

RESOLUTION #18-409 – 12/20/18

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 – Appointments for 2019

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 20, 2018 – 7:00 P.M.

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

ROLL CALL

PRESENT/ABSENT

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

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

Silent Prayer and Flag Salute

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

Mayor 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 January 4, 2018 posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at www.neptunetownship.org.

APPROVAL OF MINUTES – Motion offered by _____, seconded by _____, to approve the minutes of the meeting held on December 10th.

PROCLAMATIONS – NEPTUNE AMERICAN YOUTH FOOTBALL – The Mayor will present proclamations to the Neptune Fliers American Youth Football & Cheer Age 10 Unlimited Team and Age 12 Unlimited Team. Both teams won 10 games and were "A-South Conference Regular Season Champions".

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

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

CONSENT AGENDA

Res. #18-410 – Cancel request for an amendment to the 2018 municipal budget to realize monies from the Monmouth County Office on Aging.

Res. #18-411 – Employ Public Safety Officer in the Emergency Medical Services Department on a part-time basis.

Res. #18-412 – Employ Special Law Enforcement Officers – Class II in the Police Department on a part-time basis.

Res. #18-413 – Accept Corrective Action Plan in connection with the 2017 audit recommendations.

Res. #18-414 – Authorize participation in an electronic tax sale.

Res. #18-415 – Establish fee for notice of tax sale to delinquent accounts.

Res. #18-416 – Authorize the Chief Financial Officer to cancel state and federal grant reserves and receivables upon completion of grant programs.

Res. #18-417 – Authorize the cancellation of credit balances for taxes.

Res. #18-418 – Authorize the refund of sewer rent (505 Wakefield Road).

Res. #18-419 – Authorize the refund of taxes as a result of an overpayment.

Res. #18-420 – Authorize the cancellation of taxes as a result of the granting of a totally disabled veterans exemption (18 Toomin Drive).

Res. #18-421 – Authorize withdrawal of bid submitted by James R. Ientile, Inc. for the Heck Avenue Sewer Rehabilitation Project.

Res. #18-422 – Authorize the Chief Financial Officer and other Township Officials to undertake certain actions in connection with the issuance of a not to exceed \$816,413 General Improvement Bond Anticipation Note and a not to exceed \$67,450 Marina Utility Bond Anticipation Note.

Res. #18-423 – Accept the resignation of Peter Longo as a member of the Wesley Lake Commission and the Environmental/Shade Tree Commission.

Res. #18-424 – Authorize a reduction in the performance guarantee filed by New York Concourse, LLC for site improvements at the Headliner (1401 Highway 35).

Res. #18-425 – Authorize the transfer of 2018 budget appropriations.

Res. #18-426 – Award Façade Improvement Loan/Grant to Eastin Enterprises, Inc. d/b/a Ocean Grove Hardware, 51 Main Avenue.

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

Res. #18-427 – Award bid for Heck Avenue Sewer Rehabilitation Project.

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

Res. #18-428 – Extend offer of employment for the position of Recreation Coordinator in the Recreation Department.

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

Res. #18-429 – Authorize the payment of bills.

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

Res. #18-430 – Adopt Side Bar Agreement between Neptune Township and New Jersey State FOP
Lodge 19 Neptune Township Unit.

Offered by: _____ Seconded by: _____

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

Res. #18-431 – Adopt Side Bar Agreement between Neptune Township and New Jersey State PBA
Local 74 Neptune Township Unit.

Offered by: _____ Seconded by: _____

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

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

RESOLUTION #18-410 - 12/20/18

CANCEL REQUEST FOR AN AMENDMENT TO THE 2018 MUNICIPAL BUDGET
TO REALIZE MONIES FROM THE MONMOUTH COUNTY OFFICE ON AGING

WHEREAS, on October 4, 2018, the Township Committee adopted Resolution #18-344 which requested the Director of the Division of Local Government Services to approve an additional item of revenue in the 2018 municipal budget in the amount of \$10,000.00 to be received from a Monmouth County Office on Aging FY19 Title IIIB Older Americans Act grant; and,

WHEREAS, this sum will be appropriated as part of the 2019 budget; and,

WHEREAS, the Chief Financial Officer recommends that the request to insert said additional item of revenue in the 2018 municipal budget be cancelled,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune hereby cancels Resolution #18-344 which requested the insertion of \$10,000.00 in the 2018 municipal budget as an additional item of revenue from a Monmouth County Office on Aging FY19 Title IIIB Older Americans Act grant; 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:

Brantley:
Lane:
McMillan:
Rizzo:
Williams:

RESOLUTION #18-411 - 12/20/18

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

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

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

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

WHEREAS, funds for this purpose will be provided in the 2018 municipal budget in the appropriation entitled Emergency Medical Services S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Joseph W. Gentile be and is hereby employed as a part-time Public Safety Officer, effective December 21, 2018, contingent upon successful completion of a background investigation and medical evaluation, at an hourly rate of \$17.43; and,

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

RESOLUTION #18-412 - 12/20/18

EMPLOY SPECIAL LAW ENFORCEMENT OFFICERS – CLASS II
IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

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

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

WHEREAS, the Chief of Police and Police Committee have made their recommendations; and,

WHEREAS, funds will be provided in the 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 Jaheem J. Woods and Bryan K. Jones be and are hereby employed as part-time Special Law Enforcement Officers - Class II, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, and effective upon successful completion of the Special Law Enforcement Officer – Class II training at the Monmouth County Police Academy at an hourly rate of \$20.50; 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.

