

**TOWNSHIP COMMITTEE WORKSHOP MEETING – May 22, 2023 – 6:00 P.M.**

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

Roll Call	Present/ Absent
Dr. Michael Brantley	_____
Robert Lane, Jr.	_____
Nicholas Williams	_____
Tassie D. York	_____
Keith Cafferty	_____

Also present: Gina M. LaPlaca, Business Administrator; Gene Anthony, Township Attorney; Gabriella Siboni, Municipal Clerk.

Mayor Cafferty announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 5, 2023, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. The notice of meeting location was noticed to The Coaster and Asbury Park Pres on May 3, 2023. In addition, the meeting agenda is posted on the Township web site ([www.neptunetownship.org](http://www.neptunetownship.org)).

**ITEMS FOR DISCUSSION IN OPEN SESSION**

1. Sponsoring of Juneteenth Celebration
2. Volunteer Emergency Responder Reimbursement Program
3. Committee Calendars

**Res #23 - 210** Authorize An Executive Session As Authorized By The Open Public Meetings Act.

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
*Vote:* Brantley \_\_\_\_\_ Lane \_\_\_\_\_ Williams \_\_\_\_\_ York \_\_\_\_\_ Cafferty \_\_\_\_\_

**TOWNSHIP COMMITTEE MEETING – May 2, 2023 – 7:00 P.M.**

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

Roll Call	Present/ Absent
Dr. Michael Brantley	_____
Robert Lane, Jr.	_____
Nicholas Williams	_____
Tassie D. York	_____
Keith Cafferty	_____

Also present: Gina M. LaPlaca, Business Administrator; Gene Anthony, Township Attorney; Gabriella Siboni, Municipal Clerk.

**MOMENT OF SILENCE 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 Cafferty announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 5, 2023, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda is posted on the Township web site ([www.neptunetownship.org](http://www.neptunetownship.org)).

**APPROVAL OF MINUTES**

Motion offered by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve the minutes of meetings of May 8, 2023.

**Presentation**

Proclaiming May 21- May 27 Emergency Medical Services Week

**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**

The Clerk will announce additional information regarding Separated Resolutions if necessary.

Public comments regarding resolutions presented on this agenda only.

The public comment portion of our meeting is to allow the public to bring to the Committee’s attention their concerns or comments. In accordance with N.J.S.A. 10: 4-12(a) and the Neptune Rules of Committee, the Committee asks the public to limit their comments to five minutes or less. The Committee will respect the public’s time by refraining any comment until the speaker has finished with their allotted time. It should be further noted that public comment portion of our meeting is not structured as a question-and-answer session. If a member of the public has questions, they seek answers to, an appointment can be made with the appropriate office, Business Administrator or Township Committee Liaison during regular business hours. The Township Clerk will regulate the time during the comment portion of our meeting. The Committee reserves the right to respond to comments or questions at the conclusion of the speaker’s time.

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

**PUBLIC HEARING AND FINAL ADOPTION ORDINANCES:**

*There are no ordinances for public hearing.*

**ORDINANCES FOR FIRST READING**

**Ordinance 23-21** Ordinance Authorizing Grant Of Deed Of Open Space Easement To The County Of Monmouth On Block 1807, Lot 2 (Formerly Known As Block 307.26, Lot 5) Owned By The Township Of Neptune

*Explanatory Statement: This ordinance authorizes the deed of open space easement to Monmouth County for Block 1807 Lot 2*

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

The Clerk announces the public hearing on ordinances listed will be held on June 12, 2023

**CONSENT AGENDA**

- Res #23- 211** A Resolution Of The Township Committee Of The Township Of Neptune Appointing Members To The Neptune Township Sewerage Authority
- Res #23- 212** Resolution Of The Township Of Neptune Approving Victory Natural Farms Llc For A Cannabis Business License To Operate As Recreational Use Cannabis Establishment Within The Township Of Neptune
- Res #23- 213** A Resolution Of The Township Committee Of The Township Of Neptune Accepting Resignations
- Res #23- 214** Authorizing Settlement In The Professional Liability Lawsuit Against Former Labor Attorney, Nita Raval, Esq. By Neptune Township
- Res #23- 215** Place Lien On Various Properties
- Res#23- 216** Resolution Of The Township Committee Of The Township Of Neptune To Terminate Employee
- Res#23- 217** Amendment To Resolution Authorizing Michael Burns, Esq. Of The Rainone, Coughlin, Minchello Law Firm To Represent The Township Of Neptune In The Third Party Complaint In The Case Of Savage V. Kezmarsky V. Neptune Township Filed In The Superior Court Of New Jersey, Law Division, Monmouth County, Under Docket No. Mon-L-2588-21
- Res#23- 218** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing A Chapter 159 Budget Amendment To Insert Revenue Received For The Stormwater Assistance Grant Application
- Res#23- 219** Authorizing The Rejection Of Bids Of Bids Received For Improvement To Public Works Facility, Phase II
- Res#23- 220** A Resolution Of The Township Committee Of The Township Of Neptune Co-Sponsoring The Third Annual Juneteenth Celebration
- Res#23- 221** Establish Policy For Volunteer Recruitment And Retention Program – Reimbursements
- Res#23- 222** A Resolution Of The Township Committee Of The Township Of Neptune Accepting The Voluntary Surrender Of Liquor License 1334-36-037-003 And Placing The License In History
- Res#23- 223** Authorize Intra-County Mutual Aid And Assistance Agreements With Participating Units In The County Of Monmouth
- Res#23- 224** Authorize Payment of Bills
- Res#23- 225** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Office Of Emergency Management

**CONSENT AGENDA**

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

**SEPARATED RESOLUTIONS**

**Res #23- 226** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Reclassification

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

**PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS**

Members of the public may address any concern relating to the Township.

The public comment portion of our meeting is to allow the public to bring to the Committee’s attention their concerns or comments. In accordance with N.J.S.A. 10: 4-12(a) and the Neptune Rules of Committee, the Committee asks the public to limit their comments to five minutes or less. The Committee will respect the public’s time by refraining any comment until the speaker has finished with their allotted time. It should be further noted that public comment portion of our meeting is not structured as a question-and-answer session. If a member of the public has questions, they seek answers to, an appointment can be made with the appropriate office, Business Administrator or Township Committee Liaison during regular business hours. The Township Clerk will regulate the time during the comment portion of our meeting. The Committee reserves the right to respond to comments or questions at the conclusion of the speaker’s time.

**ADJOURNMENT**

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

Time adjourned: \_\_\_\_\_

# PROCLAMATION

## *Declaring May 21- May 27 Emergency Medical Services Week*

WHEREAS, emergency medical services is a vital public service and the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, each year, thousands of Neptune Township residents and visitors require emergency medical care for traumatic injuries, burns, poisonings, spinal cord injuries, heart attacks and other critical emergencies; and,

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to tele-medicine; and,

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and,

WHEREAS, the members of Neptune Township's volunteer first aid squads and paid EMS Division engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is important for the citizens of Neptune Township to know about our emergency medical services system and to realize the high quality of emergency care that is provided by the volunteer efforts of their friends and neighbors,

NOW, THEREFORE, BE IT PROCLAIMED, that I, Keith Cafferty, Mayor of the Township of Neptune, do hereby proclaim the week of May 21 to May 27 as EMERGENCY MEDICAL SERVICES WEEK in the Township of Neptune and with the theme, "EMS Strong: Always in Service", I encourage the community to observe this week with appropriate programs, ceremonies, and activities.

Attest:

\_\_\_\_\_  
Gabriella Siboni, Township Clerk

\_\_\_\_\_  
Keith Cafferty Mayor

Dated: May 22, 2023

**TOWNSHIP OF NEPTUNE  
ORDINANCE #23-22**

**ORDINANCE AUTHORIZING GRANT OF DEED OF OPEN SPACE EASEMENT TO THE COUNTY OF MONMOUTH ON BLOCK 1807, LOT 2 (FORMERLY KNOWN AS BLOCK 307.26, LOT 5) OWNED BY THE TOWNSHIP OF NEPTUNE**

WHEREAS, the Township of Neptune has made improvements to property used for a public park, recreation and open space uses, located at Block 1807, Lot 2 (Formerly known as Block 307.26, Lot 5) and owned by the Township of Neptune; and

WHEREAS, the Township has received \$250,000.00 for development of said park, known as Sunshine Village Park, Phase II of the Skatepark, with the condition that the Township grant the County a Deed of Open Space Easement, which guarantees forever that the property be maintained for public park, recreation and open space uses, and prevents any use of the property that will significantly impair or interfere with the park, recreation and open space values of the property.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Neptune of the County of Monmouth in the State of New Jersey, that pursuant to State Statute allowing municipalities to accept a grant for an Open Space Easement, the governing body hereby authorizes the Mayor and Municipal Clerk to execute the Deed of Open Space Easement, and hereby grants a Deed of Open Space Easement to Monmouth County with regard to property located at Block 1807, Lot 2 (Formerly Block 307.26, Lot 5) on the Tax Map of the Township of Neptune granted at the time of development and improvement of said property, and that this Open Space Easement shall be granted to Monmouth County pursuant to the Deed of Open Space Easement attached hereto as Exhibit A.

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

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

<b>Motion/ Second</b>	<b>Roll Call To Adopt On First Reading</b>					Adopted on First Reading
		YAY	NAY	ABSTAIN	ABSENT	Dated:
	Dr. Michael Brantley					
	Robert Lane, Jr.					
	Nicholas Williams					
	Tassie D. York					_____
	Keith Cafferty					Gabriella Siboni, RMC Township Clerk

<b>Motion/ Second</b>	<b>Roll Call To Adopt On Second and Final Reading</b>					Adopted on Second Reading
		YAY	NAY	ABSTAIN	ABSENT	Dated:
	Dr. Michael Brantley					
	Robert Lane, Jr.					
	Nicholas Williams					
	Tassie D. York					_____
	Keith Cafferty					Gabriella Siboni, RMC Township Clerk

\_\_\_\_\_  
Gabriella Siboni  
Township Clerk

\_\_\_\_\_  
Keith Cafferty  
Mayor

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 23-210**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE AUTHORIZING THE DISCUSSION OF MATTERS IN A CLOSED SESSION PURSUANT TO THE STATUTORY EXCLUSIONS OF N.J.S.A. 10:4-12**

**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; and,

**WHEREAS**, the matters to be discussed relate to a statutorily excluded topic pursuant N.J.S.A 10:4-12(b) 1-9, specifically:

- Attorney- client privilege;
- X      Employment and personnel;
- Imposition of civil penalty;
- Investigation;
- Leasing or acquisition of property;
- Pending or anticipated litigation;
- Privacy;
- Public Safety;
- Educational matter;
- Contract Negotiation

**Description of matter:**

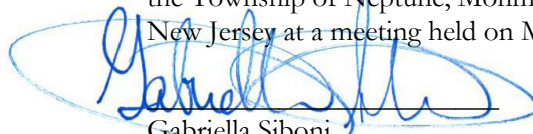
1. Employment and Personnel
  - o Board appointments, reclassifications

**WHEREAS**, this may be disclosed to the public at a time when the necessity for confidentiality no longer exists, or within six months or less from the date hereof; and,

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

1. That the Township Committee shall retire into executive session where the public shall be excluded and where said matters shall be discussed.
2. That the Township Committee shall reconvene in public session upon conclusions of the discussions.
3. That the minutes of this executive session shall be closed from public inspection and shall so remain until the reason for confidentiality ceases to exist, or upon formal action by the Township Committee at an official meeting.

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on May 22, 2023

  
Gabriella Siboni  
Township Clerk

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 23-211**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE APPOINTING MEMBERS TO THE NEPTUNE TOWNSHIP SEWERAGE AUTHORITY**

**WHEREAS**, the following members are being appointed to the Neptune Township Sewerage Authority:

<b>Board</b>		<b>Position</b>	<b>Term</b>	<b>Appointment</b>	<b>Expiration</b>	<b>Previous appointment</b>
Neptune Township Sewerage Authority	Unexpired Term of Alonzo Wright	Member	5 Year	5/22/2023	01/31/2025	Williams Jones

**BE IT RESOLVED**, by the Township Committee of the Township of Neptune that the following be and are hereby made and the composition of the board is as follows:

<b>Board</b>	<b>Position</b>	<b>Term</b>	<b>Appointment</b>	<b>Expiration</b>	<b>Name</b>
Neptune Township Sewerage Authority	Member	5 Year	2/1/2023	01/31/2028	Harry Devine
Neptune Township Sewerage Authority	Member	5 Year	2/1/2019	01/31/2024	James Manning, Jr
Neptune Township Sewerage Authority	Member	5 Year	2/1/2020	01/31/2025	William Jones
Neptune Township Sewerage Authority	Member	5 Year	2/1/2021	01/31/2026	James Mowczan
Neptune Township Sewerage Authority	Member	5 Year	2/1/2022	01/31/2027	Linda Johnson



**TOWNSHIP OF NEPTUNE**

**RESOLUTION 23-212**

**RESOLUTION OF THE TOWNSHIP OF NEPTUNE APPROVING VICTORY NATURAL FARMS LLC FOR A CANNABIS BUSINESS LICENSE TO OPERATE AS RECREATIONAL USE CANNABIS ESTABLISHMENT WITHIN THE TOWNSHIP OF NEPTUNE**

**WHEREAS**, in 2020 New Jersey voters approved Public Question 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

**WHEREAS**, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act,” N.J.S.A. 24:61-31 et seq. (the “Act”), which legalizes the personal use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial personal use cannabis operations, use, and possession; and

**WHEREAS**, the Act establishes the following six marketplace classes of business licenses to be issued by the State of New Jersey Cannabis Regulatory Commission for the legal operation of cannabis establishments and other types of cannabis marketplace activity in the State: Class 1 Cannabis Cultivator; Class 2 Cannabis Manufacturer; Class 3 Cannabis Wholesaler; Class 4 Cannabis Distributor; Class 5 Cannabis Retailer; and Class 6 Cannabis Delivery; and

**WHEREAS**, section 31a of the Act, N.J.S.A. 24:61-45a, authorizes municipalities to adopt ordinances and regulations prohibiting outright or limiting the number of any class of licensed “cannabis establishments” (defined in section 33 of the Act, N.J.S.A. 24-61-33, as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors, or cannabis delivery services allowed to operate within its municipal boundaries; and

**WHEREAS**, Victory Natural Farms LLC wishes to operate as both a medical and personal use cannabis establishment, and specifically as a Class 1 Cannabis Cultivator and Class 2 Cannabis Manufacturer within the Township of Neptune; and

**WHEREAS**, on February 28, 2022, the Neptune Township Committee passed Ordinance 22-10, which allows for Victory Natural Farms LLC to operate as both a medical and personal use cannabis establishment within the Township of Neptune, including specifically as a “Class 1 Cannabis Cultivator service:” and “Class 2 Cannabis Manufacturer service:”; and

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

1. The aforesaid recitals are incorporated herein as if set forth at length;
2. Victory Natural Farms LLC is registered to do business in the State of New Jersey and is authorized to operate as a Cannabis Cultivator and a Cannabis Manufacturer by the CRC;
3. The Township of Neptune has specifically passed Ordinance 22-10, which allows Victory Natural Farms LLC to operate both as a medical and personal use cannabis establishment, and specifically as a “Class 1 Cannabis Cultivator service:” and “Class 2 Cannabis Manufacturer service” within the Township of Neptune’s jurisdiction;

4. The issuance of a license to Victory Natural Farms LLC by the State to concurrently operate as both a medical and personal use cannabis establishment by the CRC will not exceed any limits placed on the number of licensed cannabis establishments permitted to operate within the municipality;
5. The Township of Neptune supports the application of Victory Natural Farms LLC and this Resolution may be relied upon by the CRC as proof of local support by the Township of Neptune of GDBS Distributors LLC certification.
6. The Township Clerk is hereby authorized and directed to provide a copy of this Resolution to GDBS Distributors LLC and to transmit a copy of this Resolution to the CRC; and
7. This Resolution shall take effect upon adoption in accordance with applicable law.

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 23-213**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
ACCEPTING RESIGNATIONS**

**WHEREAS**, the Human Resources Director has received notification from employee(s) that they will be resigning their position; and,

**THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Neptune that the resignation(s) of noted below are hereby accepted; and,

<u>NAME</u>	<u>DEPARTMENT</u>	<u>POSITION</u>	<u>DATE OF NOTIFICATION</u>	<u>EFFECTIVE DATE OF RESIGNATION</u>
Joseph Wierzbinsky	Historic Preservation Commission	Class C Member	May 17, 2023	June 15, 2023

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the respective departments, Business Administrator and Human Resources Director.

**TOWNSHIP OF NEPTUNE  
RESOLUTION #23-214**

**AUTHORIZING SETTLEMENT IN THE PROFESSIONAL LIABILITY LAWSUIT AGAINST  
FORMER LABOR ATTORNEY, NITA RAVAL, ESQ. BY NEPTUNE TOWNSHIP**

WHEREAS, former employee, Krista Horan, of the Municipal Library, was terminated, and after some negotiations between the then Township's Labor Attorney, Nita Raval, Esq., and Plaintiff's Attorney, a lawsuit was brought in the Superior Court of New Jersey, Monmouth County, under Docket No. MON-L-00306-18; claiming wrongful termination; and

WHEREAS, the matter was referred to the insurance carrier, National Casualty, under Policy No. PKONJA0025, but was denied coverage in the instant matter based on the proposition that negotiations between the then Labor Attorney, Nita Raval, Esq. and the Plaintiff's attorney had occurred two years previously causing a claim, which should have been supplied to the insurance carrier, and that said claim was not filed in a timely fashion; and

WHEREAS, as a result of the aforesaid denial, a Declaratory Judgment action was filed by Neptune Township in the Superior Court of New Jersey on September 19, 2018 seeking a court ruling and interpretation as to the appropriateness of the insurance carrier's denial as well as other insurance carriers and two JIF's; and

WHEREAS, in addition to the Declaratory Judgment action, the Township decided through its subsequent Labor Attorney to authorize a lawsuit to be filed against former Labor Attorney, Nita Raval, Esq. by Resolution authorizing a legal malpractice lawsuit and legal representation by the law firm of Grace, Marmero and Associates against Nita Raval, Esq. on March 11, 2019; and

WHEREAS, the Krista Horan matter was settled by Resolution of November 8, 2018, and the Declaratory Judgment action was settled by Resolution of December 22, 2022, with the Township receiving \$6,000.00; and

WHEREAS, it is now the recommendation of the attorney representing the Township, James Grace, Esq., to settle the Nita Raval matter for receipt of \$15,000.00 with mutual releases for all parties.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorizes a Stipulation of Settlement and Dismissal with Prejudice to be filed with the Court upon execution and mutual releases being provided, which shall settle the legal malpractice case against Nita Raval, Esq. for a total of \$15,000.00 with said mutual releases releasing all claims filed by all parties in this matter.

**TOWNSHIP OF NEPTUNE  
RESOLUTION 23-215**

**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; and,

**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:

<b>Block</b>	<b>Lot</b>	<b>Address</b>	<b>Amount</b>
504	16	45 Ridge Ave.	\$670.00
2301	83	730 John Terrace	\$300.00
714	7	1506 Monroe Ave.	\$713.75

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

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 23-216**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE TO  
TERMINATE EMPLOYEE**

**BE IT RESOLVED**, by the Township Committee of the Township of Neptune that Joseph SanFelice, Part Time Crossing Guard, be and is hereby terminated effective April 19, 2023, and;

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

**TOWNSHIP OF NEPTUNE  
RESOLUTION 23-217**

**AMENDMENT TO RESOLUTION AUTHORIZING MICHAEL BURNS, ESQ. OF THE RAINONE,  
COUGHLIN, MINCHELLO LAW FIRM TO REPRESENT THE TOWNSHIP OF NEPTUNE IN THE  
THIRD PARTY COMPLAINT IN THE CASE OF SAVAGE V. KEZMARSKY V. NEPTUNE TOWNSHIP  
FILED IN THE SUPERIOR COURT OF NEW JERSEY, LAW DIVISION, MONMOUTH COUNTY,  
UNDER DOCKET NO. MON-L-2588-21**

Whereas, on November 14, 2022, the Township adopted resolution 22-492 “Resolution Authorizing Michael Burns, Esq. Of The Rainone, Coughlin, Minchello Law Firm To Represent The Township Of Neptune In The Third Party Complaint In The Case Of Savage V. Kezmarsky V. Neptune Township Filed In The Superior Court Of New Jersey, Law Division, Monmouth County, Under Docket No. Mon-L-2588-21,” and;

WHEREAS, former Police Officer Savage filed a lawsuit against expert Kezmarsky, who as the expert of the Police Department advised the Township that Savage was not fit for duty, and as a result, Plaintiff Savage is now suing Kezmarsky for lost wages and malpractice, and Defendant Kezmarsky is suing Defendant, Township of Neptune, who retained her originally for her expert opinion; and

WHEREAS, the JIF has denied coverage to the Township in the Third Party Complaint against the Township; and

WHEREAS, Special Counsel needs to be appointed to represent the Township in the Third Party Complaint, and it is the opinion of the Township Committee that Michael Burns, Esq., prior Special Counsel and Labor Counsel appointed to the Township, should be appointed to represent the Township privately with regard to the Third Party Complaint at the normal municipal rate of \$130.00 per hour; exclusive of costs and disbursements; and

WHEREAS, this contract was awarded through a “non-fair and open process” pursuant to N.J.S.A. 19:44A-20.5;  
WHEREAS, it is necessary to increase the appropriation by \$25,000.00 due to research, preparation, records requests, and preparation of motions, and;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorizes Michael Burns, Esq., of the Law Firm of Raione, Coughlin, Minchello to represent Neptune Township as Special Counsel with regard to the Third Party Complaint in the lawsuit of Savage v. Kezmarsky v. Neptune Township, under Docket No. MON-L-2588-21, filed in the Superior Court of New Jersey, Monmouth County, Law Division; subject monitoring by the Municipal Attorney.

BE IT FURTHER RESOLVED, that the Mayor and Township Committee authorizes additional legal fees not to exceed twenty five thousand dollars (\$25,000.00) for a total of \$30,000.00 without additional approval for the purpose of this litigation.

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on May 22, 2023

\_\_\_\_\_  
Gabriella Siboni  
Township Clerk

**Certification of Funds**

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for above noted agreement.

<b>Account Name</b>	<b>Account Number</b>
Legal OE	01-201-20-155-020

\_\_\_\_\_  
Michael Bascom, Chief Financial Officer

\_\_\_\_\_  
Date

**TOWNSHIP OF NEPTUNE  
RESOLUTION 23-218**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
AUTHORIZING A CHAPTER 159 BUDGET AMENDMENT TO INSERT REVENUE  
RECEIVED FOR THE STORMWATER ASSISTANCE GRANT APPLICATION**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue for any 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;

**WHEREAS**, the Township received \$15, 000.00 for Stormwater Assistance Grant Award and wishes to amend its 2023 budget to include this amount as revenue, and;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and 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 2023 in the sum of received \$15,000.00 which is now available as revenue from:

**Miscellaneous Revenues:**

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Stormwater Assistance Grant Award for received \$15,000.00

**BE IT FURTHER RESOLVED**, that a like sum of received \$15,000.00 and the same is hereby appropriated under the caption of:

**Additional Appropriations Offset by Revenues:**

Stormwater Assistance Grant Award for received \$75,000.00



**TOWNSHIP OF NEPTUNE**

**RESOLUTION 23-219**

**AUTHORIZING THE REJECTION OF BIDS OF BIDS RECEIVED FOR IMPROVEMENT  
TO PUBLIC WORKS FACILITY, PHASE II**

**WHEREAS**, the Township of Neptune noticed and received bids for Improvement To Public Works Facility, Phase II, and;

**WHEREAS**, the bids submitted were as follows:

<b>Company</b>	<b>Address</b>	<b>Total Amount for Base Bid</b>
Precise Construction	1016 Highway 33 Freehold, NJ 07728	\$4,963,233.00

**WHEREAS**, the Township of Neptune wishes to reject all bids submitted for Improvement To Public Works Facility, Phase II due to exceeding budget allocated for project, and;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Neptune that the Municipal Clerk is hereby authorized to reject all bids received on or before May 16, 2023 for Improvement To Public Works Facility, Phase II for the Township of Neptune.

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 23-222**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
ACCEPTING THE VOLUNTARY SURRENDER OF LIQUOR LICENSE 1334-36-037-003 AND  
PLACING THE LICENSE IN HISTORY**

WHEREAS, The Township Clerk has been notified that One NJ Neptune 230 Management, LLC, holder of license 1334-36-037-003 wish to voluntarily surrender their liquor license, and;

WHEREAS, the following information is linked to the liquor license being voluntarily surrendered:

<b>License Type</b>	<b>License Number</b>	<b>D/B/A Name</b>	<b>Corporate Name</b>	<b>Location</b>
Plenary Retail Consumption	1334-36-037-003	Residence Inn	One NJ Neptune 230 Management, LLC	230 Jumping Brook Rd. Neptune, NJ 07753

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Neptune that:

1. The liquor license noted above has been voluntarily surrendered and accepted by the Municipal Clerk.
2. The liquor license number 1334-36-037-003 has been placed in History of the Township of Neptune.
3. All Township officials, including, but not limited to, the Mayor, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

**TOWNSHIP OF NEPTUNE  
RESOLUTION 23-223**

**AUTHORIZE INTRA-COUNTY MUTUAL AID AND ASSISTANCE AGREEMENTS WITH  
PARTICIPATING UNITS IN THE COUNTY OF MONMOUTH**

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. Seq., (“Act”) provides that any local governmental unit may enter into a contract with any other local governmental unit to provide or receive any service that each local unit is empowered to provide or receive within its own jurisdiction; and

WHEREAS, mutual aid and assistance agreements between municipalities, counties, law enforcement agencies, police, emergency medical service, fire departments, fire companies, or EMS organizations and fire departments situated in fire districts operated by a Board of Fire Commissioners, are permitted pursuant to N.J.S.A. 40A: 14-26 and 40A: 14-156.1; and

WHEREAS, the President in Homeland Security Directive (HSPD-5), directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (“NIMS”), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, “The New Jersey Civilian Defense and Disaster Control Act” App.A9-33 et. seq., provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency; and

WHEREAS, The Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the “Fire Service Resource Emergency Deployment Act,” N.J.A.C. 52:14E-11 et. seq., commonly referred to as the “Fire Service Resource Emergency Deployment Regulations” N.J.A.C. 5:75A et. seq.; and

WHEREAS, the Township Committee of the Township of Neptune deem it to be in the best interests of the Township to enter into Mutual Aid and Assistance Agreements with governmental entities throughout Monmouth County and all of their departments, authorities, boards, commissions and other functions under the auspices of each participating governmental entity including but not limited to, law enforcement, public works, emergency medical services, emergency management, human services, hazardous materials response units technical or special operations teams, Community Emergency Response Team (“CERT”) members, Medical Reserve Corps (“MRC”) members or other volunteers and other jurisdictions defined “local governments” in the Homeland Security Act of 2002; and

WHEREAS, N.J.S.A. 40A:14-26 et seq. has authorized inter-jurisdictional mutual aid; and

WHEREAS, the Township Committee of the Township of Neptune and the Participating Units recognize the benefit of entering into an Agreement for mutual aid and assistance with each other to protect against loss, damage or destruction by fire, civil unrest, hazardous material, major criminal or emergency events, natural and man-made disaster or catastrophe and to address those situations when additional aid and assistance is needed to protect the best interests of the persons and property of each individual jurisdiction,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Intra-County Mutual Aid and Assistance Agreements between the Township of Neptune, County of Monmouth and Participating Units be and are hereby accepted; and,

BE IT FURTHER RESOLVED that the Mayor and Clerk of the Township of Neptune are authorized to execute the Intra-County Mutual Aid and Assistance Agreements; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution to the Monmouth County Sheriff; Neptune Township Office of Emergency Management Coordinator; and Township Attorney.

**TOWNSHIP OF NEPTUNE**

**RESOLUTION #23-224**

**AUTHORIZING 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:

**May 22, 2023 BILL LIST**

Current Fund	\$9,136,078.30
Grant Fund	\$77,676.35
Trust Other	\$24,607.02
General Capital	\$42,836.65
Sewer Operating Fund	\$1,230,725.66
Sewer Capital Fund	\$12,368.75
Marina Operating Fund	\$49,264.58
Dog Fund	\$397.80
Library Trust	\$1,288.42
<b>Bill List Total</b>	<b>\$10,575,243.53</b>

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

**TOWNSHIP OF NEPTUNE  
RESOLUTION 23-225**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
AUTHORIZING CERTAIN PERSONNEL ACTIONS- OFFICE OF EMERGENCY  
MANAGEMENT**

**WHEREAS**, the following appointments have been reviewed by the Department Heads of the respective Departments; and,

**WHEREAS**, the Human Resources Director in consultation with the Township Administrator and the Department Heads involved have recommended the appointments of the following individuals; and,

**WHEREAS**, the Township Administrator concurs with the findings of the Department Head and hereby recommends to the Township Committee that the following appointments be made; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Neptune that the following personnel actions be and are hereby authorized on the effective date included herein pending favorable outcomes of psychological evaluation, drug screen and physical:

<u>NAME</u>	<u>DEPARTMENT</u>	<u>POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Courtney Langer	OEM	OEM Secretary	\$1,600.00	June 1, 2023
Melissa Zucconi	OEM	OEM Secretary	\$1,600.00	June 1, 2023
Lisa Mansfield	OEM	OEM Secretary	\$1,600.00	June 1, 2023

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on May 22, 2023.

\_\_\_\_\_  
Gabriella Siboni  
Township Clerk

**Certification of Funds**

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the above noted personnel actions.

**Account Name**

\_\_\_\_\_  
Michael Bascom, Chief Financial Officer

\_\_\_\_\_  
Date

**TOWNSHIP OF NEPTUNE  
RESOLUTION 23-226**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
AUTHORIZING CERTAIN PERSONNEL ACTIONS- RECLASSIFICATION**

**WHEREAS**, the following re-classifications have been reviewed by the Department Heads of the respective Departments; and,

**WHEREAS**, the Human Resources Director in consultation with the Township Administrator and the Department Heads involved have recommended the Reclassification of the following individuals; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Neptune that the following personnel actions be and are hereby authorized on the effective date included herein.

<u>NAME</u>	<u>DEPT</u>	<u>PREVIOUS POSITION</u>	<u>RECLASSIFICATION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
	Senior Center Code and Construction				
Joseph Acerra	Public Works	Operator	Driver	\$42,000.00	May 9, 2023
Courtney Langer	Finance	Payroll Accountant	Department Secretary	\$58,000.00	June 1, 2023

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on May 22, 2023..

\_\_\_\_\_  
Gabriella Siboni  
Township Clerk

**Certification of Funds**

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the execution of sublease agreement with the Chamber of Commerce

Account Name

\_\_\_\_\_  
Michael Bascom, Chief Financial Officer

\_\_\_\_\_  
Date