

TOWNSHIP COMMITTEE WORKSHOP MEETING – MAY 24, 2018 – 6:00 P.M.

Mayor Williams 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.  
Kevin B. McMillan  
Carol Rizzo  
Nicholas Williams

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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.

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Review Committee calendars/update on outstanding issues and capital items.  
- Various on-going capital improvement projects.

Res. # 18-189 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

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

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_.

**TOWNSHIP COMMITTEE MEETING – MAY 24, 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

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Also present at the dais: Vito D. Gadaleta, Business Administrator; Gene Anthony, Township Attorney; 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](http://www.neptunetownship.org).

**APPROVAL OF MINUTES** - Motion offered by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve the minutes of the meeting held on May 14th.

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

**RESOLUTION TO EMPLOY POLICE OFFICERS**

- The candidates who are recommended for employment will be introduced.

- Public comments regarding Resolution #18-190 only. The public will be permitted one visit to the microphone with a limit of five minutes.

Res. # 18-190 – Authorize employment of five police officers.

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

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_.

- Oaths administered by Mayor Williams

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

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

**ORDINANCE NO. 18-13** – An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding resident only handicapped parking zones on Atlantic Avenue and Main Avenue and a handicapped parking zone on Union Avenue - Final Reading

*Explanatory Statement: This ordinance authorizes resident only handicapped parking zones in front of 15 Atlantic Avenue and 16 Main Avenue and a standard handicapped parking zone on the west side of Union Avenue just south of Corlies Avenue.*

Public Hearing:

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

**ORDINANCE NO. 18-14** – An ordinance to amend Volume I, Chapter VII, Section 7-7.9 of the Code of the Township of Neptune by authorizing additional angle parking on the east side of Central Avenue between Broadway and Clark Avenue and clarifying the existing angle parking on the remainder of Central Avenue – Final Reading

*Explanatory Statement: This ordinance establishes angle parking on the east side of Central Avenue between Broadway and Clark Avenue and corrects the degree of angle in the Code for the existing angle parking on the remainder of Central Avenue.*

Public Hearing:

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

**ORDINANCE NO. 18-15** – An ordinance to amend Volume I, Chapter VII, Section 7-7.5 of the Code of the Township of Neptune to add a parking time limitation to a portion of Main Avenue - Final Reading

*Explanatory Statement: This ordinance establishes a three hour parking limitation on Main Avenue between New York Avenue and Central Avenue from May 15<sup>th</sup> to September 15<sup>th</sup> between the hours of 8:00 a.m. and 5:00 p.m.*

Public Hearing:

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

**ORDINANCE NO. 18-16** – An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding a resident only handicapped parking zone on Tenth Avenue and removing a handicapped parking zone on Ocean Pathway - First Reading

*Explanatory Statement: This ordinance authorizes a resident only handicapped parking zone in front of 1219 10<sup>th</sup> Avenue and removes an existing resident only handicapped parking zone in front of 3 Ocean Pathway.*

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

**ORDINANCE NO. 18-17** – An ordinance to amend Volume I, Chapter XII, of the Code of the Township of Neptune by amending Section 12-5.2, entitled, "Definitions Relative to Abandoned Property, Actions Concerning Repair, Closing or Demolition, and relating to this ordinance" - First Reading

*Explanatory Statement: This ordinance amends the Vacant and Abandoned Property ordinance by amending the definition of "Public Officer".*

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

**ORDINANCE NO. 18-18** – Bond Ordinance providing for the acquisition of office equipment and furniture for various departments by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$200,000 therefor and authorizing the issuance of \$190,000 bonds or notes of the Township to finance part of the cost thereof - First Reading

*Explanatory Statement: This Bond Ordinance authorizes an appropriation of \$200,000 for the acquisition and installation of office equipment and office furniture for various municipal departments in the Township, including but not limited to, the Police Department, the Department of Public Works, the Engineering and Planning Department and the Office of Emergency Management.*

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

**ORDINANCE NO. 18-19** – Bond Ordinance providing for various 2018 road improvements, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$2,000,000 therefor (including \$223,374 New Jersey DOT Transportation Trust Fund Grant) and authorizing the issuance of \$1,704,126 bonds or notes of the Township to finance part of the cost thereof - First Reading