RESOLUTION #18-413 - 12/20/18

ACCEPT A CORRECTIVE ACTION PLAN IN CONNECTION
WITH THE 2017 AUDIT RECOMMENDATIONS

WHEREAS, the Township Committee previously accepted the 2017 Township of Neptune audit by resolution; and,

WHEREAS, the Chief Financial Officer has reviewed the comments and recommendations portion of said audit and submitted a Corrective Action Plan to the Township Committee,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Corrective Action Plan of the 2017 Township of Neptune Audit be and is hereby accepted and is authorized for submission to the Division of Local Government Services; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer.

*Township of Neptune
Corrective Action Plan - In Response to 2017 Audit
Michael J. Bascom, CMFO, CTC*

Comment / Recommendation	Explanation	Corrective Action	Responsible Employee	Date of C.A.
<p>2007-001: The general ledger was not properly maintained. We noted deficiencies: (a) subsidiary ledgers were not properly reconciled to control totals; (b) there were revenue and expenditures that were charged/credited to improper accounts; (c) a payroll agency account that is unidentified; (d) an ordinance had been recorded in the general ledger before proper approval was obtained; and (e) the opening balances in the Grant Fund did not agree with the 2016 audited balances.</p>	<p>An ordinance was posted before it was approved, a grant was posted without proper approval from the State and an encumbrance was authorized against a grant prior to its' proper approval. In addition, a balance in the payroll agency fund which had been resolved in 2016, was reversed and recreated in error in 2017</p>	<p>Immediate action has been taken to improve internal controls so as to assure the maintenance of an accurate and compete general ledger. The 2018 and 2019 Cash Management Plan / Finance Policy has been updated to reinforce appropriate GASB compliant internal controls that will reduce the possibility of such posting errors in the future</p>	<p>M. Bascom CFO E. Hudson Asst. CFO</p>	<p>12/1/2018</p>
<p>2007-002: Various ordinances in the Township's capital funds have cash deficits.</p>	<p>At the end of 2017, the township had chosen not to finance certain ordinances as adequate funds existed in the capital accounts. The township chose to wait to issue such financing until addition ordinances were adopted and a level of aggregation existed to warrant the issuance of bonds and or notes.</p>	<p>The Township took action in 2018 to finance the deficit balances in various ordinances through budgetary appropriations, cancellations and the issuance of notes.</p>	<p>M. Bascom CFO</p>	<p>12/1/2018</p>
<p>2007-003: Our testing of the Inspection Fee Escrow, Developers Escrow and Special Escrow accounts revealed the following deficiencies; (a) inspection fee account overdrafts; (b) bank interest was improperly credited to applicant and Township</p>	<p>These escrow accounts are managed at several levels by the Planning Board, Board of Adjustment and Engineering Department. At times, these agencies have authorized</p>	<p>Updates have been made to the internal controls and process for managing these accounts. Involved departments have been made aware of their responsibility to properly manage these accounts.</p>	<p>M. Bascom CFO E. Hudson Asst CFO M. Zucconi</p>	<p>12/7/2018</p>

*Township of Neptune
 Corrective Action Plan - In Response to 2017 Audit
 Michael J. Bascom, CMFO, CTC*

<p>accounts; and (c) an unidentified balance in the Developer Escrow and Special Escrow accounts.</p>	<p>payments in excess of the amount available in escrow. In addition, bank interest changes based upon the balance in the escrow (above or below \$5,000). The Finance Department erred in identifying the appropriate interest to be transferred (less than \$50.00) from two escrow balances over the course of the year.</p>		<p>Asst. Purchasing Agent Planning Board Board of adjustment Engineering and Planning Dept.</p>	
<p>2018-004: Interfunds receivable and payable are reflected on the various balance sheets of the funds at December 31, 2017.</p>	<p>While an effort is made each year to clear all interfunds, post year end adjustments sometimes create interfunds.</p>	<p>The Township has taken steps to improve the general ledger as described in 2018-001. This should reduce the need for post year end adjustments that create interfunds.</p>	<p>M. Bascom CFO E. Hudson Asst. CFO</p>	<p>12/1/2018</p>
<p>2018-005: Our examination of 2017 tax appeals revealed that three of thirteen appeals used incorrect tax rates.</p>	<p>The Township utilized the computerized processing system to create these adjustments. A flaw in the system resulted in the application of the wrong rate, resulting in minor differences in what should have been adjusted.</p>	<p>This matter has since been addressed by the computer vendor. In the future, all tax appeal adjustments will be manually proofed.</p>	<p>M. Bascom Tax Collector M. Narciso Dep. Tax Collector</p>	<p>12/1/2018</p>
<p>2018-006: Our testing of expenditures revealed deficiencies in the application of the Township's internal control policies and procedures over expenditures. We noted the following: (a) math inaccuracies; (b) invoices dated prior to the purchase order date; (c) IRS form 1099 was not issued to qualifying vendors; (d) missing voucher</p>	<p>It should be noted that math inaccuracies are very uncommon, but were noted in the review. There are certain departments that have failed to wait for an approved PO prior to moving forward with a purchase. The IRS Form 1099 was not</p>	<p>Internal control policies have been reviewed with the finance department staff. A finance training program was presented to some departments and will be presented at the next department heads meeting to assure that all departments understand the need to remain compliant with our</p>	<p>E. Hudson Asst CFO . Purchasing Agent M. Zucconi Asst. Purchasing Agent</p>	<p>12/15/2018</p>

*Township of Neptune
Corrective Action Plan - In Response to 2017 Audit
Michael J. Bascom, CMFO, CTC*

