

TOWNSHIP COMMITTEE WORKSHOP MEETING – DECEMBER 6, 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; Gina M. LaPlaca, Assistant 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. Discussion – Occupancy tax on hotels and motels.
2. Review Committee calendars.

Res. # 21-409 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____

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

RESOLUTION #21-409 – 12/6/21

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 police hirings and promotions.

Personnel – Recommendation for position of Recreation Coordinator and Bookkeeper (two)

Personnel – Recommendation for appointment of Municipal Clerk

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 – DECEMBER 6, 2021 – 7:00 P.M.

Deputy Mayor Williams 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; Gina M. LaPlaca, Assistant 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."

Deputy Mayor Williams 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 November 22nd.

RESOLUTION TO PROMOTE POLICE OFFICERS

- The candidates who are recommended for promotion will be announced.
- Public comments regarding Resolution #21-410 only. The public will be permitted one visit to the microphone with a limit of five minutes.

Res. #21-410 – Promote police officers in the Police Department.

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

- Oaths administered by Deputy Mayor Williams

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. 21-50 – An ordinance to amend Volume I, Chapter IV, Section 4-4 of the Code of the Township of Neptune entitled “Solicitor, Canvasser, Peddler, Hawker, Itinerant Merchant or Transient Vendor” - Final Reading

Explanatory Statement: This ordinance amends the regulations and licensing provisions of peddlers, solicitors, canvassers and other mobile vendors. The ordinance also removes the regulation and licensing provisions for mobile food vendors which will be adopted by separate ordinance.

Public Hearing:

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

ORDINANCE NO. 21-51 – An ordinance to amend Volume I, Chapter IV, of the Code of the Township of Neptune to add Section 4-5 to be entitled “Mobile Food Vendors” - Final Reading

Explanatory Statement: This ordinance creates a section in the business licensing ordinance specific to the regulation and licensing of mobile food vendors.

Public Hearing:

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

ORDINANCE NO. 21-52 – Capital Ordinance providing for the construction and installation of improvements to the Township’s Municipal Complex, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$360,000 from the Township’s receipt of funds from the Coronavirus State and Local Fiscal Recovery Fund to pay for the cost thereof – Final Reading

Explanatory Statement: This Capital Ordinance appropriates the amount of \$360,000 for the construction and installation of improvements to the Township’s Municipal Complex to enhance the safety of the general public and Township employees, including, but not limited to, the construction of a second drive-up window for customer transactions at the municipal building, and construction within the municipal offices intended to accommodate social distancing and reduce the potential of disease transmission among Township employees and the general public.

Public Hearing:

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

ORDINANCE NO. 21-53 – An ordinance to amend Volume I, Chapter IX, of the Code of the Township of Neptune to identify work hours and conditions for Emergency Medical Service Technicians – Final Reading

Explanatory Statement: This ordinance establishes work hours and other terms and conditions of employment for Emergency Medical Service Technicians.

Public Hearing:

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

ORDINANCE NO. 21-55 – An ordinance to amend Volume I; Chapter VII of the Code of the Township of Neptune by removing resident only handicapped parking zones on 7th Avenue, Main Avenue, and Heck Avenue - First Reading

Explanatory Statement: This ordinance authorizes the removal on existing resident only handicapped parking zones adjacent to 1323 7th Avenue, 12 Main Avenue, and 59 Heck Avenue.

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

The Clerk announces that the Public Hearing on Ordinance 21-55 will be held at the next Township Committee meeting on Monday, December 20, 2021. The Public Hearing on Ordinance No. 21-54 (introduced at the November 22nd meeting) will also be held on December 20th.

CONSENT AGENDA

Res. #21-411 – Reclassify employee to the position of Customer Service Representative in the Code/Construction Department.

Res. #21-412 – Authorize the cancellation of taxes as a result of the granting of a Totally Disabled Veterans Exemption (106 Milford Road).

Res. #21-413 – Authorize the cancellation of taxes as a result of the granting of a Totally Disabled Veterans Exemption (7 Douglas Drive).

Res. #21-414 – Authorize the cancellation of taxes as a result of the granting of a Totally Disabled Veterans Exemption (13 Cedarcrest Drive).

Res. #21-415 – Authorize the cancellation of taxes as a result of the granting of a Totally Disabled Veterans Exemption (59 Tall Pines Drive).

Res. #21-416 – Authorize the refund of sewer rent (7 Douglas Drive).

Res. #21-417 – Authorize the cancellation of sewer rent (20 Gully Road).

Res. #21-418 – Authorize the transfer of 2021 budget appropriations.

Res. #21-419 – Authorize an amendment to the 2021 municipal budget to realize monies from the American Rescue Plan – Local Fiscal Recovery Funds.

Res. #21-420 – Employ part-time seasonal/on-call Driver in the Department of Public Works for snow plowing.

Res. #21-421 – Authorize the purchase of office furniture for the Police Department Records and Tech offices through the Omnia Partners Public Sector Purchasing System.

Res. #21-422 – Authorize the purchase of a Ford Bronco through the Educational Services Commission of New Jersey Purchasing Program.

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

Res. #21-423 – Establish premium pay for low and moderate income essential employees utilizing funds received under the American Rescue Plan Act of 2021.

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

Res. #21-424 – Appoint Municipal Clerk as February 1, 2022.

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

Res. #21-425 – Employ Supervising Special Law Enforcement Officer in the Police Department on a part-time basis.

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

Res. #21-426 – Extend offer of employment for the position of Recreation Coordinator in the Recreation Department.

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

Res. #21-427 – Extend offers of employment for the position of Bookkeeper in the Tax Collection Department.

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

Res. #21-428 – 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. 21-50

AN ORDINANCE TO AMEND VOLUME I, CHAPTER IV, SECTION 4-4 OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED "SOLICITOR, CANVASSER, PEDDLER, HAWKER, ITINERANT MERCHANT OR TRANSIENT VENDOR"

BE IT ORDAINED by the Township Committee of the Township of Neptune of the County of Monmouth in the State of New Jersey that the Neptune Township Code of Ordinances, Volume I, Chapter IV, Section 4-4 of the Code of the Township of Neptune entitled "Solicitor, Canvasser, Peddler, Hawker, Itinerant Merchant or Transient Vendor" is hereby amended as follows:

§4-4 Solicitor, Canvasser, Peddler or Hawker.

§4-4.1 Purposes.

The purposes of this Section are to (1) deter the use of peddling or soliciting to gain access to homes or other premises for criminal purposes; (2) maintain peace, comfort, quiet and privacy for residents of Neptune of Neptune Township while balancing the same against the opportunity for peddlers and solicitors to exercise their rights of free speech; (3) discourage unethical, dishonest and illegal business practices; (4) prevent dishonest solicitation of funds; (5) protect the safety and welfare of the inhabitants of Neptune Township as well as peddlers and solicitors engaged in such activities within Neptune Township and (6) preserve the safety and order in and about the streets, sidewalks, businesses and public areas in Neptune Township.

§4-4.2 Definitions.

Canvasser. See definition of Solicitor below.

Commercial. Shall mean pertaining to or engaging in commerce, or prepared, done or acting with the sole emphasis on salability or profit. The term commercial shall not include charitable or political speech.

Individual. Shall mean any natural person.

Merchandise. Shall mean all goods, wares, magazines, subscriptions, periodicals, printed material, all types of orders or contracts for services, home improvements or alterations and anything that may be sold or distributed shall be considered "merchandise" for purposes of this Section.

