period set. Both a permit for a Dumpster and a permit for Portable Storage Container shall require a fee as set forth in §4-34.2b above.
- c. Any permit may be revoked by the Director of Code Enforcement if it is determined that the existence of the dumpster, portable storage unit or like portable on-demand storage container is affecting traffic flow or affecting the safety or welfare of the public.
- d. Further conditions for Dumpsters, Portable Storage Units or like Portable On-demand Storage Containers are as follows:
 - (1) At the time the application is filed, each applicant shall furnish the Township of Neptune with a Certificate of Insurance which contains limits of at least \$100,000.00/\$300,000.00 for bodily injury and \$100,000.00 for property damage, which shall name the Township of Neptune as an additional insured and which shall be non-cancelable during the permit period.

- (2) Any applicant who is given a "Hardship Permit" to place a Dumpster, Portable Storage Unit or like Portable On-demand Storage Container in the front yard or in a public area shall furnish the Township of Neptune with sufficient surety, to be determined by the Township Engineer to guarantee against damage to the streets, curbs and sidewalks or other improvements in the public right-of-way.
- (3) No Dumpster, Portable Storage Unit or like Portable On-demand Storage Container shall be placed in a public area for more than 24 hours prior to commencement of construction, and shall not remain therein for more than 24 hours subsequent to construction being completed, and shall not exceed the time period limitations of §4-34.2a above.
- (4) No permit shall be issued by the Director of Code Enforcement until it is determined that the issuance of the Permit will not constitute a danger to public safety or an unwarranted interference with the efficient movement of traffic.
- (5) Any person who controls, owns or lease or operates a refuge Dumpster, Portable Storage Unit or like Portable On-demand Storage Unit must ensure that such container or Dumpster is covered at all times and shall prevent refuge or materials from spilling out or overflowing.
- (6) Any person who controls, owns or leases or otherwise uses a refuge Dumpster, Portable Storage Unit or like Portable On-demand Storage Unit must ensure that such unit or container does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal sewer system operated by the Township of Neptune or public areas or adjoining properties.
- (7) No Dumpster, Portable Storage Unit or like Portable On-demand Storage Container shall be placed in a public or private area unless it is determined by the Police Department that there is sufficient room to place the Dumpster, Portable Storage Unit or like Portable On-demand Storage Unit on the property of the person utilizing the same. No Dumpster, Portable Storage Unit or Like Portable On-demand Storage Container placed on the property shall impede the flow of pedestrian or vehicular traffic or safety and site lines.
- (8) All Dumpsters, Portable Storage Units or Like Portable On-demand Storage Units allowed on public areas shall be equipped with markers consisting of reflective diamond shaped panels measuring a minimum of 18 inches by 18 inches. These panels shall be mounted at the edge of the Dumpster, Portable Storage Unit or like Portable On-demand Storage Container at both ends nearest the path of passing vehicles and facing the direction of oncoming traffic.

The required marker shall have a minimum height of 3 feet from the bottom of the panel/unit to the surface of the roadway.

- (9) All Dumpsters, Portable Storage Units or like Portable On-demand Storage Containers shall at all times be kept in good repair and shall be structurally sound and leak proof and shall be painted as to prevent the show of rust or deterioration, and shall be constructed to stand firmly upright.
- (10) All permits for Dumpsters, Portable Storage Units or like Portable On-demand Storage Containers for particular properties shall be restrictive in that any garbage or debris placed in the same must be as a result of construction or work on the site listed in the application and cannot be used as a transfer station for construction materials, garbage and/or debris from other sites.
- (11) Any "Hardship Permit" located in a public area shall be subject to the following requirements:
 - (i) They shall be located a minimum of 25 feet from the nearest intersection. A minimum of 35 feet from a stop sign.
 - (ii) They shall be located a minimum of 10 feet from the nearest fire hydrant.
 - (iii) They shall be located as close to the curb as possible.
 - (iv) A minimum clearance of 15 feet shall be maintained on the street side of the unit for the passage of vehicles. In locations where 15 feet is not normally available with automobiles parked on the street, the Dumpster or Storage Unit or like Portable On-Demand Storage Container shall not exceed six (6) feet, six (6) inches in width.
 - (v) They shall be marked with reflective material so as they are visible to oncoming traffic.
 - (vi) 24-hour emergency contact shall be provided in the event that removal of the Dumpster, Storage Unit or like Portable On-Demand Storage Container is necessary.

§4-34.4

NOTICE OF FAILURE TO COMPLY.