<p>packages; and (e) unable to determine proper charge to budget.</p>	<p>issued to some vendors who had failed to provide the appropriate W-9 with the Township and as mentioned in comment 2018-001, an appropriation budget was established prior to approval, as such, charges were processed that should not have been.</p>	<p>purchasing policy and state regulations.</p>	
<p>2018-007: The Annual Debt Statement does not agree with the audit report.</p>	<p>The Annual Debt Statement, which was prepared by our auditor and certified by the CFO contained an ordinance that did not receive final approval prior to the preparation of the AFS. As a result, the AFS does not agree to the audit report.</p>	<p>The internal control process over the posting of ordinances has been modified to assure that final approval has been received prior to posting new ordinances.</p>	<p>E. Hudson Asst. CFO 12/1/2018</p>
<p>2018-008: Our testing of Construction Officer permits revealed the following deficiencies; (a) building sub-code fees were incorrectly calculated; and (b) plumbing sub-code fee were overcharged.</p>	<p>The program provider, Jungle Laser, rounded fees by rounding off the estimated cost of work to the nearest thousand. We round off the fee amount to the nearest dollar.</p>	<p>The issue concerning rounding off was discovered in the first quarter of 2018 and corrected. The auditor noted the issue only occurred in the first quarter. Closer scrutiny of Plumbing Subcode fees.</p>	<p>W. Doolittle Construction Official 12/15/2018</p>
<p>2018-009: The annual UCC report submitted to the state was not complete.</p>	<p>Secretarial staff salaries were incorrectly reported and certain expenses were not included.</p>	<p>Secretarial staff time devoted to UCC functions will be monitored and omitted expenses such as vehicles, legal fees, etc. will be included</p>	<p>W. Doolittle Construction Official 12/15/2018</p>
<p>2018-010: During our examination of the various grants, we noted there was revenue that was not applied to appropriate receivable accounts, and furthermore, we</p>	<p>Revenue received from a grant was posted to a grant with a similar name in error. In addition, there are several grant</p>	<p>There were several new employees responsible for posting revenues. As a result, a grant was posted to another grant with a similar name. All</p>	<p>Various departments E. Hudson, 12/1/2018</p>

*Township of Neptune
 Corrective Action Plan - In Response to 2017 Audit
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<p>noted the relationships between many of the receivable balances and reserve balances are not what would be considered normal given the activity within the accounts.</p>	<p>programs that require a review by the department responsible for administering the grant to assure that the receivable and reserve balances are accurate and properly closed out when a grant is finalized.</p>	<p>employees have been provided with a copy of the finance policies regarding grant administration. Additional internal controls have been developed and reviewed with the staff to assure more timely and accurate administration of grants.</p>	<p>Asst. CFO M. Narciso, Dep. Tax Collector</p>	
<p>2018-011: In the library, there are stale encumbered purchase orders.</p>	<p>The library has several purchased orders that seem to be stale.</p>	<p>The library has been directed to review their open purchase orders and take appropriate action to close them as required in our purchasing policy.</p>	<p>J. Bonney, Library Director</p>	<p>12/1/2018</p>
<p>2018-012: On a monthly basis, the Municipal Court general bank reconciliation contained reconciling items which were not resolved on a timely basis. In addition, the general account bank reconciliations contained unreconciled differences.</p>	<p>There are errors in the court bank reconciliations that must be resolved.</p>	<p>The Court Administrator has been advised of these errors and plans to review the bank reconciliations to assure that they are accurate and that reconciling items are posted in a timely manner.</p>	<p>U. Postell, Court Administrator</p>	<p>12/31/2018</p>

RESOLUTION #18-414 – 12/20/18

AUTHORIZE PARTICIPATION IN AN ELECTRONIC TAX SALE

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for electronic tax sales, and,

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales, and,

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and,

WHEREAS, the Township of Neptune wishes to participate in an electronic tax sale,

THEREFORE, BE IT RESOLVED, by the Township Committee of Township of Neptune, New Jersey, that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Tax Collector, Deputy Tax Collector and Auditor.

RESOLUTION #18-415 – 12/20/18

ESTABLISH FEE FOR NOTICE OF TAX SALE TO DELINQUENT ACCOUNTS

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services, and

WHEREAS, the rules and regulations require a municipality to send two (2) notices of tax sale to all properties included in said sale; and

WHEREAS, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, the Township of Neptune wishes to charge \$25.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base,

rw THEREFORR, BE IT RESOLVED by the Township Committee of the Township of Neptune that a fee of \$25.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2019 electronic tax sale; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Tax Collector, Deputy Tax Collector and Auditor.

RESOLUTION #18-416 - 12/20/18

AUTHORIZE THE CHIEF FINANCIAL OFFICER TO CANCEL STATE AND FEDERAL
GRANT RESERVES AND RECEIVABLES UPON COMPLETION OF GRANT PROGRAMS

WHEREAS, the Township of Neptune is the recipient of various state and federal grants;
and,

WHEREAS, upon completion of grant program, the Chief Financial Officer desires to cancel
any reserve and/or receivable as appropriate to maintain an accurate accounting of all state and
federal grant programs,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune
that the Chief Financial Officer be and is hereby authorized to cancel various state and federal grant
reserves and/or receivables upon completion of the grant program or as otherwise necessary to
maintain an accurate accounting of all state and federal grant programs; and,

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

RESOLUTION #18-417 - 12/20/18

AUTHORIZE THE CANCELLATION OF CREDIT BALANCES FOR TAXES

WHEREAS, the below listed properties reflect credit balances for taxes as indicated; and,

WHEREAS, the Tax Collector has exhausted all means in an effort to identify the owner of said funds; and,

WHEREAS, the Tax Collector has recommended canceling said credit to fund balance,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to cancel a credit balance as described herein,

BLOCK	LOT	OWNER	YEAR	AMOUNT
4202	8	Patel	2015	1,388.53
1002	11	Cesar	2016	1,737.06
606	7	Sharon Ventures	2017	901.61

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

RESOLUTION #18-418 – 12/20/18

AUTHORIZE THE REFUND OF SEWER RENT (505 WAKEFIELD ROAD)

WHEREAS, the property listed below reflect an overpayment; 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	SEWER
1604/7	Wisdom	505 Wakefield Rd	2018	\$240.66

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Tax Collector, Assistant C.F.O. and Auditor.