Non-profit Organization. Shall mean (1) any organization tax-exempt under Section 501(c)(3) of the Internal Revenue Code; (2) any organization created under or otherwise subject to the provisions of Title 15A of the New Jersey Statutes; (3) any organization, whether or not qualified under Section 501(c)(3) of the Internal Revenue Code or subject to the provisions of Title 15A of the New Jersey Statutes, whose primary purpose is to benefit the school-age children of Neptune Township, including but not limited to schools, school clubs and

organizations, cub scouts, boy scouts, brownies, girl scouts and similar youth groups; (4) any organizations whose primary purpose is to advocate for religious or political causes, whether or not qualified under Section 501(c)(3) of the Internal Revenue Code or subject to Title 15A of the New Jersey Statutes; and (5) any department within Neptune Township's municipal government structure, including but not limited to the Police Department and any volunteer Fire, or First Aid Company that is located in, has substantial membership from, or serves Neptune Township.

Peddler. Shall mean any person who goes from house to house or place to place by any means of conveyance by carrying or transporting merchandise for the purpose of selling or delivering the merchandise to customers. The term "Peddler" shall include the words, Hawker, Huckster and shall also include a person who from time to time offers merchandise for sale from one or more fixed locations out of doors, when merchandise is displayed or stored in a motor vehicle located on the property, whether the property is owned by the person or by others.

Person. Shall mean and include any natural person, canvasser, peddler, hawker, firm, partnership, corporation, organization, club, limited liability company, or association or any principal agent, employee or representative thereof.

Solicitor. Shall mean an individual who goes from house to house or from place to place by any means of conveyance, soliciting or attempting to take orders for the sale of merchandise or services of any kind for future performance or delivery, whether or not such individual has, carries or exposes for sale a sample of the merchandise or service and whether or not he/she is collecting in advance for payments on such sales or orders. The word "Solicitor" shall also mean any individual who goes from house to house or from place to place for the purpose of obtaining contributions or subscriptions or who does research analysis, makes surveys or opinion polls, obtains rating data or similar information, distributes advertisements or handbills of a commercial nature or who engages in any similar work which involves a door-to-door or place-to-place activity. The word "Solicitor" shall also include the word "Canvasser."

§4-4.3 License Required.

It shall be unlawful for any solicitor, canvasser, peddler or hawker, as defined in this Section to engage in any such business or operation in the Township without first obtaining a license thereof in compliance with the provisions of this Section, and adhering to the regulations set forth in this Section and carrying the license upon their person or displaying the license in a conspicuous place at all times during the conduct of the licensed activity.

- a. Such license shall expire on the next March 30th after issuance, unless sooner, suspended or revoked.
- b. Any licensee who fails to renew a license by March 30th shall not be permitted to operate until said license is renewed and approved.

§4-4.4 Application for License.

All applicants or licensees attempting to apply for or renew a license must complete an application form prescribed by the Mercantile Registration Office, which shall include the following information:

- a. Applicant's name, permanent address, local address (if different from permanent address) and telephone number;
- b. Name and address of the organization or person(s) on whose behalf soliciting or peddling is being made, together with telephone numbers;
- c. A description of the nature of merchandise to be sold;
- d. Motor vehicle registration number, make and model of any motor vehicle used by the applicant in connections with his/her activity;
- e. Applicant's government issued photo identification, which the Mercantile Office will photocopy and attach to the application;
- f. If the applicant is an agent, employee or representative, he/she shall attach to the application a letter from the person or organization for whom the applicant works or represents, authorizing the applicant to act as its agent, employee or representative and assuming responsibility for the applicant's conduct;
- g. The length of time for which the right to do business is desired and the days of the week and the hours of the day in which the business will be conducted;
- h. The source of supply of the goods or property or services proposed to be sold, where such goods, services or products are located and the method of delivery;
- i. A statement as to whether or not the applicant has been convicted of a crime, misdemeanor or violation of any Municipal Ordinance other than traffic violations, the nature of the offense and the punishment or penalty assessed therefore;
- j. All applicants selling merchandise subject to sales tax shall submit a copy of a valid certificate of authority issued by the Director of the New Jersey Division of Taxation, pursuant to N.J.S.A. 54:32B-15, empowering the applicant to collect sales tax. Certificates shall not be required for the sale of property exempt from sales and use taxation pursuant to N.J.S.A. 54:32B-8.2;
- k. Pay the non-refundable license fee of \$100.00 per solicitor, canvasser, peddler or hawker;
- l. Submit 2 – 2x2 passport sized photos;
- m. The applicant shall obtain a background check by the designated vendor approved by the Neptune Township Police Department;
- n. Persons may not operate until the application has been approved by the Neptune Township Police Department and issued by the Mercantile Office;

- o. Licenses are not transferable between solicitor, canvasser, peddler or hawker;
- p. Any veteran who holds a special County License issued under the laws of the State of New Jersey, shall be exempt from securing a license as provided herein for hawking and peddling, but shall be required to comply with, all other provisions of this Section applicable including but not limited to § 4-4.4 (c) & (d).

§4-4.5. Exempt Persons and Organizations.

- a. Any person, organization, society or association desiring to solicit or have solicited in its name, money, donations of money or property, or financial assistance of any kind or desiring to sell or distribute any item of literature or merchandise for which a fee is charged or solicited from persons other than members of such organization at any place or places within the Township, said persons or organizations shall be exempt from §4-4 and will not have to file any sworn application in writing either for notification purposes or seeking a license, if said person or organization falls under the following categories:
 - 1. Any charitable, religious, patriotic, political or philanthropic purpose.
 - 2. Any organization or person representing said organization which qualifies for tax exemption under the Internal Revenue Service Code.
 - 3. Any organization or person representing said organization that qualifies for exemption from sales tax under N.J.S.A. 54:32B-9 or created under Title 15A of New Jersey Statutes.
 - 4. Persons delivering goods, wares or merchandise in the regular course of business to the premises of persons ordering or entitled to receive said goods; such as but not limited to delivery of milk, eggs, bread, newspapers or other necessary and/or perishable articles of food or merchandise of the type commonly delivered on a house-to-house basis at intervals of less than one week.
 - 5. Federal Census takers and polls or surveys taken pursuant to Federal, State or Local Law.
 - 6. Veterans or volunteer fireman, first aid, individuals representing said groups holding a special license pursuant to N.J.S.A. 45:24-9, and shall be obligated to carry said license or proper identification.
 - 7. Halloween trick or treaters.
 - 8. It shall be unlawful for any person under the age of 18 to solicit under this Section unless supervised by a person at least 18 years of age or older and who will be in sight of and no more than 100 feet away from an individual who is 18 years of age or older.

§4-4.6 Approval or Rejection of Applications.

- a. Following the filing of a complete application and payment of the License Fee as set forth in §4-4.4 to the Mercantile Registration Office, the Mercantile Office shall forward the application to the Chief of Police, who shall, as soon as practicable but no later than 30 days after the applicant is fingerprinted, make such investigation within the limits of the resources available to the Chief, which may include background checks, statements made in the application and the business responsibility and character of the applicant or any employee or agent who shall engage in the licensed activity, for the protection of the public good. Where sufficient cause is shown therefore, the Chief of Police shall have such additional time as may be reasonable necessary to make the investigation.
- b. If, as a result of such investigation, the character or business responsibility of the applicant or any employee or agent who shall engage in the licensed activity is found to be unsatisfactory, the Chief of Police shall endorse on the application his disapproval and the reasons therefore and return the application to the Mercantile Office. The Chief of Police may disapprove an application if such disapproval is based on one or more of the following findings with respect to the applicant:
 1. Conviction of any crime, disorderly person's offense or petty disorderly person's offense involving deceptive business practices or fraud, or a violation of any ordinance enacted in any municipality concerning peddling, solicitation or hawking.
 2. Record of breaches of peddling, solicitation or hawking merchant contracts.
 3. Fraud, misrepresentation or false statements contained in the application for license.
 4. In the absence of such findings, the Chief of Police shall find the applicant satisfactory and shall endorse his approval on the application and return the application to the Mercantile Office.