The Director of Code Enforcement is hereby authorized to notify, in writing, by mailing by certified mail, return receipt requested and regular mail or hand delivering to the owner, or person or entity in control of the property where the Dumpster, Portable Storage Unit or like Portable On-demand Storage Container is located or person or entity that in the opinion of the Township controls, owns or

leases the subject Dumpster, Portable Storage Unit or like Portable On-demand Storage Container or the agent of the owner or person or entity in control therein of the particular violation. The person or entity shall have five (5) days from the date of receipt of the notice to cure the violation. Said notice shall be deemed to serve as a continuing notice for the remainder of the calendar year and the Township may, without further notice, correct any existing violation in accordance with this Ordinance.

§4-34.5 FAILURE OR REFUSAL TO COMPLY.

Upon the failure, neglect or refusal of an owner, tenant, person or entity in control or his or her agent to comply with this Ordinance per the aforesaid notice within the time period prescribed by this Ordinance then the Township is authorized to either issue citations of violation as set forth more fully in this Ordinance and/or to remove the subject Dumpster, Portable Storage Unit or like Portable On-demand Storage Container without further notice. The Township may act with regards to this provision without notice if it determines an emergency condition exists requiring action with regards to the dumpster or container.

§4-34.6 UNPAID CHARGES TO CONSTITUTE A LIEN ON PROPERTY.

Should the Township be required to move the Dumpster, Portable Storage Unit or like Portable On-demand Storage Container in order to correct any violation of this Ordinance, the Director of Code Enforcement shall certify the costs of removal and storage of said Dumpster, Portable Storage Unit or like Portable On-demand Storage Container and shall be authorized to forward the bill to the property owner or person or entity in control of said Dumpster, Portable Storage Unit or like Portable On-demand Storage Container for payment within thirty (30) days of the date of the bill and any continuing storage costs. The amount of the charge shall become a lien upon the lands and properties for which the Dumpster, Portable Storage Unit or like Portable On-demand Storage Container was located or properties of the owner, tenant or controller of the Dumpster, Portable Storage Unit or like Portable On-demand Storage Container where such Dumpster, Portable Storage Unit or like Portable On-demand Storage Container served the benefit and use of in the opinion of the Township. Should the person or entity who owns, leases or controls the Dumpster, Portable Storage Unit or like Portable On-demand Storage Container fail to pay all charges and remove the dumpster or container from Township custody within ninety (90) days of the Township removing and storing the same, then the Township may sell the property at public auction. If the Dumpster, Portable Storage Unit or like Portable On-demand Storage Container identifies the owner of the subject Dumpster, Portable Storage Unit or like Portable On-demand Storage Container, the same shall be notified of the proposed sale in writing ten (10) days prior to public sale.

§4-34.7 OTHER VIOLATIONS; PENALTIES.

In the event that any person or entity fails to comply with this Ordinance by committing an unlawful act, a fine not exceeding \$2,000.00 Dollars per violation, a term of imprisonment not exceeding ninety (90) days or a period of community service not exceeding ninety (90) days or any combination thereof shall be imposed.

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

The Ordinance shall become effective immediately upon its final passage and publication as required by law.

APPROVED ON FIRST READING: October 7, 2021

APPROVED, PASSED AND ADOPTED: November 8, 2021

ATTEST:

Richard J. Cuttrel
Municipal Clerk

Dr. Michael Brantley
Mayor

ORDINANCE NO. 21-46

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 INSKIP 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>
Inskip Avenue	1	South side of Inskip Avenue beginning 37 feet east of the southeast intersection of Inskip Avenue and Lawrence Avenue

SECTION 2

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

APPROVED ON FIRST READING: October 25, 2021

APPROVED, PASSED, AND ADOPTED: November 8, 2021

Richard J. Cuttrel,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 21-47

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING RESIDENT ONLY HANDICAPPED PARKING ZONES ON PILGRIM PATHWAY AND WEBB AVENUE AND REMOVING RESIDENT ONLY HANDICAPPED PARKING ZONES ON ATLANTIC AVENUE, BEACH AVENUE AND INSKIP 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>
Pilgrim Pathway	1	West side of Pilgrim Pathway beginning 25 feet north of the northwest intersection of Pilgrim Pathway and Surf Avenue
Webb Avenue	1	North side of Webb Avenue beginning 68 feet west of the northwest intersection of Webb Avenue and Benson Avenue