RESOLUTION #18-419 - 12/20/18

AUTHORIZE THE REFUND OF TAXES
AS A RESULT OF AN OVERPAYMENT

WHEREAS, the properties listed below reflect overpayments; and,

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

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

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
2601	54	Layton	208 Iris Drive	2018	\$1,938.09
1503	4	Lewis	811 Stamford Drive	2018	1,427.95
1809	7	Laney	202 Hollywood Avenue	2018	755.20

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

RESOLUTION #18-420 – 12/20/18

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

WHEREAS, the property known as Block 3207, Lot 9, with an address of 18 Toomin Drive was granted a Totally Disabled Veteran Exemption as of November 27, 2018 and should be tax exempt; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against this property for 2018 as of November 27, 2018 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
2018	\$ 715.70	\$ 715.70

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.

RESOLUTION #18-421 - 12/20/18

AUTHORIZE WITHDRAWAL OF BID SUBMITTED BY JAMES R. IENTILE, INC.
FOR THE HECK AVENUE SEWER REHABILITATION PROJECT

WHEREAS, on December 4, 2018, the Township Engineering Consultant accepted bids for the Heck Avenue Sewer Rehabilitation Project; and,

WHEREAS, James R. Ientile, Inc. submitted the apparent low bid in the amount of \$706,449.50; and,

WHEREAS, James R. Ientile, Inc. has requested to withdraw their bid because they inadvertently excluded bypass pumping from the total bid price; and therefore, the submitted bid is not reflective of their actual bid price; and,

WHEREAS, in accordance with Local Public Contracts Law, N.J.S.A. 40A:11-2(34), a bidder may request withdrawal of a bid due to a mistake on the part of the bidder with five business days after the bid opening if the mistake was of great consequence; and,

WHEREAS, in accordance with N.J.S.A. 40A:11-9, the Township Attorney shall review the request for bid withdrawal and make a recommendation to the governing body of the contracting unit as to the disposition of the request; and,

WHEREAS, the Township Attorney has recommended that the Township Committee accept the request for bid withdrawal submitted by James R. Ientile, Inc.,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the request submitted by James R. Ientile for the withdrawal of their bid submitted for the Heck Avenue Sewer Rehabilitation Project on December 4, 2018, be and is hereby accepted and the bid is considered withdrawn; and,

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

RESOLUTION #18-422 – 12/20/18

AUTHORIZE THE CHIEF FINANCIAL OFFICER AND OTHER TOWNSHIP OFFICIALS TO UNDERTAKE CERTAIN ACTIONS IN CONNECTION WITH THE ISSUANCE OF A NOT TO EXCEED \$816,413 GENERAL IMPROVEMENT BOND ANTICIPATION NOTE AND A NOT TO EXCEED \$67,450 MARINA UTILITY BOND ANTICIPATION NOTE

WHEREAS, the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township") is seeking to issue a not to exceed \$816,413 General Improvement Bond Anticipation Note to finance, on a temporary basis, general capital improvements in and by the Township (the "General Bond Anticipation Note") and a not to exceed \$67,450 Marina Utility Bond Anticipation Note to finance, on a temporary basis, marina capital improvements in and by the Township (the "Marina Bond Anticipation Note" and together with the General Bond Anticipation Note, the "Notes"); and

WHEREAS, the Township desires to issue the Notes to the Sewer Operating Fund of the Township; and

WHEREAS, such Notes shall bear interest at a rate of zero and zero hundredths percentum (0.00%) per annum and shall mature on December 20, 2019; and

WHEREAS, the Township seeks to authorize the issuance of the Notes to the Sewer Operating Fund of the Township.

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY as follows:

Section 1. Pursuant to and in accordance with Bond Ordinance Number 16-27 and Bond Ordinance Number 17-36 duly adopted by the Township (collectively, the "General Improvement Bond Ordinances"), a General Improvement Bond Anticipation Note of the Township in an aggregate principal amount not to exceed \$816,413 (the "General Bond Anticipation Note") shall be issued for the purpose of financing, on a temporary basis, general capital improvements in and by the Township.

Section 2. Pursuant to and in accordance with Bond Ordinance Number 16-29 duly adopted by the Township (the "Marina Bond Ordinance"), a Marina Utility Bond Anticipation Note of the Township in an aggregate principal amount not to exceed \$67,450 (the "Marina Bond Anticipation Note" and together with the General Bond Anticipation Note, the "Notes") shall be issued for the purpose of financing, on a temporary basis, marina capital improvements in and by the Township.

Section 3. The Notes are authorized to be issued to the Sewer Operating Fund of the Township.

Section 4. The Notes shall be dated December 21, 2018 and shall mature on December 20, 2019 and shall bear interest from their date, which interest shall be at a rate of zero and zero hundredths percentum (0.00%) per annum, and shall be in the form attached hereto as Exhibit A.

Section 5. The Notes shall be subject to prepayment by the Township at any time prior to their stated date of maturity.

Section 6. The Notes shall be executed by the Mayor and the Chief Financial Officer of the Township and the official seal shall be thereunto affixed and attested to by the Clerk of the Township. To the extent not otherwise determined by this resolution, it is hereby delegated to the Chief Financial Officer of the Township the authority to determine all matters in connection with the Notes issued, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. The Chief Financial Officer is also hereby authorized to sell part or all of the Notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Committee at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the Notes so sold, the price obtained and the name of the purchaser. The Chief Financial Officer is hereby authorized and directed to deliver any certificates necessary in connection with the issuance of the Notes.

Section 7. This resolution shall take effect immediately.