*Explanatory Statement: This Bond Ordinance authorizes an appropriation of \$2,000,000 for the Township 2018 road improvement program, which includes a \$223,374 grant received from the New Jersey Transportation Trust Fund.*

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

**ORDINANCE NO. 18-20** – Bond Ordinance providing for the acquisition of a garbage truck and a field communications vehicle, by and for the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$450,000 therefor and authorizing the issuance of \$427,500 bonds or notes of the Township to finance part of the cost thereof - First Reading

*Explanatory Statement: This Bond Ordinance authorizes an appropriation of \$450,000 for the acquisition of a garbage truck and a field communications vehicle for use by the Department of Public Works, the Office of Emergency Management and other municipal departments.*

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

The Public Hearings on Ordinances 18-16 through 18-20 will be held on Monday, June 11, 2018.

**CONSENT AGENDA**

Res. # 18-191 – Authorize the cancellation of sewer rent (3514 Highway 33).

Res. # 18-192 – Authorize the refund of sewer rent (3514 Highway 33).

Res. # 18-193 – Authorize the refund of taxes as a result of an overpayment (128 Spinnaker Way and 251 Myrtle Avenue).

Res. # 18-194 – Authorize temporary street closing in connection with National Night Out.

Res. # 18-195 – Authorize Developer's Agreement with Neptune Developers, LLC (509 Memorial Drive).

Res. # 18-196 – Appoint Citizens Participation Group for the FY2019 Community Development Block Grant Program.

Res. # 18-197 – Authorize additional appropriation to legal counsel representing Police Chief James M. Hunt, Jr. in lawsuits seeking punitive damages.

Res. # 18-198 – Authorize additional appropriation to legal counsel representing Michael J. Bascom in lawsuits seeking punitive damages.

Res. # 18-199 – Employ temporary seasonal personnel in the Department of Public Works.

Res. # 18-200 – Appoint Health Benefits Program Broker/Consultant.

Res. # 18-201 – Authorize the purchase of a Morpho Trak Live Scan System through the State Cooperative Purchasing Program.

Res. # 18-202 – Place lien of various properties.

Res. # 18-203 – Authorize the cancellation of a credit balance on property owned by Neptune Township.

Res. # 18-204 – Employ Special Law Enforcement Officer – Class I in the Police Department on a part-time basis.

Res. # 18-205 – Employ Public Safety Officers in the Emergency Medical Services Department on a part-time basis.

Res. # 18-206 – Accept the resignation of Barry Colicelli as a member of the Police Oversight Committee.

Res. # 18-207 – Employ temporary seasonal personnel for the Neptune Summer Recreation Program.

**CONSENT AGENDA** Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_.

Res. # 18-208 – Award bid for Tremont Drive Force Main Replacement Project.

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

Res. # 18-209 – Award bid for Improvements to Brighton Avenue Force Main.

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

Res. # 18-210 – Authorize the payment of bills.

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**

ORDINANCE NO. 18-16

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

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

SECTION 1

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

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Tenth Avenue	1	North side of 10th Avenue beginning 222 feet east of the northeast intersection of 10th Avenue and Atkins Avenue

SECTION 2

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

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Ocean Pathway	1	North side of westbound Ocean Pathway beginning 168 feet west of the northwest intersection of Ocean Pathway and Ocean Avenue

SECTION 3

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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

\_\_\_\_\_  
Nicholas Williams,  
Mayor

ORDINANCE NO. 18-17

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XII, OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY AMENDING SECTION 12-5.2, ENTITLED, "DEFINITIONS RELATIVE TO ABANDONED PROPERTY, ACTIONS CONCERNING REPAIR, CLOSING OR DEMOLITION, AND RELATING TO THIS ORDINANCE"

BE IT ORDAINED by the Township Committee of the Township of Neptune that Volume I, Chapter XII of Code of the Township of Neptune entitled, "Vacant and Abandoned Properties" be and is hereby amended with regard to the Definition Section 12-5.2, as follows:

12-5 VACANT AND ABANDONED PROPERTIES

12-5.2 - Definitions Relative to Vacant and Abandoned Property, Actions Concerning Repair and Closing and relating to this Ordinance

A) As used herein;

10) "Public Officer" shall mean the officer, officers, board or body who is or are authorized by Ordinances adopted hereunder to exercise the powers prescribed by such Ordinances and by this Ordinance. In this case, the person so designated by Neptune Township pursuant to this Ordinance shall be the Director of Code and Construction or his or her designee. Notwithstanding any other provision of the law to the contrary, nothing shall prevent the municipality from designating more than one public officer for different purposes as provided by law. Wherever "Director of Code and Construction" is cited in this Ordinance, it will be with the understanding that it is the "Director of Code and Construction or his or her designee," unless State or Federal Law limits due to licensing or other means the action of a "Director of Code and Construction."