SECTION 2

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

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Atlantic Avenue	1	South side of Atlantic Avenue beginning 29 feet east of the southeast intersection of Atlantic Avenue and Beach Avenue
Beach Avenue (Lake Ave.)	1	West side of Beach Avenue beginning 10 feet north of the northwest intersection of Beach Avenue and Spray Avenue
Inskip Avenue	1	South side of Inskip Avenue beginning 35 feet east of the southeast intersection of Inskip Avenue and Whitefield Avenue

SECTION 3

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 21-48

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY REMOVING THE NO PARKING ZONE ON THE EAST SIDE OF BENSON AVENUE BETWEEN MAIN AVENUE AND BROADWAY

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 7-7.7 – “Parking Prohibited at All Times on Certain Streets”, is hereby amended by *removing* the following:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Benson Avenue	East	Between Main Avenue and Broadway

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. 21-49

*****TABLED*****

AN ORDINANCE TO AMEND CHAPTER 9 SECTION 9-1.22 OF THE CODE OF THE TOWNSHIP OF NEPTUNE, ENTITLED, "EMPLOYMENT OF TOWNSHIP COMMITTEE MEMBERS AND RELATIVES; RELATIVES OF LOCAL GOVERNMENT AGENCY OR AUTHORITY MEMBERS AND RELATIVES OF DEPARTMENT HEADS, SUPERVISORS OR OTHER ADMINISTRATORS"

BE IT ORDAINED, by the Township Committee of the Township of Neptune of the County of Monmouth in the State of New Jersey that Section 9-1.22 of the General Ordinances of the Township of Neptune be amended to read as follows:

Section One. During any Neptune Township Committee member's term and for a period of one year next subsequent to the termination of office of such Committee member, the Neptune Township Committee shall prohibit the following employment or professional or business service practices:

a. No Township Committee member or relative of such Committee member shall have an interest in a business organization or engage in any business, transaction, or professional activity that does business with the Township, unless such business, transaction or professional activity is awarded by public bid.

b. Restrictions.

1. The Neptune Township Committee or any Committee member shall not:

(a) Award any contract which is not publicly bid to such Committee member and/or such member's relative;

(b) Allow such Committee member or relative of such Committee member to represent, appear for or negotiate on behalf of any other party before any board, commission, authority or otherwise, unless such prohibition would otherwise be permitted by law;

(c) Employ for compensation or without compensation, except pursuant to open competitive examination in accordance with Title 11A of the New Jersey Statutes and the rules and regulations promulgated pursuant thereto, any former Committee member or relative of a current or former Committee member, for any position within the Township of Neptune over which the Township of Neptune has direct hiring authority; or

(d) Influence or attempt to influence the hiring, firing, promotion, demotion or transfer of a relative of the Committee member who is employed or could potentially be employed by the Township of Neptune or any other governmental entity in the Township of Neptune.

2. The restrictions contained in this subsection shall also apply to any business organization in which such Committee member or relative holds an interest.

c. No Township Committee member shall use or attempt to use his or her official position or influence to secure unwarranted privileges or advantages for him or herself or others, including but not limited to relatives of such Committee member.

d. No Township Committee member shall act in his or her official capacity in any matter where such Committee member, a relative of such Committee member or a business organization in which the Committee member has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his or her objectivity or independence of judgment.

e. No Township Committee member shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his or her independence of judgment in the exercise of his or her official duties.

f. No Township Committee member or his or her relative or business organization in which he or she has an interest shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing such persons, directly or indirectly, in the discharge of the Committee member's official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the local government officer has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the local government officer in the discharge of his official duties.

g. No Township Committee member shall use, or allow to be used, his or her public office or employment, or any information not generally available to the members of the public, which he or she receives or acquires in the course of and by reason of his or her office or employment, for the purpose of securing financial gain for him or herself, any member of his or her immediate family, or any business organization with which he or she is associated.

h. No Township Committee member, relative of such Committee member or business organization in which such member has an interest shall represent any person or party in connection with any cause, proceeding, application or other matter pending before any agency in the local government in which such Committee member serves. This provision shall not be deemed to prohibit one local government employee from representing another local government employee where the local government agency is the employer and the representation is within the context of official labor union or similar representational responsibilities.

i. No Township Committee member shall be deemed in conflict with these provisions if, by reason of his or her participation in the enactment of any ordinance, resolution or other matter required to be voted upon or which is subject to executive approval or veto, no material or monetary gain accrues to him or her as a member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected to accrue to any other member of such business, profession, occupation or group.