Upon motion of _____, seconded by _____, the foregoing resolution was adopted by affirmative vote of the majority of the Township Committee at a regular meeting of the Township Committee duly called and held on the 20th day of December, 2018 by the following vote:

AYES:

NAYS:

ABSENTEES:

CERTIFICATION

I, RICHARD J. CUTTRELL, Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), DO HEREBY CERTIFY that the annexed resolution is a true, complete and correct copy of a resolution duly adopted by the Township Committee at its meeting duly called and held on December 20, 2018, in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., at which meeting a quorum was present and acting throughout and which resolution has been compared by me with the original thereof as officially recorded in the Minute Book of said Township Committee and that said resolution has not been amended, modified or repealed and is in full force and effect as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Township this 21st day of December, 2018.

(SEAL)

RICHARD J. CUTTRELL,
Clerk of the Township of Neptune

EXHIBIT A
FORM OF NOTES

BAN 2018-3GI

\$816,413

**Township of Neptune,
In the County of Monmouth,
State of New Jersey
United States of America**

GENERAL IMPROVEMENT BOND ANTICIPATION NOTE

KNOW ALL MEN BY THESE PRESENTS that the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), for value received, hereby acknowledges itself to be indebted and promises to pay to the Sewer Operating Fund of the Township, the registered owner hereof or its registered assigns, on the 20th day of December, 2019, the principal sum of EIGHT HUNDRED SIXTEEN THOUSAND FOUR HUNDRED THIRTEEN DOLLARS (\$816,413) with interest thereon at the rate of zero and zero hundredths percentum (0.00%) per annum (computed on the basis of a 360-day year of twelve 30-day months), payable at the maturity hereof. Both principal of and interest on this Note are payable in lawful money of the United States of America upon presentation and surrender hereof at the Office of the Chief Financial Officer of the Township. The full faith and credit of the Township are hereby irrevocably pledged for the prompt payment of the principal of and interest on this Note as the same become due and payable.

This Note may be registered as to principal and interest after which it will be transferable only upon presentation to the Chief Financial Officer of the Township at his office with a written assignment duly acknowledged or proved, and the name of the assignee shall be endorsed hereon and entered in the books kept in the office of said Chief Financial Officer of the Township.

This Note is subject to prepayment by the Township at any time prior to its stated maturity.

This Note is being issued to temporarily finance the costs of various general capital improvements in the Township. This Note is authorized to be issued pursuant to the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*, as amended and supplemented, various bond ordinances duly adopted by the Township Committee, approved by the Mayor and published as required by law, and a resolution duly adopted by the Township Committee on December 20, 2018.

It is hereby certified and recited that all acts, conditions and things essential to the validity of this Note exist, have happened and have been done, and that every requirement of law affecting the issuance hereof has been duly complied with, and this Note is within every debt and other limit prescribed by the Constitution and laws of the State of New Jersey.

IN WITNESS WHEREOF, the Township has caused this Note to be signed by its Mayor and Chief Financial Officer and its official seal to be hereunto affixed and attested to by the Township Clerk, and this Note to be dated the 21st day of December, 2018.

**TOWNSHIP OF NEPTUNE, IN THE COUNTY OF
MONMOUTH, NEW JERSEY**

By: **[FORM OF NOTE- DO NOT SIGN]**
NICHOLAS WILLIAMS,
Mayor

(SEAL)

[FORM OF NOTE- DO NOT SIGN]
MICHAEL J. BASCOM,
Chief Financial Officer

[FORM OF NOTE- DO NOT SIGN]
RICHARD J. CUTTRELL,
Township Clerk

BAN 2018-3GI

\$816,413

Township of Neptune
in the County of Monmouth
State of New Jersey
United States of America

REGISTERED CERTIFICATE

It is hereby certified that the within Note is registered as to principal and interest
as follows:

Date of Registry	Name of Registered Holder	Registered By
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Township of Neptune,
In the County of Monmouth,
State of New Jersey
United States of America**

MARINA UTILITY BOND ANTICIPATION NOTE

KNOW ALL MEN BY THESE PRESENTS that the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), for value received, hereby acknowledges itself to be indebted and promises to pay to the Sewer Operating Fund of the Township, the registered owner hereof or its registered assigns, on the 20th day of December, 2018, the principal sum of SIXTY-SEVEN THOUSAND FOUR HUNDRED FIFTY DOLLARS (\$67,450) with interest thereon at the rate of zero and zero hundredths percentum (0.00%) per annum (computed on the basis of a 360-day year of twelve 30-day months), payable at the maturity hereof. Both principal of and interest on this Note are payable in lawful money of the United States of America upon presentation and surrender hereof at the Office of the Chief Financial Officer of the Township. The full faith and credit of the Township are hereby irrevocably pledged for the prompt payment of the principal of and interest on this Note as the same become due and payable.

This Note may be registered as to principal and interest after which it will be transferable only upon presentation to the Chief Financial Officer of the Township at his office with a written assignment duly acknowledged or proved, and the name of the assignee shall be endorsed hereon and entered in the books kept in the office of said Chief Financial Officer of the Township.

This Note is subject to prepayment by the Township at any time prior to its stated maturity.

This Note is being issued to temporarily finance the costs of various capital improvements in the Township. This Note is authorized to be issued pursuant to the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented, a bond ordinance duly adopted by the Township Committee, approved by the Mayor and published as required by law, and a resolution duly adopted by the Township Committee on December 20, 2018.

It is hereby certified and recited that all acts, conditions and things essential to the validity of this Note exist, have happened and have been done, and that every requirement of law affecting the issuance hereof has been duly complied with, and this Note is within every debt and other limit prescribed by the Constitution and laws of the State of New Jersey.