§4-4.7 Rules and Regulations.

Every person, individual, partnership, corporation, limited liability company, association, society, association or organization to which a license is issued under the terms of this Section shall be governed by the following rules and regulations:

- a. All circulars, samples or other matter shall be handed to an occupant of the property and not left on or about the same;
- b. No person subject to the provisions of this Section shall canvass, solicit or distribute circulars or other matters or call from house to house except during the hours of 1 pm through 5 pm Monday through Friday. No commercial solicitation, distribution or canvassing is permitted Saturday or Sunday in the Township of Neptune;

- c. No person subject to the terms of this Section shall enter or attempt to enter the lands of any resident in the Township of Neptune without an express invitation from the occupant of the residence;
- d. No person subject to the terms of this Section shall conduct themselves in such a manner as to become objectionable to or annoy an occupant of any residence;
- e. Licensees are required to exhibit their Certificate of License at the request of any citizen or member of the Police Department;
- f. No person shall sell anything other than such commodities described in his/her application;
- g. No person shall hawk, peddle or canvass unless they have in their possession a valid State License, issued pursuant to Title 45, New Jersey Statutes Annotated, and his/her registration card;

§4-4.8 Record of Violations.

The Chief of Police shall report to the License Officer all convictions for violations of this Section and the License Officer shall maintain a record for each license issued and record reports of violations therein.

§4-4.9 Causes of Revocation of License.

- a. Licenses issued under provisions of this Section may be revoked by the Neptune Township Mercantile Officer and/or Neptune Township Police Department after notice and hearing for any of the following causes:
 - 1. Fraud, misrepresentation or a material incorrect statement(s) contained in the application for license
 - 2. Fraud, misrepresentation or a material incorrect statement made in the course of carrying on his/her business as a canvasser, peddler or hawker under this Section;
 - 3. Any violation of this Section;
 - 4. Conviction of any crime or misdemeanor;
 - 5. Conducting the business of a canvasser, peddler or hawker, as the case may be, in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.
- b. Such Notice of Revocation shall be mailed to the Licensee at the address listed on the Licensee's application or amendment thereto no later than five (5) days prior to the date set for hearing by postage prepaid, or shall be delivered by the Police Department in the same manner as a Summons at least three (3) days prior to the date set for said hearing.

- c. Appeals of any said revocation, or denial or rejection of an application shall be submitted in writing no later than fifteen (15) days from the date of mailing of the Notice of Revocation or denial or rejection. Said requests will be received by the Business Administrator, Chief of Police and the Mercantile Registration Officer, where a hearing may be requested by the Licensee.

§4-4.10 No Applicability to Delivery of Goods in Regular Course of Business.

This Chapter shall not affect any person engaged in delivering wares, goods or merchandise or other articles or things in the regular course of business, to the premises of the person ordering or entitled to receive the same.

§4-4.11 Violations and Penalties.

- a. Any person violating the terms of this Ordinance shall be punishable as follows:
 - 1. First offense: A fine of \$500.00;
 - 2. Second offense: A fine of \$1,000.00 and suspension for obtaining a Mercantile License for five (5) years;
 - 3. Third or subsequent offense: A fine of \$1,500.00 and/or up to 90 days in jail and/ or a period of community service of not more than 90 days, or a combination thereof.
 - 4. In the event that an offense is a continuing one, then each day, or portion of a day, such offense continues shall be deemed a separate and distinct offense and shall be punishable as such as provided herein.
 - 5. No person convicted on a third or subsequent offense shall be entitled to a new license for a period of seven (7) years from the third or subsequent offense.

§4-4.12 – §4-4.20 are hereby rescinded.

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

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

APPROVED ON FIRST READING:

November 22, 2021

APPROVED, PASSED, AND ADOPTED:

December 6, 2021

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 21-51

AN ORDINANCE TO AMEND VOLUME I, CHAPTER IV, OF THE
CODE OF THE TOWNSHIP OF NEPTUNE TO ADD SECTION 4-
5 TO BE ENTITLED "MOBILE FOOD VENDORS"

BE IT ORDAINED by the Township Committee of the Township of Neptune of the County of Monmouth in the State of New Jersey that the Neptune Township Code of Ordinances, Volume I, Chapter IV, is hereby amended to add Section 4-5 of the Code of the Township of Neptune to be entitled "Mobile Food Vendors" as follows:

§4-5 Mobile Food Vendors.

§4-5.1 Purpose.

The purpose of this Section is to regulate and license Mobile Food Vendors who are anyone who sells food or beverages from a vehicle such as a truck, van or pushcart, whether such food or beverages are prepared on site or prepared elsewhere and transported to the site of the sale.

§4-5.2 License Required; Renewal; Number of Licenses Limited; Restrictions.

- a. No person shall conduct, operate or maintain a mobile food vendor establishment without first obtaining a License to do so issued by the Mercantile Registration Officer upon payment of the sum of \$300.00 per year or a fraction of a year per vehicle to be operating and \$50.00 per operator. Such License shall expire on the next March 30th after issuance, unless sooner, suspended or revoked. Renewals of any License shall not be issued after May 30th of the renewal year. Any Licensee who fails to renew a License by March 30th shall not be permitted to operate until said License is renewed within the grace period as set forth herein;
- b. The number of Licenses which may be issued to Mobile Food Vendors shall not exceed twenty-five (25) Licenses. In the event that a License is revoked or if it is not renewed after May 30th of the renewal year, then any such License may be issued to an applicant for such License on a first-come-first-served basis. The Mercantile Registration Office shall maintain a waiting list for such revoked or non-renewed Licenses and shall notify the person at the top of the list that such a License is available;
- c. Mobile Food Vendors shall affix to the vehicle or pushcart a copy of the License issued by the Mercantile Registration Office, Sanitary Health Certificate issued by the Monmouth County Health Department, the Certificate of Registration issued by the New Jersey Division of Taxation, and shall have displayed prominently on or adjacent to the doors of the vehicle, a placard or lettering with the name and address of the owner, lessee and/or lessor of the vehicle. Said information shall be in letters and numbers no less than three (3) inches in height in accordance with N.J.S.A. 39:4-46;

- d. Mobile Food Vendor Licenses are not transferable between vehicles or operators;
- e. All fees must be paid at the time of application and are not refundable.

§4-4.3 Application Process.

- a. All applicants or licensees attempting to apply for or renew a License must complete an application/reapplication form prescribed by the Mercantile Registration Office, pay the License Fee prescribed and provide proof of the following:
 - 1. Certificate of Registration issued by the NJ Division of Taxation;
 - 2. 2 – 2" x 2" passport sized photos;
 - 3. Proof of ownership or rental of an approved vehicle or pushcart;
 - 4. Proof of general liability insurance providing a minimum of one million dollars (\$1,000,000.00) coverage for non-motorized Mobile Food Vendor vehicles;
 - 5. Proof of motor vehicle insurance per N.J.S.A. §39:6B-1, if the Mobile Food Vendor operates from a motor vehicle, in addition to proof of general liability insurance providing a minimum of one million dollars (\$1,000,000.00) coverage;
 - 6. A satisfactory inspection report issued no more than thirty (30) days prior to a License being issued or renewed;
 - 7. The applicant shall obtain a vendor background check by the designated vendor approved by the Neptune Township Police Department;
 - 8. Mobile Food Vendors may not operate until the application has been approved by the Neptune Township Police Department and License issued by the Mercantile Office.

§4-5.4 Operation Requirements for Mobile Food Vendors.

- a. All mobile food vendors shall provide trash and recycling receptacles, and shall collect all trash and debris within twenty-five (25) feet before leaving their site. Collected trash must not be deposited in public trash receptacles;
- b. No mobile food vendor shall occupy the sidewalk, i.e., park a motorized vehicle in the street and dispense food from the sidewalk or set up a pushcart on the sidewalk and dispense food in the street. Operation shall be from the street. Operation on any sidewalk shall be prohibited;
- c. New or replacement mobile food vendor trucks, vans, pushcarts or other mobile food vendor vehicles shall be inspected by the Department of Health before operating. No changes shall be made to approved Mobile Food Vendor trucks,

vans, pushcarts or vehicles without re-inspection by the Department of Health, and all Certifications of Approval must be visible to the public;

- d. No mobile food vendor shall serve food or drink to a motorist or occupant of a vehicle blocking the passage of traffic;
- e. No mobile food vendor shall occupy street space blocking the passage of traffic;
- f. All mobile food vendors' vehicles and pushcarts shall be self-contained, no cooler is to be placed on streets or sidewalks;
- g. No mobile food vendor shall provide in-truck or in-vehicle dining services or sidewalk tables and chairs;
- h. Grills, generators or other items related to mobile food vendor operations shall be physically attached to the vehicle or pushcart;
- i. Mobile Food Vendors must have a portable water tank/sink for handwashing attached to their vehicle as per N.J.A.C. 8:24-5.3;
- j. All motorized vehicles must abide by all existing traffic and parking regulations;
- k. All Mobile Food Vendors shall not be permitted to operate and shall be off the streets and sidewalks of the Township of Neptune during the period from 9 pm to 9 am daily;
- l. All Mobile Food Vendors' units must be on wheels and mobile;
- m. No Mobile Food Vendors' vehicle shall be left unattended for any reason on the streets or sidewalks of the Township of Neptune;
- n. No Mobile Food Vendor shall set up, maintain or permit the use of tables, create, carton or other device to increase the selling or display capacity of his or her unit or motor vehicle. There shall be no stacking of items to be sold upon any sidewalk or street. All materials and/or merchandise must be located solely on the vending unit;
- o. No Mobile Food Vendor shall use any device which produces a loud or raucous noise or use or operate any loudspeaker, public address system, radio, sound amplifier or similar device to attract the attention of the public while stopped;
- p. Any Mobile Food Vendors' vehicle operating within the Township of Neptune shall not remain in any fixed location for more than five (5) minutes from its last sale to any patron. When operating within the Township, such mobile food vending units shall park only in areas where automobiles are permitted to park and shall begin the sale of foodstuffs with 5 minutes of the time it so parks and shall leave that location within five (5) minutes of its last sale to pedestrian patrons using the food service;
- q. All Mobile Food Vendors shall display, in clear view of all patrons, pricing for all products offered for sale;

- r. All equipment, including the vehicle which is used by mobile food vendors, shall be subject to proof of inspection upon application for a license from a qualified equipment and motor vehicle inspection garage or service indicating that the motor vehicle and all equipment is in compliance with applicable State Motor Vehicle Statutes.

§4-5.5 Use of Streets by Mobile Food Vendors.

- a. No Mobile Food Vendors shall operate upon private property. No owner or person in control or in possession of private property shall permit any Mobile Food Vendors to be operated upon said property.
- b. No Mobile Food Vendors shall operate in any area where parking of motor vehicles is prohibited, restricted or regulated. Such areas shall include, but not be limited to, sidewalks, bus stops, taxi stands, fire hydrants, parking metered areas, loading zones, areas where parking is prohibited, such as from the corner of an intersection as indicated by curb markings, areas reserved for physically handicapped motor vehicle operators, crosswalks, driveways and any other areas so restricted, prohibited or regulated for the parking of motor vehicles.

§4-5.6 License Revocation or Suspension.

- a. The License of a person who violates any provision of this Chapter may be revoked or suspended immediately upon violation. A notice shall be mailed and will contain the specific provisions of this Chapter which has been violated and the specifications which shall constitute the violation. Licenses may be revoked or suspended for any violation of this Chapter or for any repeated violations thereof. Any License of a Mobile Food Vendor whose License has been revoked shall not be qualified to receive a new License or have said License restored to said person;
- b. Any Mobile Food Vendor who is charged with a violation shall have the right to be represented by an attorney and said facts shall be stated on the notice served upon said Mobile Food Vendor;
- c. Any Mobile Food Vendor whose License has been revoked or suspended shall have a right to appeal such revocation or suspension to the Business Administrator and a representative from the Neptune Township Police Department.

§4-5.7 Violations and Penalties.

- a. Any person violating the terms of this Ordinance shall be punishable as follows:
 - 1. First offense: A fine of \$500.00;
 - 2. Second offense: A fine of \$1,000.00 and suspension for obtaining a Mercantile License for five (5) years;

3. Third or subsequent offense: A fine of \$1,500.00 and/or up to 90 days in jail and/ or a period of community service of not more than 90 days, or a combination thereof;
 4. In the event that an offense is a continuing one, then each day, or portion of a day, such offense continues shall be deemed a separate and distinct offense and shall be punishable as such as provided herein;
 5. No person convicted on a third or subsequent offense shall be entitled to a new license for a period of seven (7) years from the third or subsequent offense.
- b. In addition to the penalties set forth herein, any person operating as a Mobile Food Vendor who violates any provisions of this Ordinance, the vehicle, cart or establishment which is being operated as such shall be impounded by the Neptune Township Police Department. In the event that any such vehicle is impounded, the vehicle, cart or truck may be redeemed by the person upon payment of the cost of impounding and the storage charges established by Municipal Ordinance. Said storage charge and costs of impounding shall be the same as are established for the impounding of motor vehicles.

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

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

APPROVED ON FIRST READING: November 22, 2021

APPROVED, PASSED, AND ADOPTED: December 6, 2021

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 21-52

CAPITAL ORDINANCE PROVIDING FOR THE CONSTRUCTION AND INSTALLATION OF IMPROVEMENTS TO THE TOWNSHIP'S MUNICIPAL COMPLEX, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$360,000 FROM THE TOWNSHIP'S RECEIPT OF FUNDS FROM THE CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUND TO PAY FOR THE COST THEREOF

WHEREAS, the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), wishes to undertake capital improvements consisting of the construction and installation of improvements to the Township's Municipal Complex to enhance the safety of the general public and Township employees, including, but not limited to, the construction of a second drive-up window for customer transactions at the municipal building, and construction within the municipal offices intended to accommodate social distancing and reduce the potential of disease transmission among Township employees and the general public, and all as shall be more particularly described in documents on file in the Office of the Engineer of the Township and by this reference incorporated herein (collectively, the "Capital Improvements"); and

WHEREAS, the cost of said Capital Improvements is estimated to be \$360,000; and,

WHEREAS, the Township Committee desires to authorize an appropriation from the Township's receipt of funds from the Coronavirus State and Local Fiscal Recovery Fund in the amount of \$360,000 to undertake the aforesaid Capital Improvements.

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (a majority of the full membership thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The recitals set forth in the preamble to this capital ordinance are fully incorporated by this reference as if set forth in full herein.

SECTION 2. The capital improvements or purposes described in Section 3 of this capital ordinance are hereby authorized as general capital improvements to be undertaken by the Township. There is hereby appropriated the amount of \$360,000 from the Township's receipt of funds from the Coronavirus State and Local Fiscal Recovery Fund for said improvements or purposes stated in Section 3 hereof.

SECTION 3. The capital improvements or purposes hereby authorized are the construction and installation of improvements to the Township's Municipal Complex to enhance the safety of the general public and Township employees, including, but not limited to, the Capital Improvements, and also including all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

SECTION 4. The expenditure of moneys from the Township's receipt of funds from the Coronavirus State and Local Fiscal Recovery Fund for the improvements or purposes set

forth in Section 3 hereof is hereby authorized and approved. The Mayor, the Clerk, the Chief Financial Officer and any other official/officer of the Township are each hereby authorized and directed to execute, deliver and perform any agreement necessary to undertake the Capital Improvements or purposes set forth herein and to effectuate any transaction contemplated hereby.

SECTION 5. The capital budget of the Township is hereby amended to conform with the provisions of this capital ordinance, and to the extent of any inconsistency herewith, 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 of the Township and will be available for public inspection.

SECTION 6. Capitalized terms used herein and not otherwise defined, shall have the meanings ascribed to such terms in the preamble to this capital ordinance.

SECTION 7. This ordinance shall take effect in accordance with applicable law.

APPROVED ON FIRST READING: November 22, 2021

APPROVED, PASSED, AND ADOPTED: December 6, 2021

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

Mon.–Sun.				
Custodians*	24 hours daily	8-1/2	1/2 hr. break	2
Emergency Medical Services	24 hours daily	13 to 14	1/2 hr period	3
Police Civilians	6:30 a.m.– 4:30 p.m.	8	1 hr. period	2
Police / Jailers /	24 hours daily		1/2 hr. break	0
Library	In accordance with schedule established by the Library Trustees			
Recreation	Same as Administrative Departments, but may Flex schedule to accommodate program activities.			

9-3.4 Changes in Work Period; Authorized in Advance.

Any permanent change in the standard hourly work period must be authorized in advance by the Township Committee. Regular assigned shifts, for all employees, with the exception of Emergency Medical Service Technicians employees, shall not be altered on less than seventy-two (72) hour notice except in the event of an emergency declared such by the Business Administrator.

The Township retains the right at its discretion to temporarily change the work week by notifying the employee under the following formula:

- a. Seventy-two (72) hour notice for a five (5) day change.
- b. Ten (10) working days notice for a six (6) to twenty (20) day change.
- c. Fifteen (15) working days notice for a twenty-one (21) to sixty (60) day change.
- d. Twenty (20) working days notice for a permanent change.

The employee may waive the notice requirement. (Ord. No. 1035 A. III § 4; New)

9-3.6 Emergency Closings; Compensation When Employee Sent Home.

In the event that an emergency or inclement weather necessitates the closing down of any operation of the Township, all permanent, full-time employees with the exception of essential employees such as Police Officers and Emergency Medical Service Technicians employees, -affected by the closing and who have started their assigned work period shall be paid their normal compensation for that day as if they had performed the normal work assignment. All casual or permanent part-time employees shall not be compensated except for those hours actually worked.

9-3.7 Emergency Closings Before Work; Alternate Day of Work May Be Required.

In the event of an emergency, as determined by the Business Administrator, any employee who is advised not to report to work will be paid for the day, up to two (2) days per calendar year. Employees who are deemed as essential employees by the Business Administrator and are required to work and who do work or employees who are not otherwise notified not to report and who do work, will receive compensatory time off for each hour worked with a minimum of two (2) hours and a maximum of eight (8) hours. Any additional days of emergency which occur within a calendar year and results in an employee being advised not to report, the employee may charge his/her time off to any time on the books, defined as sick time or comp time. This section shall not apply to Police Officers nor Emergency Medical Services employees.

9-4 HOLIDAYS.

9-4.1 Holidays Enumerated.

The following days will be considered as holidays for all eligible Township permanent, full-time employees:

New Year's Day, Martin Luther King's Day, President's Day, Memorial Day, Fourth of July, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, Friday after Thanksgiving and Christmas Day. A "floating holiday" may be observed on another date as approved by the Business Administrator in cooperation with the leadership of the bargaining unit(s) representing administrative and public works employees. It is clearly understood that casual employees shall not receive holiday pay. All Township permanent, full-time employees except members of the Police Department, Communications Operators, Emergency Medical Technicians and Custodial staff shall have the holidays enumerated in this section off with regular pay. Members of the Police Department, Communications Operators, Emergency Medical Technicians and Custodial staff are required to work a full workweek as scheduled by their supervisor, department head or by the Business Administrator and will receive compensation in lieu of time off as set forth in the negotiated agreements between the Township and their respective bargaining units. It is clearly understood that casual employees shall not receive holiday pay, with the exception of Emergency Medical Technician's (EMT's) who work on the following township holidays and will be compensated at time and one-half, ~~New Year's Day, Memorial Day (6:00 a.m. to 6:00 p.m.), Fourth of July, Labor Day (6:00 a.m. to 6:00 p.m.), Thanksgiving Day, Christmas Day, Christmas Eve (6:00 p.m. to 12:00 a.m.), and New Year's Eve (6:00 p.m. to 12:00 a.m.).~~

When a holiday as set forth in subsection 9-4.1 hereof occurs during an employee's vacation, said holiday shall not be charged as a vacation day. It is clearly understood that casual employees shall not receive holiday pay, except as described above for EMTs.

9-4.5 Compensatory Time for Work Required on Holidays.

- a. When a permanent full-time employee other than members of the Police Department, Communications Operators, Emergency Medical Service Technicians and Maintenance staff, is required to work on a holiday in order to maintain certain services, the employee shall be allowed compensatory time off as near to the holiday as can be arranged between the employee and the department head or supervisor. Where the department head or supervisor recommends that the employee be paid compensation in lieu of compensatory time off, the compensation shall be paid at the rate of one and one-half (1 1/2) times the individual's standard hourly pay for each additional hour worked.

9-4.6 Personal Days.

Probationary or permanent full-time employees with the exception of Emergency Medical Technicians and those employees with a bargaining unit or individual employment contract, shall be entitled to four (4) personal days in each twelve (12) month period beginning on the employees' first anniversary date. Probationary or permanent part-time employees are eligible on a prorated basis. Personal days shall not

be accumulated nor shall the personal days be taken on a day immediately prior to or on the day immediately after a holiday or vacation day nor shall payment be made for unused personal days at the end of the year. It is understood that casual employees are not eligible for this benefit. Employees with bargaining unit contracts and/or employment agreements will receive personal days as described therein. Full time Emergency Medical Service Technicians will receive thirty-two (32) hours of personal time and may utilize same as described herein.

Personal days may be used for personal, business, household or family matters described below:

- a. Personal business means an activity that requires the employee's presence during the work day and is of such a nature that it cannot be attended to at a time outside of the work day.
- b. Personal, household, or family matters refer to those situations where an employee's absence from duty is necessary for the welfare of the employee or his/her family. Written request for a personal day shall be made to the department head or supervisor seventy-two (72) hours prior to such leave, unless under emergency conditions it may be granted on request by the department head or supervisor. The prior notification time may be waived in the sole discretion of the Business Administrator under emergency circumstances.

The Business Administrator may deny such request when in his/her sole judgment it will leave the remaining work force below a sufficient number to operate or when the request does not meet the criteria set forth above.

9-5.9 Meals During Emergency Overtime.

Whenever an employee is entitled to emergency overtime as defined in subsection 9-5.5 hereof, the department supervisor shall designate the time when an emergency employee shall take a meal break and the meal break shall not exceed once for every four (4) hours of emergency overtime. The department supervisor also shall designate a convenient location within the Township for the feeding of emergency personnel and the Township shall pay to the proprietor thereof, an allowance in accordance with the following schedule:

Breakfast.....	\$ 8.00
Lunch.....	910.00
Dinner.....	125.00

9-6 ABSENCES, LEAVES AND VACATIONS.

9-6.1 Types of Absences.

Absences from duty shall be classified as sick leave, leave of absence with pay, leave of absence without pay, military leave or vacations and shall be so noted on the employee's time report or such other report as may be directed by the Business Administrator. Sick leave is covered in Section 9-7.

9-6.2 Leave of Absence Without Pay.

With the exception of leaves specifically granted by Federal and/or State law, a leave of absence without pay for a period of time not to exceed ten (10) work days per year, may be granted by the Business Administrator upon a written request from the employee to the Business Administrator and shall be recorded as directed by the Business Administrator.

9-6.2a Leave of Absence With Pay.

The Business Administrator may place an employee on a leave of absence with pay in circumstances necessitated to protect the Township from potential liability. In situations where such a leave is granted for more than five (5) days, the Business Administrator shall present the reason therefor to the Township Committee who may authorize a leave of absence with pay in excess of five (5) days.

9-6.4 Death in Family; Leave of Absence With Pay.

- a. In the case of death in the immediate family, an employee shall be granted leave and suffer no loss of regular straight time pay from the day of death, up to and including the day of the funeral not to exceed thirty two (32) hours for Emergency Medical Service Technicians and four (4) work days for all other employees not covered by a collective bargaining unit agreement or individual employment contract.
- b. Immediate family shall be defined as the employee's spouse, and the employee's or his/her spouse's child, stepchild, mother, stepmother, father, stepfather, brother, stepbrother, sister, stepsister, grandparents, step-grandparents, son-in-law, stepson-in-law, daughter-in-law, stepdaughter-in-law, grandchildren and step-grandchildren. This section shall also apply to those family members who regularly reside in the employee's household.
- c. Reasonable verification of the event may be required by the Township.
- d. Such bereavement leave is not in addition to any holiday, day off, vacation leave, or compensatory time off falling within the time of the bereavement.
- e. An employee may make a request to the Business Administrator for time off to attend a funeral separate and distinct from bereavement leave. Such request, if granted by the Business Administrator, shall be charged at the option of the employee as a personal day, vacation day or against accumulated compensatory time off.

9-6.7 Vacation Allowances.

Permanent full-time officers and employees shall receive vacation with pay for each twelve (12) month period in accordance with the following schedule:

- a. From the beginning of the second year of service through the fifth (5th) year of service - ten (10) working days.
- b. From the beginning of the sixth (6th) year of service through the tenth (10th) year of service - fifteen (15) working days.
- c. From the beginning of the eleventh (11th) year of service through the fifteenth (15th) year of service - twenty-two (22) working days.
- d. From the beginning of the sixteenth (16th) year of service through the twentieth (20th) year of service - twenty-four (24) working days.
- e. From the beginning of the twenty-first (21st) year of service - twenty-eight (28) working days.

Probationary or permanent part-time employees are eligible on a prorated basis. No employee shall accumulate vacation benefits those months in which said employee is not performing his/her assigned work assignment.

Emergency Medical Service Technicians shall receive vacation with pay in accordance with the following schedule:

- a. From the beginning of the second year of service through the fifth (5th) year of service – eighty (80) hours.
- b. From the beginning of the sixth (6th) year of service through the tenth (10th) year of service – ninety-six (96) hours.
- c. From the beginning of the eleventh (11th) year of service – one hundred-twenty (120) hours.

9-6.23 Compensation for Federal/State Certifications.

Employees who attain a certain Federal/State Certifications by passing a Federal/State examination and that is directly related to their current position, pre-approved by the Business Administrator will receive a stipend in an amount of one thousand (\$1,000.00) dollars unless otherwise specified by collective bargaining agreement. The number of Certifications Stipends will be limited to a maximum of two (2) per employee, unless additional stipends are approved by the Business Administrator. The list of approved eligible certifications will be available in the Office of the Business Administrator. This will not include certifications that are required to hold a specific position.

9-6.24

9-9 RETIREMENT BENEFITS.

9-9.1 Applicable Retirement Plans.

All Township employees enrolled in the New Jersey Public Employee's Retirement System, the Police and Firemen's Retirement System of New Jersey or any other retirement plan ~~plan~~ authorized by the New Jersey Division of Pensions and Benefits, shall be subject to the requirements and provisions of the respective plans.

9-9.4 Application for Retirement Benefits.

An employee having completed the required number of years of service, and having attained the specified age, under a State authorized retirement program or is retired on approved disability, shall apply for retirement as provided by the Plan and State Law. Said retirees who have completed twenty-five (25) years ~~years~~ of continuous service to the Township of Neptune, will be provided with hospitalization benefits for the employee and his/her dependents under the New Jersey State Health Benefits Program in accordance with State of New Jersey Statute Chapter 88. In the event the Township changes insurance carriers, substantially similar benefits will be provided.

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.

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

This Ordinance shall be published and shall take effect following adoption and approval, all as required by and in accordance with law.

APPROVED ON FIRST READING: November 22, 2021

APPROVED, PASSED, AND ADOPTED: December 6, 2021

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 21-55

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY REMOVING RESIDENT ONLY HANDICAPPED PARKING ZONES ON 7TH AVENUE, MAIN AVENUE, AND HECK AVENUE

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

SECTION 1

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

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
7th Avenue	1	North side of 7th Avenue beginning 50 feet east of the northeast intersection of 7 th Avenue and State Highway 35 (adjacent to 1323 7 th Avenue)
Main Avenue	1	South side of Main Avenue beginning 79 feet east of the southeast intersection of Main Avenue and Beach Avenue
Heck Avenue	1	North side of Heck Avenue beginning 60 feet east of the northeast intersection of Heck 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

RESOLUTION #21-410 - 12/6/21

PROMOTE OFFICERS IN THE POLICE DEPARTMENT

WHEREAS, the Business Administrator posted for vacancies in the rank of Lieutenant and Sergeant in the Police Department; and,

WHEREAS, the resumes that were submitted for the position were reviewed and interviews subsequently conducted; and,

WHEREAS, the Chief of Police has submitted a recommendation to promote one (1) police officer to the rank of Lieutenant and five (5) police officers to the rank of Sergeant consistent with the Department's Standard Operating Procedure for promotions (Ordinance No. 21-38), 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 the following police officers are hereby promoted to the rank indicated in the Police Department effective December 7, 2021:

To the rank of Lieutenant:

Sgt. Jason Petillo

To the rank of Sergeant:

Ptl. Aaron Lay
Ptl. Robert O'Heney
Ptl. Thomas Blewitt
Det. Bryan Taylor
Det. Bryan Maher

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief of Police, 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 DECEMBER 6, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-411 - 12/6/21

RECLASSIFY EMPLOYEE TO THE POSITION OF CUSTOMER SERVICE REPRESENTATIVE
IN THE CODE/CONSTRUCTION DEPARTMENT

WHEREAS, there is a vacancy in the position of Customer Service Representative in the Code/Construction Department; and,

WHEREAS, the Human Resources Director and Tax Collector have made a recommendation to reclassify an existing full-time Bookkeeper to this position at no change in salary; and,

WHEREAS, funds will be provided for the 2021 Municipal Budget in the appropriation entitled Construction Official S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Nancy Cole be and is hereby reclassified to the position of Customer Service Representative in the Code/Construction Department at no change in annual salary effective immediately; 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, Construction Official, and AFSCME Local #1844.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON DECEMBER 6, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-412 – 12/6/21

AUTHORIZE THE CANCELLATION OF TAXES AS A RESULT OF THE
GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION
(106 MILFORD ROAD)

WHEREAS, the property known as Block 5414, Lot 2, with an address of 106 Milford Road, assessed to Brian & Donna Fromhold, is eligible for a Totally Disabled Veteran Exemption effective August 9, 2021 and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against this property effective August 9, 2021 in accordance with N.J.S.A. 54:4-3.32; and,

WHEREAS, the amounts to be cancelled and refunded are as follows:

YEAR	AMOUNT TO CANCEL	AMOUNT TO REFUND
2021	\$ 5,022.72	\$ 1,736.37

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

BE IT FURTHER RESOLVED, that a 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 DECEMBER 6, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-413 – 12/6/21

AUTHORIZE THE CANCELLATION OF TAXES AS A RESULT OF THE
GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION
(7 DOUGLAS DRIVE)

WHEREAS, the property known as Block 3705, Lot 45, with an address of 7 Douglas Drive, assessed to Wilbur & Denise Martin, is eligible for a Totally Disabled Veteran Exemption effective July 30, 2021 and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against this property effective July 30, 2021 in accordance with N.J.S.A. 54:4-3.32; and,

WHEREAS, the amounts to be cancelled and refunded are as follows:

YEAR	AMOUNT TO CANCEL	AMOUNT TO REFUND
2021	\$ 2,443.20	\$ 1,017.28

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

BE IT FURTHER RESOLVED, that a 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 DECEMBER 6, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-414 – 12/6/21

AUTHORIZE THE CANCELLATION OF TAXES AS A RESULT OF THE
GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION
(13 CEDARCREST DRIVE)

WHEREAS, the property known as Block 4004, Lot 1, with an address of 13 Cedarcrest Drive, assessed to Dominick A. & Mary Ann Saltalamaccia, is eligible for a Totally Disabled Veteran Exemption effective November 8, 2021 and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against this property effective November 8, 2021 in accordance with N.J.S.A. 54:4-3.32; and,

WHEREAS, the amounts to be cancelled and refunded are as follows:

YEAR	AMOUNT TO CANCEL	AMOUNT TO REFUND
2021	\$ 943.93	\$ 0.00

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

BE IT FURTHER RESOLVED, that a 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 DECEMBER 6, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-415 – 12/6/21

AUTHORIZE THE CANCELLATION OF TAXES AS A RESULT OF THE
GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION
(59 TALL PINES DRIVE)

WHEREAS, the property known as Block 3204, Lot 35, with an address of 59 Tall Pines Drive, assessed to John & Nancy Cremen, is eligible for a Totally Disabled Veteran Exemption effective May 21, 2021 and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against this property effective May 21, 2021 in accordance with N.J.S.A. 54:4-3.32; and,

WHEREAS, the amounts to be cancelled and refunded are as follows:

YEAR	AMOUNT TO CANCEL	AMOUNT TO REFUND
2021	\$ 6,599.04	\$ 3,866.84

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

BE IT FURTHER RESOLVED, that a 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 DECEMBER 6, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-416 – 12/6/21

AUTHORIZE THE REFUND OF SEWER RENT (7 DOUGLAS DRIVE)

WHEREAS, the properties listed below reflect overpayments; and,

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

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the Tax Collector be and hereby is authorized to refund the Sewer Rent as stated herein:

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
3705/45	MARTIN	7 DOUGLAS DRIVE	2021	473.65

BE IT FURTHER RESOLVED, That a 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 DECEMBER 6, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-417 - 12/6/21

AUTHORIZE THE CANCELLATION OF SEWER RENT (20 GULLY ROAD)

WHEREAS, the Tax Collector has requested the cancellation of sewer rent to the property listed below,

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 hereby is authorized to cancel Sewer Rent as stated herein; and,

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
4401/52	Scarlet Flier Ventures, LLC	20 Gully Road	2021	230.00

REASON: Building disconnected May, 2021

BE IT FURTHER RESOLVED, that a 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 DECEMBER 6, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-418 - 12/6/21

AUTHORIZE THE TRANSFER OF 2021 BUDGET APPROPRIATIONS

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of current year appropriations during the last two months of the fiscal year; and,

WHEREAS, the Chief Financial Officer has recommended that the following appropriation transfers be authorized:

OPERATING	TO	From
General Admin S&W	\$9,000.00	
Human Resources S&W		\$29,500.00
Municipal Clerk OE	\$4,500.00	
Tax Assessment	\$3,500.00	
Legal Services	\$250,000.00	
Engineering OE	\$65,000.00	
Engineering Services S&W		\$79,000.00
Planning Board S&W	\$2,000.00	
Planning Board OE	\$6,000.00	
Historic Preservation OE		\$5,000.00
Publicity & Tourism S&W	\$1,500.00	
Publicity & Tourism OE	\$2,000.00	
Emergency Management S&W	\$5,000.00	
Other Public Works S&W	\$25,000.00	
Natural Gas	\$40,000.00	
Telecommunications	\$50,000.00	
Police Department S&W		\$325,150.00
Police Department OE	\$20,000.00	
Emergency Medical Services S & W		\$58,000.00
Municipal Prosecutor S&W	\$50.00	
Streets & Roads S&W		\$58,000.00
Building & Grounds S&W	\$16,000.00	
Solid Waste S&W		\$58,000.00
Environmental/Shade Tree S&W	\$100.00	
Vehicle Maintenance	\$50,000.00	
Snow Removal Trust	\$40,000.00	
Accumulated Absences	\$40,000.00	
Liability Insurance		\$10,000.00
Worker Compensation		\$7,000.00
	\$629,650.00	\$629,650.00

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, that 2021 Budget Appropriations be transferred as stated herein; and,

BE IT FURTHER RESOLVED, that a 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 DECEMBER 6, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-419 - 12/6/21

AUTHORIZE AN AMENDMENT TO THE 2021 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE AMERICAN RESCUE PLAN – LOCAL FISCAL RECOVERY FUNDS

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 \$215,000.00 which is now available from the American Rescue Plan – Local Fiscal Recovery Funds in the amount of \$215,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$215,000.00 is hereby appropriated under the caption of American Rescue Plan LFRF – Premium Pay S&W; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the United States Department of the Treasury Coronavirus Local Fiscal Recovery Funds as authorized by the American Rescue Plan Act in the amount of \$215,000.00; 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: absent

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON DECEMBER 6, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-420 - 12/6/21

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

WHEREAS, the Township desires to create a pool of individuals with commercial drivers license who would be called upon during major snowfalls to operate snow plows as a supplement to the full-time Public Works staff; and,

WHEREAS, on November 22, 2021, the Township Committee adopted Resolution #21-402 which authorized the employment of individuals as part-time seasonal/on-call Drivers for snow plowing; and,

WHEREAS, the Director of Public Works has forwarded a recommendation to employ an additional worker for this purpose; and,

WHEREAS, funds will be provided in the 2021 municipal budget in the appropriation entitled Streets & Roads S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Cesar Cowart be and is hereby employed in the Department of Public Works as a part-time employee on an on-call basis only for snow plowing during major snow/ice events during the 2021-2022 winter season at an hourly rate of \$25.00; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON DECEMBER 6, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-421 - 12/6/21

AUTHORIZE THE PURCHASE OF OFFICE FURNITURE FOR THE POLICE DEPARTMENT
RECORDS AND TECH OFFICES THROUGH THE OMNIA PARTNERS
PUBLIC SECTOR PURCHASING SYSTEM

WHEREAS, the Police Department has requested the purchase of office furniture, including installation and related services, for the Records and Tech Offices utilizing pricing through the Omnia Partners Public Sector Purchasing System; and,

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

WHEREAS, the Township of Neptune is authorized pursuant to N.J.S.A. 52:34-6.2(b)(3) to use procurement methods by entering into a nationally recognized cooperative agreement; and;

WHEREAS, the OMNIA Partners Public Sector Purchasing System has a nationally recognized cooperative agreement and has awarded Contract No. R191817 to Trendway Corporation for these items and services; and,

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

WHEREAS, the cost of these materials and services shall not exceed \$42,788.03; and,

WHEREAS, funds for this purpose are available in Ordinance No. 20-13 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township of Neptune Committee of the Township of Neptune that the purchase of office furniture, including installation and related services, for the Police Department Records and Tech Offices be and is hereby authorized through Omnia Partners Public Sector Purchasing System Contract No. R191817 at an amount not to exceed \$42,788.03; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Chief of Police, and 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 DECEMBER 6, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-422 - 12/6/21

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

WHEREAS, the Chief of Police has requested the purchase of a 2022 Ford Bronco 4x4 for the Police Department 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 Beyer Ford for this vehicle; and,

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

WHEREAS, the cost to purchase this vehicle shall not exceed \$25,854.92; and,

WHEREAS, funds for this purpose are available in Ordinance No. 21-35 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 Bronco 4x4 for the Police Department be and is hereby authorized through the Educational Services Commission of New Jersey Purchasing Program Contract ESCNJ 20/21-09, Beyer Ford, at an amount not to exceed \$25,854.92; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Chief of Police, and 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 DECEMBER 6, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-423 - 12/6/21

ESTABLISH PREMIUM PAY FOR LOW AND MODERATE INCOME
ESSENTIAL EMPLOYEES UTILIZING FUNDS RECEIVED
UNDER THE AMERICAN RESCUE PLAN ACT OF 2021

WHEREAS, the American Rescue Plan Act of 2021 (ARPA) was signed into law on March 11, 2021 and the Township of Neptune has received funding under this program from the United States Treasury and that "ARPA" rules allow for the payment of premium pay to certain employees; and

WHEREAS, the Township Committee of the Township of Neptune desires to provide premium pay to certain essential government employees as authorized by "ARPA"; and,

WHEREAS, "Essential Worker/Employees" is "Any work performed by an employee of the state, local or tribal government or workers needed to maintain continuity of operations of critical infrastructure sectors. "Essential Work" is "work involving regular in-person interactions or regular physical handling of items that were also handled by others, but does not include a worker who teleworked from a residence."; and,

WHEREAS, "ARPA" rules encourage municipalities to provide premium pay to low and moderate income employees based upon a limit of 150% of the County or State average income; and,

WHEREAS, the governing body has determined that members of the Township Committee, appointed committee and board members, non-employees, persons making \$100,000.00 or more per year, employees who worked less than 400 hours between March 1, 2021 and December 31, 2021, employees who separated service with the Township prior to December 31, 2021 and employees who worked from home or were on any type of leave that limited their "in office" to less than 400 hours during this timeframe, shall not be entitled to premium pay; and,

WHEREAS, Neptune Township employees have and continue to provide essential government services during the pandemic at the risk of exposure to COVID-19. The Township is losing essential workers to other private and government employers that are paying higher wages or offer work assignments that better protect employees from exposure. There is a legitimate public need to pay premium pay under the terms of this resolution,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the use of Federal "ARPA" funds is authorized for the purpose of providing premium pay to low and moderate income essential employees who meet the following criteria:

- A. Employees who were full-time, (more than 35 hours per week), and earned \$75,000.00 or less in total earnings, are to receive premium pay of \$5.00 per hour for a maximum of 300 hours up to a maximum of \$1,500.00 for essential work provided between March 1, 2021 and December 31, 2021.

- B. Employees who were full-time (more than 35 hours per week), and earned between \$75,000.01 and \$99,999.99 in total earnings, are to receive premium pay of \$5.00 per hour for a maximum of 150 hours up to a maximum of \$750.00 for essential work provided between March 1, 2021 and December 31, 2021.
- C. Employees who were part-time (less than 35 hours per week), and earned less than \$99,999.99 in total earnings, are to receive premium pay of \$5.00 per hour for a maximum of 150 hours up to a maximum of \$750.00 for essential work provided between March 1, 2021 and December 31, 2021.
- D. To be eligible, the recipient must have been continuously employed by Neptune Township from March 1, 2021 through December 31, 2021.
- E. Full time employees hired between March 1, 2021 and December 31, 2021 will receive a pro-rata share not to exceed \$750.00.
- F. Members of the Township Committee, appointed committee and board members, non-employees; employees making \$100,000.00 or more per year, employees who worked less than 400 hours between March 1, 2021 and December 31, 2021, employees who separated service with the Township prior to December 31, 2021 and employees who worked from home or were on any type of leave that limited their "in office" to less than 400 hours during this timeframe, shall not be entitled to premium pay.

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Neptune hereby instructs the Finance and Human Resources Departments to carry out the terms of this resolution and make the payments contemplated herein at the earliest opportunity within reason; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the 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 DECEMBER 6, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-424 - 12/6/21

APPOINT GABRIELLA SIBONI AS TOWNSHIP CLERK
AS OF FEBRUARY 1, 2022

WHEREAS, Section 2-6.1 of the Neptune Township Municipal Code provides for the appointment of the Township Clerk for a three year term, commencing on the date of appointment; and

WHEREAS, the Township's current Municipal Clerk, Richard Cuttrell; is retiring effective February 1, 2022; and

WHEREAS, the Township Committee has interviewed a number of candidates for the Township Clerk position; and

WHEREAS, the Township Committee desires to appoint Gabriella Siboni to the position of Township Clerk after Mr. Cuttrell's retirement;

WHEREAS, funds for this purpose will be available in the 2022 temporary budget and 2022 municipal budget, when adopted, in the appropriation entitled Municipal Clerk S&W and the Chief Financial Officer has so certified in writing,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that Gabriella Siboni is hereby hired and appointed as a Deputy Clerk effective January 6, 2022; Acting Township Clerk effective January 15, 2022; and Township Clerk, effective February 1, 2022; and,

BE IT FURTHER RESOLVED that the Township Labor Attorney is hereby authorized and directed to prepare a written employment agreement setting forth Ms. Siboni's salary at the rate of \$115,000 per year and providing such other benefits equal to the benefits provided to the Township Department Heads and Directors; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Assistant Business Administrator, 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 DECEMBER 6, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-425 - 12/6/21

*****TABLED*****

**EMPLOY SUPERVISING SPECIAL LAW ENFORCEMENT OFFICER
IN THE POLICE DEPARTMENT ON A PART-TIME BASIS**

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

WHEREAS, the Chief of Police and Police Command Staff have made their recommendation; 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 _____ be and is hereby employed as a part-time Supervising Special Law Enforcement Officer – Class II, and to perform such duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, at an hourly rate of \$36.00, effective December 1, 2021; and,

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

RESOLUTION #21-426 - 12/6/21

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF
RECREATION COORDINATOR IN THE RECREATION DEPARTMENT

WHEREAS, there is a vacancy in the position of Recreation Coordinator in the Recreation Department; and,

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

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

WHEREAS, funds will be provided in the 2021 municipal budget, in the appropriation entitled Recreation 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 Cory Zarrella for the position of Recreation Coordinator in the Recreation Department at an annual salary of \$37,674.22, 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 December 13, 2021 and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Recreation 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 DECEMBER 6, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-427 - 12/6/21

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

WHEREAS, due to a reclassification of employees, there are two vacancies 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 recommendations; 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 offers of employment be and are hereby extended to Ahmya Crozier and Alexcia Rodriguez 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 December 13, 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.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON DECEMBER 6, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-428 – 12/6/21

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	209,287.55
GRANT FUND	685.00
TRUST FUND	14,206.91
GENERAL CAPITAL FUND	371,409.30
SEWER OPERATING FUND	28,615.83
MARINA OPERATING FUND	435.62
LIBRARY TRUST	1,532.45
BILL LIST TOTAL	\$626,172.66

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 DECEMBER 6, 2021



Richard J. Cuttrell, Municipal Clerk