j. Elected Township Committee members shall not be prohibited from making an inquiry for information on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the officer or a member of his or her immediate family, whether directly or indirectly, in return therefor.

k. Nothing shall prohibit any Township Committee member or members of his or her immediate family from representing him or herself, or themselves, in negotiations or proceedings concerning his, her or their, own interests, provided that such negotiations or proceedings do not impair the objectivity or independence of judgment of any other Township Committee member or other local government officer, supervisor or employee of the Township of Neptune.

l. No department head, supervisor or person in any other administrative position in the Township shall hire or cause to be hired anyone who is a relative of any department head, supervisor or person in any other administrative position in the Township or of a member of a local government agency or authority for a position within the Township of Neptune over which the Township has direct hiring authority. Any person employed by the Township on the effective date of this amendatory ordinance who is a relative of a department head, supervisor or person in any other administrative position in the Township shall be entitled to continue such employment in the same position, but shall be prohibited from being promoted or from holding any other position within the Township contrary to this amendatory ordinance. The provisions of this section shall not apply to seasonal or temporary employment.

m. No local government agency or authority shall hire or cause to be hired any person who is a relative of any member of the local government agency or authority, department head, supervisor or person in any other administrative position in the Township for any employment, consulting or professional service position over which such local government agency has direct hiring authority. Any person employed on the effective date of this amendatory ordinance who is a relative of any member of the local government agency or authority, a relative of a department head, supervisor or person in any other administrative position in the Township shall be entitled to continue such employment in the same position, but shall be prohibited from being promoted or from holding any other position within the Township contrary to this amendatory ordinance. The provisions of this section shall not apply to seasonal or temporary employment.

n. The term "relative" shall be defined as parent, spouse, child, sibling, grandparent, grandchild, aunt, uncle, niece, nephew, cousin, in-law or step-relative, partner in a civil union as defined in N.J.S.A. 37:1-33 or domestic partner as defined in N.J.S.A. 26:8A-3.

o. The term "local government agency or authority" shall be defined as any board, bureau, division, commission, authority, committee or other instrumentality within the Township of Neptune, and any independent local authority, which performs functions other than of a purely advisory nature, and whereby the Township Committee appoints the members of such governing body, but shall not include the local school board.

p. The term "immediate family" shall be defined as spouse, partner in a civil union as defined in N.J.S.A. 37:1-33, domestic partner as defined in N.J.S.A. 26:8A-3 or dependent child residing in the same household.

Section Two. This amendatory ordinance shall take effect 20 days after the first publication thereof after final adoption as provided by law.

APPROVED ON FIRST READING:

TABLED on November 8, 2021

APPROVED, PASSED AND ADOPTED:

NOT ADOPTED

ATTEST:

Richard J. Cuttrell, Municipal Clerk

Dr. Michael Brantley, Mayor

RESOLUTION #21-382 - 11/8/21

PLACE LIEN ON VARIOUS PROPERTIES

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

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

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

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

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
504/16	45 Ridge Avenue	325.00
5408/17	425 South Riverside Drive	585.00

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 NOVEMBER 8, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-383 – 11/8/21

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 019

WHEREAS, Gurkiran Kaur is the owner of Neptune Township Taxi Medallion No. 019; and,

WHEREAS, he has notified the Taxi License Coordinator of the intent to sell and transfer ownership of said medallion to Mohamed Elgamal of Elgamal Transportation; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted for the transfer of Taxi Medallion License No. 019 to Mohamed Elgamal of Elgamal Transportation; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON NOVEMBER 8, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-384 - 11/8/21

AUTHORIZE THE PURCHASE OF A FORD TRUCK THROUGH THE
EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY PURCHASING PROGRAM

WHEREAS, the Sewer Department Supervisor has requested the purchase of a 2022 Ford F350 4wd truck for the Sewer Utility through the Educational Services Commission of New Jersey Purchasing Program; and,

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

WHEREAS, the Educational Services Commission of New Jersey Purchasing Program has awarded Contract ESCNJ 20/21-09 to United Ford, LLC for this vehicle; and,

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

WHEREAS, the cost to purchase this equipment shall not exceed \$45,000.00; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of a 2022 Ford F350 4wd truck for the Sewer Utility be and is hereby authorized through the Educational Services Commission of New Jersey Purchasing Program Contract ESCNJ 20/21-09, United Ford, LLC, at an amount not to exceed \$45,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Business Administrator, Assistant C.F.O., Sewer Department Supervisor, Director of Public Works 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 NOVEMBER 8, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-385 – 11/8/21