IN WITNESS WHEREOF, the Township has caused this Note to be signed by its Mayor and Chief Financial Officer and its official seal to be hereunto affixed and attested to by the Township Clerk, and this Note to be dated the 21st day of December, 2018.

**TOWNSHIP OF NEPTUNE, IN THE COUNTY OF
MONMOUTH, NEW JERSEY**

By: [FORM OF NOTE- DO NOT SIGN]
NICHOLAS WILLIAMS,
Mayor

(SEAL)

[FORM OF NOTE- DO NOT SIGN]
MICHAEL J. BASCOM,
Chief Financial Officer

[FORM OF NOTE- DO NOT SIGN]
RICHARD J. CUTTRELL,
Township Clerk

BAN 2018-3MU

\$67,450

Township of Neptune
in the County of Monmouth
State of New Jersey
United States of America

REGISTERED CERTIFICATE

It is hereby certified that the within Note is registered as to principal and interest as follows:

Date of Registry	Name of Registered Holder	Registered By
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

RESOLUTION #18-423 - 12/20/18

ACCEPT THE RESIGNATION OF PETER LONGO AS A MEMBER OF THE WESLEY LAKE COMMISSION AND THE ENVIRONMENTAL/SHADE TREE COMMISSION

WHEREAS, the Wesley Lake Commission and the Environmental/Shade Tree Commission has received notification from Peter Longo resigning as a member of both commissions effective December 18, 2018,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Peter Longo as a member of both the Wesley Lake Commission and Environmental/Shade Tree Commission is hereby accepted effective December 18, 2018; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Wesley Lake Commission Secretary and the Environmental/Shade Tree Commission Secretary.

RESOLUTION #18-424 - 12/20/18

AUTHORIZE A REDUCTION IN THE PERFORMANCE GUARANTEE FILED BY
NEW YORK CONCOURSE, LLC FOR SITE IMPROVEMENTS AT
THE HEADLINER (1401 HIGHWAY 35)

WHEREAS, on March 27, 2017, the Township accepted a cash performance guarantee in the amount of \$38,222.65 filed by New York Concourse, LLC guaranteeing site improvements at the Headliner, 1401 Highway 35 (Block 5606, Lots 2-14); and,

WHEREAS, at the request of the Developer, the Township Engineer has inspected the site improvements and has recommended a reduction in the performance guarantee, as permitted under the Municipal Land Use Law, to the amount of \$19,092.00; and,

WHEREAS, based on the current balance of the escrow account, the amount of \$19,130.65 can be refunded to the Developer to allow the reduced amount to be maintained in the escrow account,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a reduction in the Performance Guarantee for New York Concourse, LLC, 1401 Highway 35 (Block 5606, Lots 2-14) be and is hereby approved to the amount of \$19,092.00; and,

BE IT FURTHER RESOLVED, that the amount of \$19,130.65 from the escrow account shall be refunded to the Developer; and,

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

RESOLUTION #18-425 - 12/20/18

AUTHORIZE THE TRANSFER OF 2018 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:

	TO	FROM
<u>Current Fund</u>		
Clerk S&W	\$3,500	
Construction S&W	\$34,000	
HPC OE	\$1,000	
Mercantile S&W	\$150	
Admin DPW S&W	\$5,000	
Buildings & Grounds S&W	\$25,000	
Senior Citizens S&W	\$14,000	
TOTAL	\$82,650	
Admin S&W		\$2,500
Finance S&W		\$2,650
Assessing S&W		\$3,500
Code S&W		\$34,000
Police S&W		\$40,000
TOTAL		\$82,650

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, that 2018 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.

RESOLUTION #18-426 - 12/20/18

AWARD FAÇADE IMPROVEMENT LOAN/GRANT TO EASTIN ENTERPRISES, INC.
D/B/A OCEAN GROVE HARDWARE, 51 MAIN AVENUE

WHEREAS, the Façade Improvement Loan/Grant Program provides for rehabilitative assistance to Township of Neptune businesses to promote physical and economic revitalization of the business areas; and,

WHEREAS, on May 9, 2018, the Façade Review Committee approved an application filed by Eastin Enterprises, Inc. d/b/a Ocean Grove Hardware, 51 Main Avenue, Ocean Grove for a \$5,000 grant and \$5,000 loan; and,

WHEREAS, the Township Committee desires to authorize the award of said loan/grant as approved by the Façade Review Committee; and,

WHEREAS, funds will be provided from the U.D.A.G. Reciprocal Loan Account and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an award of \$5,000/grant and \$5,000/loan be and is hereby approved under the Façade Improvement Loan/Grant Program to the business known as Eastin Enterprises, Inc. d/b/a Ocean Grove Hardware, located at 51 Main Avenue, Ocean Grove, pursuant to the application approved by the Façade Review Committee on May 9, 2018; and,

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

RESOLUTION #18-427 - 12/20/18

AWARD BID FOR HECK AVENUE SEWER REHABILITATION PROJECT

WHEREAS, on December 4, 2018, the Township Engineering Consultant received bids for the award of a contract for the Heck Avenue Sewer Rehabilitation Project; and,

WHEREAS, the apparent low bidder, James R. Ientile, Inc., submitted a request to withdraw their bid due to an error and the Township Committee has adopted a resolution to accept the request to withdraw in accordance with the procedures promulgated in the Local Public Contracts Law; and,

WHEREAS, the remaining bids were reviewed by the Township Engineer and Township Attorney who have recommended that a contract be awarded to the lowest responsible bid submitted by Pioneer Pipe Contractors, Inc.; and,

WHEREAS, said bids were advertised, received and awarded in a "fair and open" competitive bidding process in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 18-07 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a contract be awarded to Pioneer Pipe Contractors, Inc. on their lowest responsible bid of \$935,030.00 for the Heck Avenue Sewer Rehabilitation Project; and,

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

RESOLUTION #18-428 - 12/20/18

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 for this purpose will be provided in the 2018 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 Jason D. Ross for the position of Recreation Coordinator in the Recreation 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 January 2, 2019, at an annual salary of \$35,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., AFSCME Local #2792, Recreation Director, and Human Resources Director.