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon final adoption and publication of the notice of the adoption as required by law; and

BE IT FURTHER ORDAINED, that all Ordinances or parts of Ordinances that are inconsistent herewith are repealed, but only to the extent of such inconsistency.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Nicholas Williams,  
Mayor



ORDINANCE NO. 18-18

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF OFFICE EQUIPMENT AND FURNITURE FOR VARIOUS DEPARTMENTS BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the sum of \$200,000, said sum being inclusive of a down payment for said improvements or purposes in the amount of \$10,000 required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payment is available by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$200,000 appropriation not provided for by application hereunder of the \$10,000 down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$190,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$190,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued include, but are not limited to, the acquisition and installation, as applicable, of office equipment and office furniture for various municipal departments in the Township, including but not limited to, the Police Department, the Department of Public Works, the Engineering and Planning Department and the Office of Emergency Management.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$190,000.

(c) The estimated cost of said improvements or purposes is \$200,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$10,000 available for such improvements or purposes.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all necessary ancillary improvements, and all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental

thereto and all in accordance with the plans and specifications therefor on file in the Office of the Township Clerk and available for public inspection and hereby approved.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Township, for the improvement and purpose authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth, shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Township may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is five (5) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed

duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$190,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.400-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$190,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.400-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Nicholas Williams,  
Mayor

ORDINANCE NO. 18-19

BOND ORDINANCE PROVIDING FOR VARIOUS 2018 ROAD IMPROVEMENTS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$2,000,000 THEREFOR (INCLUDING \$223,374 NEW JERSEY DOT TRANSPORTATION TRUST FUND GRANT) AND AUTHORIZING THE ISSUANCE OF \$1,704,126 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvement or purpose stated in Section 3 hereof, there is hereby appropriated the sum of \$2,000,000, including \$223,374 in a New Jersey Department of Transportation – Transportation Trust Fund Grant (the "Grant") and a \$72,500 down payment for said improvement required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Such down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$2,000,000 appropriation not provided for by application hereunder of the down payment or the Grant, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$1,704,126 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$1,704,126 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is the Township 2018 road improvement program, including, but not limited to, construction and reconstruction of Township roadways pursuant to the target roadway improvements list maintained by the Township Engineer, and all other related improvements, design work, preparation of plans and specifications, permits, bid documents, contract administration, work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto, all as set forth in the project documents on file in the Office of the Township Clerk.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$1,704,126.

(c) The estimated cost of said improvement or purpose is \$2,000,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$72,500 and the Grant in the amount of \$223,374 available for such improvement or purpose.

SECTION 4. Other than the Grant, in the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Township, for the improvement and purpose authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. Other than the Grant, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth, shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Township may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is twenty (20) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the

bonds or notes provided for in this bond ordinance by \$1,704,126 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$300,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$1,704,126. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrel,  
Municipal Clerk

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Nicholas Williams,  
Mayor



ORDINANCE NO. 18-20

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A GARBAGE TRUCK AND A FIELD COMMUNICATIONS VEHICLE, BY AND FOR THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$427,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the sum of \$450,000, said sum being inclusive of a down payment for said improvements or purposes in the amount of \$22,500 required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payment is available by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$450,000 appropriation not provided for by application hereunder of the \$22,500 down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$427,500 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$427,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued include, but are not limited to, the acquisition of a garbage truck and a field communications vehicle for use by the Department of Public Works, the Office of Emergency Management and other municipal departments.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$427,500.

(c) The estimated cost of said improvements or purposes is \$450,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$22,500 available for such improvements or purposes.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all necessary ancillary improvements, and all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Township Clerk and available for public inspection and hereby approved.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Township, for the improvement and purpose authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth, shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Township may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is five (5) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the

bonds or notes provided for in this bond ordinance by \$427,500 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.400-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$427,500. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.400-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Nicholas Williams,  
Mayor

RESOLUTION #18-189 – 5/24/18

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:

Contract negotiations – RFP for Health Benefits Program Broker

Potential Litigation – Amendment to certificate of inspection section of the property maintenance ordinance

Personnel – Part-time DPW workers and part-time Public Safety Officers

Personnel – CDBG Citizens Participation Group

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.

RESOLUTION #18-190 – 5/24/18

AUTHORIZE THE EMPLOYMENT OF FIVE POLICE OFFICERS  
ON A PROBATIONARY BASIS

WHEREAS, due to retirements and resignations, there are vacancies in the position of Police Officer; and,

WHEREAS, candidates were interviewed by the Police Department Command Staff; and,

WHEREAS, the Chief of Police has made his recommendations and the members of the Police Committee have met with each candidate; and,

WHEREAS, funds for this purpose are available in the 2018 municipal budget in the appropriation entitled Police S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following individuals be and are hereby employed as probationary Police Officers in the Police Department, pending favorable results of physical and psychological examinations, at an annual base salary of \$40,000.00, and to perform such other duties as prescribed by the Chief of Police effective June 1, 2018:

Ryan Calabro  
Tressa Huizenga  
Malcolm Jenkins  
Milton Roman  
Matthew Simpson

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief of Police, Chief Financial Officer, Assistant C.F.O, Human Resources Director, and P.B.A. Local #74.

RESOLUTION #18-191 - 5/24/18

AUTHORIZE THE CANCELLATION OF SEWER RENT (3514 HIGHWAY 33)

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

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

<b>BLOCK/LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
3102/4	Anthony Micale	3514 Highway 33	2018	1,380.00

**REASON:** Change in use – hair salon moved out

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

RESOLUTION #18-192 – 5/24/18

AUTHORIZE THE REFUND OF SEWER RENT (3514 HIGHWAY 33)

WHEREAS, the properties listed below reflect overpayments; and,

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

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

<b>BLOCK/LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
3102/4	Micale	3514 Highway 33	2017	60.00
3102/4	Micale	3514 Highway 33	2018	460.00

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



RESOLUTION #18-193 - 5/24/18

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT  
(128 SPINNAKER WAY AND 251 MYRTLE AVENUE)

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,

<b>BLOCK</b>	<b>LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
5501	121	Galli	128 Spinnaker Way	2018	1,976.62
605	6	Collard	251 Myrtle Avenue	2018	1,062.85

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

RESOLUTION #18-194 - 5/24/18

AUTHORIZE TEMPORARY STREET CLOSING  
IN CONNECTION WITH NATIONAL NIGHT OUT

WHEREAS, the National Night Out event will be held on Tuesday, August 7, 2018; and,

WHEREAS, the Police Department has recommended the temporary closure of a portion of Atkins Avenue for the safety of the participants; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Atkins Avenue between Heck Avenue and Highway 33 shall be closed to vehicular traffic and designated as no parking on Tuesday, August 7, 2018 between the hours of 2:00 p.m. to 9:00 p.m.; and,

BE IT FURTHER RESOLVED, that the Department of Public Works is hereby requested to supply the necessary barricades to close said street; and,

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

RESOLUTION #18-195 – 5/24/18

AUTHORIZE DEVELOPER'S AGREEMENT WITH NEPTUNE DEVELOPERS, LLC  
BLOCK 413, LOT 4 (FORMERLY BLOCK 163, LOTS 53-57 & 59)

WHEREAS, NEPTUNE DEVELOPERS, LLC sought development of property subject to a Major Site Plan Approval by the Neptune Township Zoning Board of Adjustment for development of property for 44 residential units and commercial element, along with subsequent amendments with regard to parking, demolition due to damage and other variances and waivers on property that once held the S.S. Adams Building at 509 Memorial Drive, Neptune Township, and the Zoning Board of Adjustment having granted numerous applications filed by the applicant by Resolutions of January 30, 2013; May 7, 2014; January 12, 2016 and July 21, 2017; and

WHEREAS, NEPTUNE DEVELOPERS, LLC, has agreed to enter into a Developer's Agreement with the Township of Neptune to guarantee the faithful performance of the obligations and representations associated with the application before the Zoning Board of Adjustment of Neptune Township; and

WHEREAS, it is in the best interest of the citizens of the Township of Neptune to enter this Developer's Agreement with NEPTUNE DEVELOPERS, LLC, to ensure the proper compliance and guaranteed performance of items and improvements made on said parcel.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the Mayor and Clerk are hereby authorized to execute the aforesaid Developer' Agreement with NEPTUNE DEVELOPERS, LLC, a true copy of which is on file in the Office of the Municipal Clerk for compliance with the aforesaid Zoning Board of Adjustment's Resolutions, and representations upon submission and approval of all conditions arising from the aforesaid Resolution, and return the same to the Township Attorney for recording in the Clerk's office of Monmouth County

RESOLUTION #18-196 - 5/24/18

APPOINT CITIZENS PARTICIPATION GROUP FOR THE  
FY2019 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the Township of Neptune desires to participate in the FY2019 Community Development Block Grant Program; and,

WHEREAS, the Township Committee must appoint a Citizens Participation Group to solicit ideas for and make recommendations on projects to be funded under the program,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that it hereby appoints the following individuals to the FY2019 Community Development Block Grant Program Citizens Participation Group:

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Neptune Township Community Development Representative.

RESOLUTION #18-197 – 5/24/18

AUTHORIZE ADDITIONAL APPROPRIATION TO LEGAL COUNSEL REPRESENTING  
POLICE CHIEF JAMES M. HUNT, JR. IN LAWSUITS SEEKING PUNITIVE DAMAGES

WHEREAS, on August 14, 2017, the Township Committee adopted Resolution #17-348 (later amended by Resolution #17-409) which approved the selection of Joseph Maddaloni, Jr. to represent Police Chief James M. Hunt, Jr. in claims of punitive damages in three matters of litigation: specifically, Kyheem Davis v. Police Chief James M. Hunt, Jr.; Christine Savage v. Police Chief James M. Hunt, Jr.; and, Elena Gonzalez v. Police Chief James M. Hunt, Jr.; and,

WHEREAS, said Resolution also authorized legal fees in an amount not to exceed \$7,500.00 for the purposes of this litigation; and,

WHEREAS, on January 22, 2018, the Township Committee adopted Resolution #18-78 which authorized an additional \$15,000.00 for this purpose; and,

WHEREAS, the authorized appropriation has been exhausted and the litigation is on-going; and,

WHEREAS, the Township Attorney recommends an additional authorization of \$15,000.00 for legal fees in this matter; and,

WHEREAS, funds will be provided in the 2018 Municipal Budget, in the appropriation entitled Legal O.E., and the Chief Financial Officer has so certified in writing,

THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby amends Resolution #17-348, as amended by Resolution #17-409, to increase the appropriation authorization by \$20,000.00 for a total authorized appropriation of \$42,500.00 for legal expenses to Joseph Maddaloni, Jr. to represent Police Chief James M. Hunt, Jr. in claims of punitive damages in connection with three matters of litigation as described herein; and,

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

RESOLUTION #18-198 – 5/24/18

AUTHORIZE ADDITIONAL APPROPRIATION TO LEGAL COUNSEL REPRESENTING  
MICHAEL J. BASCOM IN LAWSUITS SEEKING PUNITIVE DAMAGES

WHEREAS, on August 14, 2017, the Township Committee adopted Resolution #17-347 (later amended by Resolution #17-410) which approved the selection of Joseph Maddaloni, Jr. to represent Michael J. Bascom in claims of punitive damages in three matters of litigation: specifically, Kyheem Davis v. Michael J. Bascom; Christine Savage v. Michael J. Bascom; and, Elena Gonzalez v. Michael J. Bascom; and,

WHEREAS, said Resolution also authorized legal fees in an amount not to exceed \$7,500.00 for the purposes of this litigation; and,

WHEREAS, on January 22, 2018, the Township Committee adopted Resolution #18-77 which authorized an additional \$15,000.00 for this purpose; and,

WHEREAS, the authorized appropriation has been exhausted and the litigation is on-going; and,

WHEREAS, the Township Attorney recommends an additional authorization of \$15,000.00 for legal fees in this matter; and,

WHEREAS, funds will be provided in the 2018 Municipal Budget, in the appropriation entitled Legal O.E., and the Chief Financial Officer has so certified in writing,

THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby amends Resolution #17-347, as amended by Resolution #17-410, to increase the appropriation authorization by \$20,000.00 for a total authorized appropriation of \$42,500.00 for legal expenses to Joseph Maddaloni, Jr. to represent Michael J. Bascom in claims of punitive damages in connection with three matters of litigation as described herein; and,

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

RESOLUTION #18-199 - 5/24/18

EMPLOY TEMPORARY SEASONAL PERSONNEL  
IN THE DEPARTMENT OF PUBLIC WORKS

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

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

WHEREAS, funds for this purpose are available in the 2018 Municipal Budget in the appropriation entitled Solid Waste Collection S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following individuals be and are hereby employed in the Department of Public Works as temporary seasonal employees to perform various tasks within the Department, from May 25, 2018 to August 31, 2018, not to exceed forty (40) hours per week, at a salary of \$15.00 per hour with no health benefits:

Sy'Kear Westbrook  
John Fritz, Jr.

Ryan Balzarano  
Brandon Cottman

Elijah Dennis

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

RESOLUTION #18-200 - 5/24/18

APPOINT HEALTH BENEFITS PROGRAM BROKER/CONSULTANT

WHEREAS, the Township of Neptune desires to appoint a Health Benefits Program Broker/Consultant through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Township accepted Requests for Proposals for said position on April 26, 2018, conducted interviews with those who submitted, and will make a selection from the proposals received; and,

WHEREAS, funds will be provided in the 2018 municipal budget in the appropriation entitled Insurance O.E., and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a contract to engage the services of \_\_\_\_\_ as Health Benefits Program Broker/Consultant for a three year period from June 1, 2018 through December 31, 2020 at a monthly rate of \$4,250.00 for the entire term of the contract; and,

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



RESOLUTION #18-201 - 5/24/18

AUTHORIZE THE PURCHASE OF A MORPHO TRAK LIVE SCAN SYSTEM  
THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Police Department has recommended the purchase of a MorphoTrak Live Scan System for the Identification Bureau through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

WHEREAS, MorphoTrak, LLC has been awarded New Jersey State Contract No. 81520 for this equipment; and,

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

WHEREAS, the cost of the equipment shall not exceed \$32,032.04; and,

WHEREAS, funds for this purpose are available from Ordinance No. 15-33 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of a MorphoTrak Live Scan System for the Police Department Identification Bureau through New Jersey Cooperative Purchasing Program Contract No. 70256 be and is hereby authorized at an amount not to exceed \$32,032.04; and,

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

RESOLUTION #18-202 - 5/24/18

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

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

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
412/18	511 Atkins Avenue	270.00
2911/4	419 Prospect Place	2,026.00

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

RESOLUTION #18-203 - 5/24/18

AUTHORIZE THE CANCELLATION OF A CREDIT BALANCE  
ON PROPERTY OWNED BY NEPTUNE TOWNSHIP

WHEREAS, a property known as Block 198, Lot 767, assessed to the Township of Neptune, reflects a credit balance for taxes as indicated; and,

WHEREAS, the property is owned by the Township of Neptune; 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,

<b>BLOCK/LOT</b>	<b>OWNER</b>	<b>YEAR</b>	<b>AMOUNT</b>
198/767	Neptune Township	2009	\$ 1.66

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

RESOLUTION #18-204 - 5/24/18

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

WHEREAS, there is a need for Special Law Enforcement Officers – Class I 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 for this purpose are available in the 2018 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 Aidan Supp be and is hereby employed as a part-time Special Law Enforcement Officer - Class I, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, at an hourly rate of \$16.91, effective upon successful completion of the SLEO I police academy; and,

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

RESOLUTION #18-205 - 5/24/18

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

WHEREAS, there is a need for additional Public Safety Officers 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 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 the following individuals be and are hereby employed as part-time Public Safety Officers,  
effective June 1, 2018, contingent upon successful completion of a background investigation and  
medical evaluation, at an hourly rate of \$17.43:

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 #18-206 - 5/24/18

ACCEPT THE RESIGNATION OF BARRY COLICELLI AS  
A MEMBER OF THE POLICE OVERSIGHT COMMITTEE

WHEREAS, the Mayor has received a letter from Barry Colicelli resigning as a member of the Police Oversight Committee effective May 24, 2018,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Barry Colicelli as a member of the Police Oversight Committee is hereby accepted effective May 24, 2018; and,

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

RESOLUTION #18-207 - 5/24/18

EMPLOY TEMPORARY SEASONAL PERSONNEL FOR  
THE NEPTUNE SUMMER RECREATION PROGRAM

WHEREAS, the Township of Neptune Recreation Department will be sponsoring a Summer Recreation Program; and,

WHEREAS, applications were received and the following qualified applicants have been recommended for hire by the Recreation Director; and,

WHEREAS, funds 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 the following persons be and are hereby employed in the Neptune Summer Recreation Program from June 21, 2018 through August 3, 2018, for the number of hours and days as specified herein, with the understanding that staffing levels will be based on final enrollment and this resolution does not guarantee either employment or number of hours; and,

<u>Bus Drivers</u>	<u>\$12.00/hour</u>	<u>6.5 hours/day</u>	<u>30 days</u>
Janiesue Masco	Tina Onderdonk (substitute)		

<u>Assistant Director</u>	<u>\$11.50</u>	<u>6.5 hours/day</u>	<u>30 days</u>
D’Naja Jeffries			

<u>Role Models</u>	<u>\$10.50/hour</u>	<u>6.5 hours/day</u>	<u>30 days</u>
Marajah Bacon	Jaidin Jones*	Meisha Bacon	Brianna Love
Barry Brown	Tom Shields*	Mickenna Church	Ralph Mclean
Arien Harris	Stephanie Hogarth	Sierra Hollins	Megan Zabarsky*

<u>Role Models</u>	<u>\$10.00/hour</u>	<u>6.5 hours/day</u>	<u>30 days</u>
Alexis Bennett	Hailee Carpenter	Shanya Hunt	
Lydia Clancy	Ayana Williams	Marvin Morgan	

<u>Substitute Role Models</u>	<u>\$10.50/hour</u>	<u>6.5 hours/day</u>	<u>30 day</u>
Alfred Reneau	Alison Curry	Briana Brown	

<u>Substitute Role Models</u>	<u>\$10.00/hour</u>	<u>6.5 hours/day</u>	<u>30 day</u>
Indya Clarke			

<u>CITs (Counselors / Role Models in Trailing)</u>	<u>no pay / experience only</u>
Soleil Walker	Jacob Mascarelli

(Employees are hired from the list as needed based on enrollment)

\* - Group Leaders

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

RESOLUTION #18-208 - 5/24/18

AWARD BID FOR TREMONT DRIVE FORCE MAIN REPLACEMENT PROJECT

WHEREAS, on May 16, 2018, the Township Engineer received bids for the award of a contract for the Tremont Drive Force Main Replacement Project; and,

WHEREAS, said bids were reviewed by the Township Engineer and who has recommended that the bid be awarded to the lowest bid submitted by Jo-Med Contracting; 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 Jo-Med Contracting on their lowest responsible of \$392,590.10 for the Tremont Drive Force Main Replacement Project; and,

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



RESOLUTION #18-209 - 5/24/18

AWARD BID FOR IMPROVEMENTS TO BRIGHTON AVENUE FORCE MAIN

WHEREAS, on May 16, 2018, the Township Engineer received bids for the award of a contract for Improvements to Brighton Avenue Force Main; and,

WHEREAS, said bids were reviewed by the Township Engineer and who has recommended that the bid be awarded to the lowest bid submitted by Earle Asphalt Company; 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. 17-19 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 Jo-Med Contracting on their lowest responsible of \$356,913.13 (total for the base bid and Alternate Item A) for Improvements to Brighton Avenue Force Main; and,

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

RESOLUTION #18-210 - 5/24/18

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	7,148,001.29
GRANT FUND	528.00
TRUST FUND	16,249.16
GENERAL CAPITAL FUND	42,831.12
SEWER OPERATING FUND	49,558.24
SEWER CAPITAL FUND	217.40
MARINA OPERATING FUND	22,868.38
BILL LIST TOTAL	\$7,280,253.59

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