AUTHORIZE SUBMISSION OF A STRATEGIC PLAN FOR THE
NEPTUNE TOWNSHIP MUNICIPAL ALLIANCE GRANT

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and,

WHEREAS, the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Neptune Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Neptune Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth; and,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Neptune Township Committee does hereby authorize submission of a strategic plan for the Neptune Township Municipal Alliance grant for fiscal year 2023 in the amount of:

DEDR	\$ 17,170.00
Cash Match	\$ 4,292.50
In-Kind	\$ 12,877.50

2. The Neptune Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
Dr. Michael Brantley, Mayor

CERTIFICATION

I, Richard J. Cuttrell, Municipal Clerk of the Township of Neptune, County of Monmouth, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Neptune Township Committee on this 8th day of November, 2021.

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-386 - 11/8/21

RESCIND RESOLUTION #21-370 WHICH REQUESTED AN AMENDMENT TO THE 2021 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE AMERICAN RESCUE PLAN ACT IN ORDER TO READOPT A FUTURE RESOLUTION CONSISTENT WITH THE PROCESS PROMULGATED BY THE STATE TO REALIZE SAID FUNDS

WHEREAS, on October 25, 2021, the Township Committee adopted Resolution #21-370 which authorized a request of 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 \$1,433,121.85 which is now available from the United States Department of the Treasury – American Rescue Plan Act; and,

WHEREAS, the State has issued and continues to issue guidance on the process and procedure for how these funds may be accepted and expressed in the 2021 municipal budget; and,

WHEREAS, the Township Committee will adopt a resolution prior to December 17, 2021 to accept and reflect these funds in the 2021 municipal budget for the purpose as decided upon by the Township Committee,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby rescinds Resolution #21-370 which 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 connection with American Rescue Plan Act funds; and,

BE IT FURTHER RESOLVED, that the Township Committee will consider a resolution prior to December 17, 2021 to reflect these funds in the 2021 Municipal Budget in a format consistent with guidance from the NJ Department of Community Affairs; and,

BE IT FURTHER RESOLVED, that the Clerk forward a certified copy of this resolution to the Chief Financial Officer, 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 NOVEMBER 8, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-387 – 11/8/21

RENEW CONTRACT FOR ANIMAL CONTROL SERVICES

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

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

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

WHEREAS, on November 16, 2020, the Township Committee adopted Resolution #20-358 which authorized the execution of an agreement with Monmouth County SPCA for animal control services for the year 2021; and,

WHEREAS, Monmouth County SPCA has proposed a rate of \$7,125.00 per month for 2022 which is the same rate as provided in the 2021 contract; and,

WHEREAS, funds for this purpose will be provided in the 2022 Municipal Budget, when adopted, in the appropriation entitled Dog Account, and the Chief Financial Officer has so certified in writing,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute an agreement with Monmouth County SPCA for animal control services for the year 2022 at a cost of \$7,125.00 per month; and,

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

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON NOVEMBER 8, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-388 – 11/8/21

AUTHORIZE THE CANCELLATION OF A GRANT RESERVE AND RECEIVABLE

WHEREAS, there exists reserves and receivables on the balance sheet of the Grant Fund; and

WHEREAS, it has been determined these reserves and receivables should be canceled,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following receivable and reserve in the amount of \$19,126.80 be and the same are hereby authorized to be canceled:

Receivable:

USDOJ Bulletproof Vest Fund	\$ 19,126.80
-----------------------------	--------------

Reserve:

USDOJ Bulletproof Vest Fund	\$ 19,126.80
-----------------------------	--------------

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer, 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 NOVEMBER 8, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-389 – 11/8/21

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; and,

WHEREAS, the Director of Public Works and Human Resources Director have made 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 Kevin Jones and Joseph Springer be and are hereby employed in the Department of Public Works as temporary seasonal employees to perform various tasks within the Department, from November 15, 2021 to February 15, 2022, not to exceed forty (40) hours per week, at a salary of \$15.00 per hour with no health benefits; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON NOVEMBER 8, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-390 - 11/8/21

AUTHORIZE A PERSON TO PERSON/PLACE TO PLACE TRANSFER OF THE PLENARY RETAIL CONSUMPTION LICENSE PRESENTLY ISSUED TO ROS ASSOCIATES, LLC TO ARISTA KEG COMPANY, LLC, T/A BUY RITE, 600 ESSEX ROAD, NEPTUNE, NJ

WHEREAS, Arista Keg Company, LLC has applied for a person-to-person/place-to-place transfer of Plenary Retail Consumption License #1334-32-002-005 which is presently issued to ROS Associates, LLC and held "in-pocket"; and,

WHEREAS, the application is complete in all respects; and,

WHEREAS, the required Affidavit of the source of funds of said liquor license has been filed by the applicant for the transfer and examined by the members of the Township Committee; and,

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey statutes, the regulations promulgated thereunder as well as the pertinent local ordinances and conditions imposed consistent with Title 33; and,

WHEREAS, all transfer procedures as outlined by state statute and local ordinances have been completed satisfactorily,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the person-to-person/place-to-place transfer of Plenary Retail Consumption License #1334-32-002-005 as stated herein to Arista Keg Company, LLC d/b/a Buy Rite located at 600 Essex Road, Neptune, NJ, effective November 9, 2021; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the New Jersey Division of ABC.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON NOVEMBER 8, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-391 – 11/8/21

APPROVE REMOVAL OF PLANNING BOARD MEMBER
DUE TO ABSENTEEISM PURSUANT TO N.J.S.A. 40A:9-12.1

WHEREAS, N.J.S.A. 40A:9-12.1 establishes the basis for an office of any person appointed as being deemed vacant; and

WHEREAS, N.J.S.A. 40A:9-12.1(g) establishes that in any case where a member of a board fails to attend and participate at meetings of a public body for a period of eight consecutive weeks, or for four consecutive regular meetings, whichever shall be of a longer duration, the appointing authority may officially remove said member, construe the position as vacant, and fill the position or office for the unexpired term of said member, pursuant to N.J.S.A. 40A:9-12.1(h); and

WHEREAS, Deion Johnson, Alternate #1 member of the Planning Board, has missed seven consecutive Planning Board meetings between May, 2021 and October, 2021,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the governing body hereby finds the position held by Deion Johnson on the Neptune Township Planning Board to be vacant pursuant to N.J.S.A. 40A:9-12.1, as a result of the Township Committee's official action in removing Deion Johnson from the Planning Board for failure to attend four or more consecutive meetings in the year 2021 in accordance with N.J.S.A. 40A:9-12.1(g), effective with the adoption of this resolution, and shall separately, after the adoption of this resolution, fill the aforesaid positions for the unexpired terms in the manner prescribed by law; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON NOVEMBER 8, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-392 - 11/8/21

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF CUSTODIAN
IN THE BUILDING MAINTENANCE DEPARTMENT

WHEREAS, there is a vacancy in the position of Custodian in the Building Maintenance 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 2021 municipal budget, in the appropriation entitled Buildings and Grounds 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 Robert Gavin for the position of Custodian in the Building Maintenance Department of at an annual salary of \$32,200.00 (possesses CDL Class A license), 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 November 15, 2021 and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Public Works Director, Building Maintenance Foreman, 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 NOVEMBER 8, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-393 - 11/8/21

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 Anthony Reevey for the position of Class
A Driver in the Department of Public Works at an annual salary of \$32,200.00, and Ke'Aire Ellis for
the position of Class B Driver in the Department of Public Works at an annual salary of \$31,200.00,
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 November 15, 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 NOVEMBER 8, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-394 - 11/8/21

*****TABLED*****

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF BOOKKEEPER
IN THE TAX COLLECTION DEPARTMENT

WHEREAS, due to a reclassification of an employee, there is a vacancy in the position of Bookkeeper in the Tax Collection Department; and,

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

WHEREAS, the Human Resources Director and Tax Collector have made their recommendation; and,

WHEREAS, funds will be provided in the in the 2021 Municipal Budget in the appropriation entitled Revenue Administration 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 _____ for the position of Bookkeeper in the Tax Collection Department, 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 November 15, 2021, at an annual salary of \$30,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Deputy Tax Collector, Chief Financial Officer, Assistant C.F.O., AFSCME Local #1844, and Human Resources Director.

RESOLUTION #21-395 – 11/8/21

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	337,813.28
GRANT FUND	9,210.00
TRUST FUND	12,377.62
GENERAL CAPITAL FUND	5,801.32
SEWER OPERATING FUND	22,665.87
SEWER CAPITAL FUND	282,762.08
MARINA OPERATING FUND	26,097.00
LIBRARY TRUST	1,436.27
BILL LIST TOTAL	\$698,163.44

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 NOVEMBER 8, 2021



Richard J. Cuttrell, Municipal Clerk