RESOLUTION #18-429 – 12/20/18

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	3,447,814.31
GRANT FUND	57,146.08
TRUST FUND	42,635.15
GENERAL CAPITAL FUND	13,908.75
SEWER OPERATING FUND	222,984.42
SEWER CAPITAL FUND	33,188.52
MARINA OPERATING FUND	954.96
DOG TRUST	76.80
LIBRARY TRUST	3,730.53
BILL LIST TOTAL	\$3,822,439.52

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

RESOLUTION #18-430 – 12/20/18

ADOPT SIDE BAR AGREEMENT BETWEEN NEPTUNE TOWNSHIP
AND NEW JERSEY STATE FOP LODGE 19 NEPTUNE TOWNSHIP UNIT

WHEREAS, the Township of Neptune ("TOWNSHIP") wishes to enter into a Side Bar Agreement with New Jersey State FOP Lodge 19 Neptune Township Unit ("FOP") to the collective negotiations agreement ("CNA") with a term of January 1, 2017 to December 31, 2020, establishing a twelve (12) hour schedule and parameters for the distribution of overtime; and

WHEREAS, Township and FOP has executed a Side Bar Agreement regarding schedule change and overtime distribution as evidenced by the attached Exhibit "A," which is attached hereto and incorporated herein by reference; and

WHEREAS, the Township possesses the authority to enter into an Agreement with FOP; and

WHEREAS, the Township finds that it is in its best interest to enter into an Agreement with FOP,

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

1. The Township accepts the Side Bar Agreement regarding the FOP, which is attached hereto as Exhibit "A."
2. Accordingly, the Township shall execute same.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Police Committee, Chief of Police, FOP Lodge #19, Business Administrator, Chief Financial Officer, and Human Resources Director.

SIDE BAR AGREEMENT

This Agreement is made by and between the Township of Neptune ("Township") and Superior Officer's Association Fraternal Order of Police Lodge 19 (herein "FOP") on this 20th day of December, 2018.

WHEREAS, the Township and the FOP are parties to a collective negotiations agreement ("CNA") with a term of January 1, 2017 to December 31, 2020; and

WHEREAS, the Township and the FOP have met to discuss implementing a new work schedule and have memorialized those terms in this side bar agreement;

NOW THEREFORE, in consideration of the mutual covenants, promises and undertakings herein set forth the parties agree as follows:

1. SCHEDULE

- A. All Essential Personnel shall work the 12-hour Pittman schedule.
- B. Administrative Personnel shall work a 4-day 10- hour modified shift schedule.
- C. The schedule for Administrative and Essential Personnel is as follows:
 - i. The workday for Essential Personnel shall consist of 12 hours on-duty with a rotation of 2 consecutive days on duty followed by 2 consecutive days off duty, 3 consecutive days on duty followed by 2 consecutive days off duty, and 2 consecutive days on duty followed by 3 consecutive days off duty ("Pitman schedule"). There shall be two (2) shifts with the hours being: 0700-1900 (Days) and 1900 to 0700 (Midnights). The workday for Administrative Personnel shall consist of 4-days on-duty for 10- hours. There shall be two shifts with the days being Monday through Thursday or Tuesday through Friday. The hours shall be 0730-1730.

ii. As a result of the change in schedule FOP members working the 12-hour schedule will work an additional one hundred and four (104) hours in a calendar year compared to the prior eight (8) hour per day work schedule. The additional time will be granted to officers in the form of "Kelly time" which shall accrue in full at the beginning of the year and which may be used as leave time upon request and subject to the approval of the Chief based on current staffing requirements. Kelly time has no cash value and cannot be substituted for additional monetary compensation. FOP unit members may roll over and accumulate a maximum of twenty-four (24) Kelly time hours each year. Unused Kelly time over and above that twenty-four (24) hour cap will be lost.

iii. Parties agree to meet by April 20, 2019 in order to evaluate the requests for Kelly Time and justifications for any denials. Any denied Kelly Time usage over the twenty-four (24) hour roll over allowance will be purchased by the town, at the hourly rate for each hour denied.

iv. Personal days shall remain at four (4) days regardless of length of assigned shift.

v. The Pitman schedule shall be implemented not later than January 1, 2019. It shall continue as a pilot program for the FOP for the duration of the current contract term. During the initial 12-months, the parties shall meet to conduct regular reviews of the schedule's impact on the department. At the end of the current contract term, both parties reserve the right to fully negotiate all of the terms expressed herein as well as any additional terms that mutually decided upon and negotiated regarding the Pittman Schedule throughout the contract term. Each and every term of this Side Bar shall be subject to renegotiation at the expiration of the CNA, to include the 10 1/2 hour administrative shift. Either the FOP or the Township may seek through

the collective negotiations process to revert back to the schedule that was in effect prior to the implementation of the Pitman schedule.

vi. All contractual leave time for officers on the "Pitman" schedule is to be converted to hours based on an 8-hour day, except for Sick, Personal and Bereavement days. Members shall be granted 12 Sick and 3 Bereavement days based on the 12-hour, 10 1/2 -hour or 10-hour schedule day-for-day. Bereavement days must be taken continuous to one another in order to be used. Personal, sick, and vacation time can be taken in full or 1/2 day increments. Vacation days will be converted to hours and rounded up to the nearest whole day pursuant to the following chart. Members working the 10-hour schedule will also be allotted the following vacation time based on years of service and may use other accrued leave to ensure full or half day increments as needed.

Years of Service	2018 Vacation Leave	8-hour conversion	2019 12-hr conversion
2-5	10 days	80 hours	84 hours
6-10	15 days	120 hours	120 hours
11-15	22 days	176 hours	180 hours
15-20	24 days	192 hours	192 hours
20+	28 days	224 hours	228 hours

vii. All banked and accrued sick time previously earned shall remain based upon an 8-hour day. Newly banked and accrued sick time shall be based upon the 12-hour, 10 1/2,-hour or 10-hour schedule. The bonus sick days granted for perfect attendance shall be reduced to 3 days of time for either the 12-hour, 10 1/2-hour, or 10-hour schedules

viii. Holiday pay pursuant to Article X of the CNA shall be converted to hours based on an 8-hour day for a total of 96 hours. Nothing in this agreement shall change the amount of holiday pay received by any officer.

ix. Except as provided herein and under emergency circumstances, officers may not work more than 16 hours in a 24-hour period. An officer may work more than 16 hours in a 24-hour period on the last day of his tour at the discretion of the Chief or his designee.

x. Any change from the 10-hour to the 12-hour shift shall be done with reasonable notice to the office. Reasonable notice shall be 14 calendar days prior to the start date for the change in shift.

xi. Nothing in this agreement shall alter or amend the ability of the Chief to assign officers to the underlap on a shift provided same is done with 72-hours' notice to the officer.

2. Union Leave

A. Union leave for the FOP shall increase to ten (10) days annually

B. Union members elected to State Office/Boards (State Lodge, Labor Council, etc) shall be given release time to attend meetings, conferences and/or conventions. This leave shall not be denied.

3. All other terms and conditions of employment contained in the CNA shall remain *status quo* and nothing in this Agreement shall change or alter any term or condition of employment except as set forth herein.

4. This agreement is subject to ratification by the FOP members and Township of Neptune and shall be null and void if not ratified.

5. Any disputes regarding this Agreement shall be resolved through the grievance procedure set forth in the CNA.

RESOLUTION #18-431 – 12/20/18

ADOPT SIDE BAR AGREEMENT BETWEEN NEPTUNE TOWNSHIP AND NEW JERSEY
STATE PBA LOCAL 74 NEPTUNE TOWNSHIP UNIT

WHEREAS, the Township of Neptune ("TOWNSHIP") wishes to enter into a Side Bar Agreement, dated December 20, 2018, with New Jersey State PBA Local 74 Neptune Township Unit ("PBA") to the collective negotiations agreement ("CNA") with a term of January 1, 2017 to December 31, 2020, establishing a twelve (12) hour schedule and parameters for the distribution of overtime; and

WHEREAS, Township and PBA has executed a Side Bar Agreement regarding schedule change and overtime distribution as evidenced by the attached Exhibit "A," which is attached hereto and incorporated herein by reference; and

WHEREAS, the Township possesses the authority to enter into an Agreement with PBA;
and

WHEREAS, the Township finds that it is in its best interest to enter into an Agreement with PBA,

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

1. The Township accepts the Side Bar Agreement regarding the PBA, which is attached hereto as Exhibit "A."
2. Accordingly, the Township shall execute same.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Police Committee, Chief of Police, PBA Local #74, Business Administrator, Chief Financial Officer, and Human Resources Director.

SIDE BAR AGREEMENT

This Agreement is made this 20th day of December, 2018, by and between the Township of Neptune (“Township”) and the Policeman’s Benevolent Association Local 74 (herein “PBA”)

WHEREAS, the Township and the PBA are parties to a collective negotiations agreement (“CNA”) with a term of January 1, 2017 to December 31, 2020; and

WHEREAS, the Township and the PBA have met and negotiated a Side Bar Agreement dated November 26th, 2018 specifically to address the implementation of the Pittman Schedule for the Neptune Township Police Department and memorialized the terms of that agreement;

WHEREAS, the Township and the PBA have determined that the issues of the “underlap” scheduling and breaks were never addressed during the negotiations as both sides assumed that the ability of the Chief to assign officers to the underlap would remain unchanged;

NOW, THEREFORE, in consideration of the mutual covenants, promises and undertakings set forth herein the parties agree to clarify the Side Bar agreement as follows:

- 1) It is the mutual understanding of the parties that the ability of the Chief Police to assign officers to the underlap of a shift shall continue during the implementation of the Pittman Schedule.
- 2) The underlap shall be assigned weekly on a rotating basis. The Township shall make every effort to schedule the underlap on a quarterly basis. Officers shall be provided at least 72 hours’ notice of their assignment to the

underlap except in the event of a bona fide emergency, in which reasonable notice under the circumstances shall be provided.

- 3) The Chief may assign no more than 2 PBA officers per shift to the underlap of any shift unless a bona fide emergency exists requiring additional manpower.
- 4) The underlap shall mean that the officers will report one hour prior to the start of their scheduled shift and shall go off-duty one hour prior to the end of their regularly scheduled shift.
- 5) All PBA Local 74 unit members working the Pitman Schedule as set forth in the November 26, 2018 side bar agreement shall receive two (2) thirty (30) minute paid breaks per day. During these breaks PBA Local 74 unit members shall remain subject to call.
- 6) Nothing in this Agreement shall change or alter any term or condition of employment contained in the CNA or the November 26, 2018 side bar agreement.
- 7) This Agreement is subject to ratification by the PBA membership and the Township of Neptune and shall be null and void if not ratified.
- 8) Any disputes regarding this Agreement shall be resolved through the grievance procedure set forth in the CNA.

IN WITNESS WHEREOF, the Parties have executed this Side Bar Agreement as of the day and year appearing above.

FOR PBA LOCAL 74

FOR THE TOWNSHIP

Thomas Blewitt, President

Date:

Date: