

TOWNSHIP COMMITTEE MEETING – AUGUST 12, 2019

Mayor Rizzo called the meeting to order at 6:00 p.m. and requested the Clerk to call the roll. The following members were present: Dr. Michael Brantley, Robert Lane, Jr., Kevin B. McMillan, Nicholas Williams, and Mayor Carol Rizzo.

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

Mayor Rizzo announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press and The Coaster on January 3, 2019, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

The following items were discussed in open session:

Mr. Gadaleta stated that the Township's insurance carrier reviewed and approved the Township's proposed rules and regulations for the new skate park. A resolution is on the agenda to adopt the rules and regulations and signs will be installed. There will also be an 8 foot fence and turnstyle entrance installed so that only skateboards can enter. Mr. McMillan asked if motorized scooters should be prohibited by ordinance. Mr. Gadaleta suggested that usage will be monitored and this can be addressed if necessary.

Mr. Anthony stated that the Committee will have to schedule an appeal of a Rent Leveling Board decision. Michael Celli, Assistant Township Attorney, will handle the matter before the Committee since Mr. Anthony is the Rent Leveling Board Attorney. The matter involves an apartment complex that had two complaints. The owner did not attend the hearing and a rent reduction was approved. The owner changed his address and did not notify anyone so he did not receive notice of the hearing. The Committee will have to wait until the hearing transcripts are received before the appeal can be scheduled.

Mr. Gadaleta stated that Michael Bascom, C.F.O. is recommending several bond ordinances for capital projects for introduction at the September 9<sup>th</sup> meeting. The projects were discussed with the Committee and include the Oxonia Avenue CDBG project, Municipal Complex upgrades, drainage work throughout the Township and DPW facility improvements paid through both the general fund and the sewer utility.

AUTHORIZE AN EXECUTIVE SESSION AS AUTHORIZED BY THE OPEN PUBLIC MEETINGS ACT

Mr. McMillan offered the following resolution, moved and seconded by Mr. Lane, that it be adopted:

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 – OGNED Redevelopment Agreement  
Personnel – Recommendations for employee reclassifications to Departmental Secretary in Land Use and Code Enforcement  
Litigation – Update on pending litigation
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.

The resolution was adopted on the following vote: Brantley, aye; Lane, aye; McMillan, aye;

Williams, aye; and Rizzo, aye.

The Committee entered executive session for discussion on closed session matters.

Mr. Gadaleta reported that a couple of outstanding items in the North End Redevelopment Agreement are being addressed and the target date for consideration is the September 9<sup>th</sup> meeting.

The Committee reviewed recommendations to reclassify two employees to the title of Departmental Secretary. The Committee took action by resolution during the regular business portion of the meeting.

The Committee returned to the Meeting Room for the regular portion of the meeting.

Mayor Rizzo called the meeting to order and requested the Clerk to call the roll. The following members were present: Dr. Michael Brantley, Robert Lane, Jr., Kevin B. McMillan, Nicholas Williams, and Mayor Carol Rizzo.

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

After a moment of Silent Prayer and the Flag Salute, the Mayor asked the Clerk to indicate the fire exits.

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

Mayor Rizzo announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press and The Coaster on January 3, 2019, 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

Mr. Lane offered a motion, seconded by Mr. Williams, to approve the minutes of the meeting held on July 22<sup>nd</sup>. All were in favor, except Mr. McMillan who abstained due to his absence at that meeting.

#### PRESENTATIONS

Harry J. Delgado, Accreditation Program Manager, New Jersey State Association of Chiefs of Police, will presented the Neptune Township Police Department Accreditation Certificate to the Township Committee. Chief Hunt, Deputy Chief Fisher, Captain Gualario, and Captain McGhee were also present. Mr. Delgado stated that this is a re-accreditation for Neptune which only 31% of New Jersey Police Departments achieve. He spoke about the department's professionalism and adherence to approved procedures and policies.

Senator Vin Gopal presented certificates to the emergency service agencies who responded and worked tirelessly at the North End Pavilion fire on April 13<sup>th</sup>. Dyese Davis also made a presentation on behalf of Assemblyman Eric Houghtaling and Assemblywoman Joanne Downey.

#### COMMENTS FROM THE DAIS

Mr. Williams stated that the Municipal Court is doing well. The marina season is winding down is 99% full.

Dr. Brantley stated that he is very happy with the Police Department receiving re-accreditation.

Mr. McMillan thanked the Clerk's Office for preparing the proclamation for April Bird. He will be attending a meeting on gun violence with Asbury Park officials on August 15<sup>th</sup> at St. Stephens Church.

Mr. Lane thanked Randy Bishop and Mr. Gadaleta for obtaining an eleven year old bus from the County of Monmouth for the Senior Center at no cost. The bus will replace the Township's 1995 bus. He attended the fountain dedication and thanked Wayne T. Bell for his vision to restore it. He

attended National Night Out where 25 bicycles were given out. He attended the Jersey Shore Dream Center where Police Officers Brian Taylor and Rick Cuttrell gave a presentation to children on back to school issues. He then walked and cleaned up the area around the Dream Center for two hours.

Mayor Rizzo stated that 3 weeks ago there were extensive power outages due to the storm that took 2 to 4 days to fully restore. She is waiting on answers from JCP&L on how things will be better in the future. The County Health Department is looking at some of the issues at the Silver Vistas and she also contacted HUD regarding this property. She attended the Ocean Grove Fountain of Hope dedication and it was great to see a large turnout. She attended the service for Braeden Bradforth who died two weeks after starting football practice at college. The outpouring of support from the community was great. She attended a community meeting on gun violence. We need to look at the conditions under which our youth join gangs. Finally, the Mayor stated that the school supply drive continues.

## BUSINESS ADMINISTRATOR'S REPORT

Mr. Gadaleta provided the following report:

The Redevelopment Committee continues to work out some outstanding issues with OGNED. Awaiting final word on our position from their team. If the current language is accepted we could have a final Redevelopment Agreement for next meeting.

There has been no further submissions by BAW, LLC regarding their proposed development at West Lake Avenue. The Township Committee discussed the conditional redevelopment status in executive session this evening. We await additional communication from BAW, LLC.

4 North Boardwalk Update: As to future development on the east side, there has been no communication from Mr. Dweck or anyone else on that subject. No redeveloper Pre-Submission Form has been submitted.

Microgrid Project Update: This past month our consultants advised that the BPU has determined that all twelve Town Center Distributed Energy Resource Microgrids have been approved for eligibility for Phase 2 funding from the BPU. Neptune's project is ranked as number one in the state. There will be a total of \$8 million available for Phase 2 projects. BPU is working on the application guidelines for this funding.

A new Pre-Submission Form has been received from a new potential redeveloper to complete the Schoolhouse Square project. We are awaiting a professional escrow deposit to permit the vetting process to begin.

Skate Park Update: The construction of the skate park at Sunshine Village Park is partially complete. Grading and seeding and the installation of fencing will begin shortly. A rules resolution is on for consideration of the governing body this evening. The new skateboard bowl is currently being used.

Living Shoreline Update: We continue to tweak our design plan for the South Riverside Drive Living Shoreline Project. A final review meeting with our project team, which includes a number of residents from Shark River Hills, a representative from the American Littoral Society and members of the Shark River Clean up Coalition, will be held in the near future. A request for a time extension has been submitted to FEMA due in part to marine fisheries regulations. The project may not commence until the spring of 2020.

Redevelopment of 3501 Route 66 at Green Grove Road: This past month, Mr. Gadaleta had the opportunity to meet with the developers of the former Continental Insurance site and their potential tenant. The presentation and question and answer meeting went very well. Mr. Gadaleta provided that the Township fully supported the project and would work with both the developer and the tenant through the process. A final decision by the prospective tenant should come in early September.

Neptune Boulevard Road Improvements are underway between Washington Avenue and West Lake Avenue. The project plan calls for completion prior to the start of the new school year.

Schoolhouse Road: A call was placed to Wall Township and a meeting will be scheduled with their administrator to discuss options available to us concerning truck access.

## PUBLIC COMMENTS ON RESOLUTIONS

Dorothy Argyros, 2100 Rutherford Avenue, disagreed with the two resolutions to provide funds to defend Michael Bascom and Chief Hunt in lawsuits. She should not be forced to defend these men and defend crime. Mr. Anthony stated that the lawsuits involve allegations which have not been proven. Attorneys always file for punitive damages. Township employees are entitled to coverage, but the Township will not pay for punitive verdicts.

ORDINANCE NO. 19-19 - ADOPTED

Mr. Lane offered the following ordinance, moved and seconded by Mr. McMillan, that it be adopted:

ORDINANCE NO. 19-19

AN ORDINANCE TO AMEND VOLUME I, CHAPTER II OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING FEES FOR THE USE OF RECREATION FIELDS AND FIELD LIGHTING

The Mayor requested comments on the above ordinance and they were as follows:

Robert Podlaski, Prospect Avenue, stated that volunteers who run youth sports organizations should be exempt from fees. If fees are imposed, the organizations will have to impose additional fees on participants.

There being no further comments, the Mayor closed the public hearing.

The ordinance was adopted on the following vote: Brantley, aye; Lane, aye; McMillan, abstain; Williams, aye; and Rizzo, aye.

ORDINANCE NO. 19-20 - ADOPTED

Dr. Brantley offered the following ordinance, moved and seconded by Mr. Lane, that it be adopted:

ORDINANCE NO. 19-20

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DEED OF DEDICATION WITH REGARD TO LANDLOCKED PARCEL BLOCK 2001, LOT 6, NEPTUNE TOWNSHIP, NEW JERSEY TO THE TOWNSHIP OF NEPTUNE

The Mayor requested comments on the above ordinance. There being no comments, she closed the public hearing.

The ordinance was adopted on the following vote: Brantley, aye; Lane, aye; McMillan, aye; Williams, aye; and Rizzo, aye.

ORDINANCE NO. 19-21 - ADOPTED

Mr. McMillan offered the following ordinance, moved and seconded by Dr. Brantley, that it be adopted:

ORDINANCE NO. 19-21

AN ORDINANCE AUTHORIZING THE LEASING OF CERTAIN CAPITAL EQUIPMENT BY THE TOWNSHIP OF NEPTUNE, NEW JERSEY FROM THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND THE EXECUTION OF A LEASE AND AGREEMENT RELATING THERETO

The Mayor requested comments on the above ordinance. There being no comments, she closed the public hearing.

The ordinance was adopted on the following vote: Brantley, aye; Lane, aye; McMillan, aye; Williams, aye; and Rizzo, aye.

ORDINANCE NO. 19-22 - ADOPTED

Mr. Lane offered the following ordinance, moved and seconded by Mr. McMillan, that it be adopted:

ORDINANCE NO. 19-22

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 ASBURY AVENUE AND REMOVING RESIDENT ONLY HANDICAPPED PARKING ZONES ON WEBB AVENUE AND MAIN AVENUE

The Mayor requested comments on the above ordinance. There being no comments, she closed the public hearing.

The ordinance was adopted on the following vote: Brantley, aye; Lane, aye; McMillan, aye; Williams, aye; and Rizzo, aye.

ORDINANCE NO. 19-23 - ADOPTED

Mr. Lane offered the following ordinance, moved and seconded by Mr. McMillan, that it be adopted:

ORDINANCE NO. 19-23

AN ORDINANCE TO AMEND VOLUME I, CHAPTER IX OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY FULLY AMENDING THE TOWNSHIP'S PERSONNEL CODE AND ADOPTING A PERSONNEL POLICY GUIDEBOOK

The Mayor requested comments on the above ordinance and they were as follows:

Dorothy Argyros, 2100 Rutherford Avenue asked if she could obtain a copy of the personnel policies. She was informed that the policies are available through an OPRA request.

There being no further comments, the Mayor closed the public hearing.

The ordinance was adopted on the following vote: Brantley, aye; Lane, aye; McMillan, aye; Williams, aye; and Rizzo, aye.

ORDINANCE NO. 19-24 - APPROVED

Dr. Brantley offered the following ordinance, moved and seconded by Mr. Lane, that it be approved:

ORDINANCE NO. 19-24

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 PITMAN AVENUE

The ordinance was approved on the following vote: Brantley, aye; Lane, aye; McMillan, aye; Williams, aye; and Rizzo, aye.

Mr. Cuttrell stated that the Public Hearing on Ordinance 19-24 will be held on Monday, September 9, 2019.

CONSENT AGENDA

Mr. McMillan offered the following resolutions of the Consent Agenda, moved and seconded by Mr. Williams, that they be adopted:

CONFIRM THE RECEIPT OF THE ANNUAL REPORT OF AUDIT FOR THE TOWNSHIP OF NEPTUNE FOR THE YEAR 2018

WHEREAS, N.J.S.A 40A:5-4 requires the governing body of every local unit to have made

an annual audit of its books, accounts and financial transactions; and,

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and,

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments  
Recommendations  
Auditors' Opinions

and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments  
Recommendations  
Auditors' Opinions

as evidenced by the group affidavit form of the governing body; and,

WHEREAS, such resolution of certification shall be adopted by the Governing body no later than forty-five (45) days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and,

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S.52:27BB-52 - " A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune, hereby states that if it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

ACCEPT A CORRECTIVE ACTION PLAN IN CONNECTION WITH THE 2018 AUDIT RECOMMENDATIONS

WHEREAS, the Township Committee previously accepted the 2018 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 2018 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.

APPROVE EXTENSION OF THE PERMITTED WEEKEND HOURS OF HEAVY EQUIPMENT OPERATION TO NJDOT/NJ TRANSIT FOR RECONSTRUCTION OF THE 11<sup>TH</sup> AVENUE RAILROAD CROSSING

WHEREAS, the Township of Neptune has an ordinance prohibiting the operation of heavy equipment between the hours of 4:00 p.m. and 9:00 a.m. on Saturdays in the summer months and all day on Sunday; and,

WHEREAS, NJDOT/NJ Transit has scheduled the reconstruction of the 11<sup>th</sup> Avenue railroad crossing for August 22<sup>nd</sup> through August 29<sup>th</sup> and has indicated that allowing the work to take place on Saturday, August 24<sup>th</sup> and Sunday, August 25<sup>th</sup> from 8:00 a.m. to 4:00 p.m. will allow for the work to be completed on schedule; and,

WHEREAS, there are no residential structures in the immediate vicinity of the work,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an extension of the permitted hours of heavy equipment operation is hereby granted to NJDOT and NJ Transit for the reconstruction of the 11<sup>th</sup> Avenue railroad crossing on Saturday, August 24<sup>th</sup> and Sunday, August 25<sup>th</sup> from 8:00 a.m. to 4:00 p.m. said exception being made pursuant to Section 3-2.5 of the Code of the Township; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Police Department, Construction Official, and Township Engineer.

APPOINT SCHOOL CROSSING GUARDS FOR THE 2019-2020 SCHOOL YEAR

WHEREAS, there is a need for School Crossing Guards for the 2019-2020 school year; and,

WHEREAS, the Chief of Police and Human Resources Director have made their recommendation to rehire certain crossing guards that served during the 2018-2019 school year; and,

WHEREAS, funds for this purpose are available in the 2019 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 be and they are hereby reappointed as School Crossing Guards for the 2019-2020 school year and to perform such other duties as prescribed by the Chief of Police, at an hourly rate established by prior Resolution of the Township Committee:

Marc Baltimore	Thomas Blewitt, Sr.	William Bloxon	Jeffrey Brenan
Carmelo Gonzalez	Gail Hepburn	Josephine Hughes	Juanita Jones
Kathryn Kelly	Fred Kern	Rosalee Lane	Rita Lee
Carol McDonald	Barbara McGuire	Everett Mitchell	Chester Moreski
Pam Moreski	Loren Moses	Amelia Okpanachi	Robert Perkins
Roseann Rode	Yolanda Taylor	Caroline Vandervort	Felece Weedon
Alfreda Wright			

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

REAPPOINT SPECIAL LAW ENFORCEMENT OFFICERS IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

WHEREAS, in accordance with state regulations, it is required that existing Special Law Enforcement Officers (SLEO) be reappointed on an annual basis; and,

WHEREAS, the Chief of Police has made his recommendation on the reappointment of existing Special Law Enforcement Officers; and,

WHEREAS, funds will be provided in the 2019 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 reappointed as part-time Special Law Enforcement Officers and to perform such other duties as prescribed by the Chief of Police, for the period September 1, 2019 through August 31, 2020, at an hourly rate as established by prior resolution of the Township Committee:

SLEO Class I – Jacob Hartranft, Syessence Davis, Aidan Supp, Ryan Gallagher, Seamus McAnne, and Connor McGhee.

SLEO Class II – John Mattia, George Corbin, Joseph Siciliano, Louis Esposito, Charles Theodora, Marcus Neal, Terrell Brown, Vincent Zenna, Jaheem Woods, Bryan Jones, and Ryan Santos.

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

AUTHORIZE EMERGENCY REPAIRS TO COLLAPSED SEWER MAIN ON ETON WAY AT THE INTERSECTION WITH BERKELEY LANE

WHEREAS, the Township Sewer Department located a sewer main collapse on July 24, 2019 between two manholes on Eton Way at the intersection with Berkeley Lane; and,

WHEREAS, the existing collapsed clay pipe is 17 feet in depth and 30 feet in length and is impeding flow and causing backups into homes; and,

WHEREAS, the Township Engineer has determined that an emergency exists and immediate repairs are necessary to prevent a road collapse and further sanitary sewer backups into residential homes; and,

WHEREAS, the Township Engineer contacted four potential contractors for quotes to make immediate repairs; and,

WHEREAS, Earle Asphalt Companies provided a quote of \$90,619.20 to mobilize on July 25<sup>th</sup> and make the required repairs on July 26<sup>th</sup>; and,

WHEREAS, funds are available in Ordinance No. 17-19 - \$25,809.00 and Ordinance No. 18-07 - \$65,869.10, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby declares that emergency conditions exist as the result of the sewer main collapse on July 24, 2019 between two manholes on Eton Way at the intersection with Berkeley Lane; and,

BE IT FURTHER RESOLVED, that based upon the recommendation of the Township Engineer, Earle Asphalt Companies is hereby authorized to make the necessary repairs at an amount not to exceed \$90,619.20; and,

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

AUTHORIZE AN OPEN PUBLIC RECORDS – RECORDS INFORMATION MANAGEMENT SHARED SERVICES AGREEMENT WITH THE COUNTY OF MONMOUTH

WHEREAS, under the New Jersey Uniform Shared Services and Consolidation Act, namely C. 40A:65-1, *et seq.*, local units, such as the County of Monmouth and this Municipality, may enter into shared services agreements with each other; and

WHEREAS, the County of Monmouth has entered into an agreement with Sunrise Systems, Inc. (“Sunrise”), whereby the County is licensed to access and use Sunrise’s web-based system known as the Open Public Records Search System – Records Information Management (“OPRS-RIM”); and

WHEREAS, under the terms of its agreement with Sunrise, the County of Monmouth may sublicense access and use of OPRS-RIM to municipalities within Monmouth County; and

WHEREAS, the County of Monmouth, has offered to enter into a shared services agreement with this Municipality, whereby this Municipality will be authorized as a sublicensee to access and use OPRS-RIM,

WHEREAS, the OPRS-RIM provides for the Inventory Management, Retention Management, and Disposition Management of official records and includes an imaging module that permits the scanning of paper records into TIFF images, which may be stored long-term, searched and retrieved electronically; and,

WHEREAS, the Township of Neptune has participated in this shared service with the County of Monmouth since 2009 and desires to renew this initiative for another five year term; and,

WHEREAS, funds for this purpose are available in the 2019 municipal budget in the appropriation entitled Municipal Clerk O.E. and the Chief Financial Officer has so certified in writing,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Neptune that the Mayor and Municipal Clerk be and they are hereby authorized to enter into a Shared Services Agreement with the County of Monmouth for a Open Public Records Search System – Records Information Management at an annual cost to the Township of Neptune of \$3,300.00 for a period of five years commencing July 1, 2019 and expiring June 30, 2024; and,

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

#### RENEW LIQUOR LICENSE HELD BY VPK, INC. T/A ALPHA LIQUORS FOR THE 2019-2020 LICENSING YEAR

WHEREAS, VPK, Inc. is the holder of a retail consumption liquor license 1334-44-022-002; and filed the required application for license renewal for the 2019-2020 licensing term; however, a tax clearance certificate was not provided; and,

WHEREAS, in accordance with state statute, a municipality cannot renew a liquor license without a tax clearance certificate for the corporation holding the license; and,

WHEREAS, the Division of Taxation issued a Tax Clearance Certificate for VPK, Inc. dated July 31, 2019,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Plenary Retail Distribution Liquor License known as 1334-44-022-002 be renewed to VPK, Inc. t/a Alpha Liquors, located at 1515 West Lake Avenue for the 2019-2020 licensing year under the following condition (continued from the prior licensing period):

Hours of operation will be limited to no later than 10:00 p.m. every day of the week

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control, Chief of Police, and the License Holder.

#### APPROVE THE FORM AND AUTHORIZE THE EXECUTION AND DELIVERY OF A LETTER OF REPRESENTATION AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY'S CAPITAL EQUIPMENT POOLED LEASE REVENUE BONDS, SERIES 2019 AND AUTHORIZING AN AUTHORIZED MUNICIPAL REPRESENTATIVE TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS

WHEREAS, the Township of Neptune, New Jersey (the "Municipality") desires to lease and permanently finance the cost of acquisition of certain capital equipment (the "Equipment") from The Monmouth County Improvement Authority (the "Authority"); and

WHEREAS, the Authority will provide for the financing of the cost of the acquisition of the Equipment by the issuance of its Capital Equipment Lease Revenue Bonds, Series 2019 (Neptune Project) (the "Bonds") payable from rentals by the Municipality pursuant to a Lease and Agreement by and between the Municipality and the Authority ( the "Lease"); and

WHEREAS, in order to induce the Authority to issue and deliver the Bonds and its Capital Equipment Pooled Lease Revenue Bonds, Series 2019, there has been prepared and submitted to the Municipality a Letter of Representative in the form attached hereto as Exhibit A; and

WHEREAS, there has been prepared and submitted to the Municipality a Continuing Disclosure Agreement in the form appended hereto as Exhibit B for execution by the Municipality if the Authority shall determine that the Municipality is or will be an “obligated person” with respect to the Authority’s Capital Equipment Lease Revenue Bonds, Series 2019 within the meaning of Rule 15c2-12 of the United States Securities and Exchange Commission (an “Obligated Person”):

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP OF NEPTUNE AS FOLLOWS:

Section 1. That the Letter of Representation, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative (as that term is defined in the Lease) is hereby authorized to, and one of such officers shall execute the Letter of Representation, with such additions, deletions or modifications as such officer shall approve, and to deliver the same to the addressees designated on such Letter of Representation, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 2. That the Continuing Disclosure Agreement in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative is hereby authorized to, and one of such officers shall execute the Continuing Disclosure Agreement, with such additions, deletions or modifications as such officer shall approve, and to deliver the same upon the determination by the Authority that the Municipality is or will be an Obligated Person, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3. That any Authorized Municipal Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or property for carrying out the sale, issuance and delivery of the Bonds, the Authority’s Capital Equipment Pooled Lease Revenue Bonds, Series 2019 and all related transactions contemplated by this resolution.

Section 4. All resolutions or proceedings or parts thereof, in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed.

Section 5. This resolution shall become effective immediately.

SUPPORT PARTICIPATION IN THE NEW JERSEY COASTAL COALITION AND ITS EFFORTS TO PREPARE MONMOUTH COUNTY FOR FUTURE FLOOD EVENTS

WHEREAS, the New Jersey Coastal Coalition (NJCC) is a 501(c)3 non-profit organization, incorporated in the State of New Jersey, who formed as the Atlantic-Cap Coastal Coalition in 2013 as a result of Superstorm Sandy and changed their name in early 2018 reflecting their desire to include all coastal New Jersey communities; and,

WHEREAS, the NJCC’s mission is to build more resilient communities at the Jersey Shore be developing policies and practices that will anticipate future flood concerns and the create solutions to be shared by all participants; and,

WHEREAS, municipal members attend meetings of the NJCC and have had mutual exchange from the NJCC at the Monmouth County Community Rating System Users Group meeting; and,

WHEREAS, participation in the NJCC provides the County of Monmouth with networking and shared resource opportunities, which can better prepare the County and its residents for future flood events; and,

WHEREAS, the Township of Neptune will continue to participate in the networking efforts of the NJCC and encourages all municipalities to also do so,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Township Committee hereby supports participation in the New Jersey Coastal Coalition and its efforts to prepare Monmouth County for future flood events; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Monmouth County Board of Freeholders, the Monmouth County Planning Board and the NJCC.

AMEND FEE SCHEDULE FOR EMERGENCY MEDICAL SERVICES

WHEREAS, the Township has established a third-party payment plan for emergency medical

services provided by Township EMS staff whereby taxpayers are not responsible for co-payments; and,

WHEREAS, in accordance with the enabling ordinance, the Township may, as required, amend the fee schedule for items and services;

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following fee schedule is hereby adopted for services provided by Neptune Township Emergency Medical Services to be billed in accordance with the provisions of Ordinance No. 16-07 effective August 13, 2019:

- Basic Life Support Response/Transport Fee - \$750
- Non-Emergency transport (Scheduled) - \$500
- Refusal of Medical Attention or Transport (with or without treatment) -\$150
- Additional crew required to assist/transport - \$125
- Epinephrine Auto Injector - \$200
- Continuous Positive Airway Pressure - \$75
- Automatic External Defibrillator - \$95
- Collar - \$35
- Oxygen - \$100
- Tourniquet - \$50
- Narcan - \$150
- Aspirin - \$25
- Albuterol - \$25

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the EMS Manager, Business Administrator and Finance Department.

CONFIRM ACTION OF THE BUSINESS ADMINISTRATOR TO SUSPEND EMPLOYEE

BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby confirms the action of the Business Administrator to suspend John Tarzy, Driver in the Department of Public Works, for a period of thirty (30) days without pay from August 5, 2019 through September 4, 2019; and,

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

AUTHORIZE SETTLEMENT IN THE MATTER OF DEPARTMENT OF ENVIRONMENTAL PROTECTION V. TOWNSHIP OF NEPTUNE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

WHEREAS, the Department of Environmental Protection issued a NOCAPA PEA 19000-2 on July 8, 2019 against Neptune Township for violation of underground storage of hazardous substances and/or air pollution control with an initial fine of \$15,000.00; and

WHEREAS, Neptune Township addressed the aforesaid issues arising from said violation at the Department of Public Works Municipal Fueling Station, which had an underground storage tank system issue, and reached a settlement of the aforesaid matter with the Department of Environmental Protection of the State of New Jersey in the amount of \$5,000.00; and,

WHEREAS, funds for this purpose are available in the 2019 municipal budget in the appropriation entitled Gasoline O.E., and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorizes a Settlement Agreement, a true copy of which is attached hereto as Exhibit A, for payment in the amount of \$5,000.00 towards the Department of Environmental Protection violation concerning an underground storage tank system issue at the Department of Public Works Municipal Fueling Station located at 2201 Heck Avenue, Neptune Township, New Jersey; and,

BE IT FURTHER RESOLVED, that this settlement authorization is made without any admission of guilt, and authorizes the Mayor and Clerk to execute the attached Settlement Agreement and forward the same to the State of New Jersey, Department of Environmental Protection; and,

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

AUTHORIZE DEVELOPER'S AGREEMENT WITH EBENEZER CHURCH OF GOD OF PROPHECY, BLOCK 713, LOT 2 (FORMERLY BLOCK 189, LOTS 17, 18, 19 & 92)

WHEREAS, Ebenezer Church of God of Prophecy is the Developer of property subject to a Final Major Site Plan Approval by the Neptune Township Planning Board seeking to remove the existing single family home, and to construct a one-story, 8,820 square foot church facility and social hall along Monroe Avenue with parking for 93 vehicles in the rear of the building and having access for a full movement paved driveway along Monroe Avenue near the westerly side property line; and

WHEREAS, Ebenezer Church of God of Prophecy, 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 Planning Board 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 Ebenezer Church of God of Prophecy, 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's Agreement with Ebenezer Church of God of Prophecy, a true copy of which is on file in the Office of the Municipal Clerk, for compliance with the Planning Board of Neptune Township's Resolutions #16-22, 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.

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

EMPLOY EMERGENCY MEDICAL TECHNICIANS IN THE EMERGENCY MEDICAL SERVICES DEPARTMENT ON A PART-TIME BASIS

WHEREAS, there is a need for additional Emergency Medical Technicians 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 will be provided in the 2019 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 Emergency Medical Technicians, effective August 13, 2019, contingent upon successful completion of a background investigation and medical evaluation, at an hourly rate of \$20.00:

Justin Jaworowski	Hollis DaSilva	Ashley Thomas
Kevin Hetzler	Andrew Anderson	

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.

REJECT ALL BIDS FOR CONSTRUCTION OF A PUBLIC WORKS BUILDING AT THE PUBLIC WORKS YARD

WHEREAS, on August 7, 2019, the Township Engineering Consultant received bids for the award of a contract for the construction of a Public Works building at the Public Works Yard; and,

WHEREAS, said bids were reviewed by the Township Engineer and Chief Financial Officer who have recommended that all bids be rejected because the lowest bid substantially exceeds the Township's appropriation for the project; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that all bids received for the construction of a Public Works building at the Public Works Yard be and are hereby rejected because the lowest bid substantially exceeds the Township's appropriation for the project (N.J.S.A. 40A:11-13.2(b); and,

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

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 was amended by Resolutions #18-77, #18-198 and #18-374 to authorize additional funds 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 \$25,000.00 for legal fees in this matter; and,

WHEREAS, funds will be provided in the 2019 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 \$25,000.00 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.

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 was amended by Resolutions #18-78, #18-197 and #18-373 to authorize additional funds 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 \$25,000.00 for legal fees in this matter; and,

WHEREAS, funds will be provided in the 2019 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 \$25,000.00 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.

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 end of summer projects and the leaf collection 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 2019 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 August 16, 2019 to December 15, 2019, not to exceed forty (40) hours per week, at a salary of \$15.00 per hour with no health benefits:

Zyaire McKenzie  
Thomas Jones  
Ryan Fowler

Elijah Dennis  
Tyler Scorben

Anthony Delloiacono  
Nathaniel Parkman

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.

AUTHORIZE THE CANCELLATION OF A MORTGAGE IN CONNECTION WITH A FAÇADE IMPROVEMENT PROGRAM LOAN ISSUED TO JAM-N INC. D/B/A M3 COLLISION (181 SOUTH MAIN STREET)

WHEREAS, the Township of Neptune holds a mortgage dated June 11, 2014 in connection with a Façade Improvement Program Loan issued to Jam-N, Inc. d/b/a/ M3 Collision at 181 South Main Street; and,

WHEREAS, the loan has been paid in full and the façade has been maintained for the required five year period; and;

WHEREAS, the Township desires to cancel said mortgage in accordance with the terms of the mortgage note,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and they are hereby authorized to execute a cancellation of mortgage in connection with the Façade Improvement Program Loan issued to Jam-N, Inc. d/b/a/ M3 Collision at 181 South Main Street; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Secretary to the Economic Development Corporation.

ADOPT RULES AND REGULATIONS FOR THE SKATEBOARD PARK

WHEREAS, the Township has completed construction of a skateboard park at Sunshine Village fields; and,

WHEREAS, rules and regulations are required to be posted by signs at the skateboard park; and;

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following rules and regulations be and are hereby adopted and duly posted for the skateboard park at Sunshine Village fields:

- Park hours – dawn to dusk – unless otherwise posted
- Use of this skateboard park facility shall be at the participant's sole and exclusive risk
- Usage is restricted to skateboards only
- Be responsible – this park is not supervised

- Safety first – helmets and other protective gear including but not limited to elbow and knee pads are required
- Be respectful of others – no fighting or foul language
- Clean up after yourself – do not leave trash in or around park
- No gum, food or drinks on the skatepark surface
- All other Township of Neptune park rules apply

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Township Engineer, Director of Public Works, and Recreation Director.

AUTHORIZE THE PURCHASE OF EXTRICATION EQUIPMENT THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Office of Emergency Management Director has recommended the purchase of Genesis extrication equipment 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, Howell Rescue Systems has been awarded New Jersey State Contract No. 17-Fleet-00835 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 \$40,000.00; and,

WHEREAS, funds for this purpose are available from Ordinance No. 17-31 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 Genesis extrication equipment through New Jersey Cooperative Purchasing Program Contract No. 17-Fleet-00835 be and is hereby authorized at an amount not to exceed \$40,000.00; and,

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

The resolutions of the Consent Agenda were adopted on the following vote: Brantley, aye; Lane, aye; McMillan, aye; Williams, aye; and Rizzo, aye.

RECLASSIFY EMPLOYEE TO THE POSITION OF DEPARTMENTAL SECRETARY IN THE CODE/CONSTRUCTION DEPARTMENT

Mr. Lane offered the following resolution, moved and seconded by Mr. McMillan, that it be adopted:

WHEREAS, the Construction Official has recommended the reclassification of an employee to the position of Departmental Secretary in the Code/Construction Department; and,

WHEREAS, the position was duly posted; and,

WHEREAS, the Construction Official and Human Resources Director have made a recommendation to reclassify an existing Customer Service Representative to said position; and,

WHEREAS, funds will be provided in the 2019 Municipal Budget in the appropriation entitled Code Enforcement 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 Heather Kepler be and is hereby reclassified to the position of Departmental Secretary in the Code/Construction Department at an annual salary of \$37,699.08 effective August 16, 2019, said salary to remain effective through the employee's 2020 anniversary date; and,

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

#1844.

The resolution was adopted on the following vote: Brantley, aye; Lane, aye; McMillan, aye; Williams, aye; and Rizzo, aye.

(Dr. Brantley left the meeting)

RECLASSIFY EMPLOYEE TO THE POSITION OF DEPARTMENTAL SECRETARY IN THE LAND USE DEPARTMENT

Mr. McMillan offered the following resolution, moved and seconded by Mr. Williams, that it be adopted:

WHEREAS, the Land Use Administrator and Township Engineer have recommended the reclassification of an employee to the position of Departmental Secretary in the Land Use Department; and,

WHEREAS, the position was duly posted; and,

WHEREAS, the Land Use Official and Human Resources Director have made a recommendation to reclassify an existing Customer Service Representative to said position; and,

WHEREAS, funds will be provided in the 2019 Municipal Budget in the appropriation entitled Land Use 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 Pamela Valentine be and is hereby reclassified to the position of Departmental Secretary in the Land Use Department at an annual salary of \$34,500.00 effective August 16, 2019, said salary to remain effective through the employee's 2020 anniversary date; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Land Use Administrator, Township Engineer, Chief Financial Officer, Assistant C.F.O., Human Resources Director, and AFSCME Local #1844.

The resolution was adopted on the following vote: Brantley, absent; Lane, aye; McMillan, aye; Williams, aye; and Rizzo, aye.

AUTHORIZE THE PAYMENT OF BILLS

Mr. McMillan offered the following resolution, moved and seconded by Mr. Lane, that it be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following bills be paid if properly certified:

CURRENT FUND	889,940.02
GRANT FUND	17,571.99
TRUST FUND	66,509.33
GENERAL CAPITAL FUND	216,257.12
SEWER OPERATING FUND	141,685.79
SEWER CAPITAL FUND	95,703.46
MARINA OPERATING FUND	4,829.78
MARINA CAPITAL FUND	3,762.50
DOG TRUST	773.40
LIBRARY TRUST	1,346.62
BILL LIST TOTAL	\$1,438,380.01

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

The resolution was adopted on the following vote: Brantley, absent; Lane, aye; McMillan, aye; Williams, aye; and Rizzo, aye.

AUTHORIZE THE CHIEF FINANCIAL OFFICER AND OTHER TOWNSHIP OFFICIALS TO UNDERTAKE CERTAIN ACTIONS IN CONNECTION WITH THE ISSUANCE OF A NOT TO EXCEED \$1,046,050 MARINA UTILITY BOND ANTICIPATION NOTE

Mr. Williams offered the following resolution, moved and seconded by Mr. McMillan, that it be adopted:

WHEREAS, the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township") is seeking to issue a not to exceed \$1,046,050 Marina Utility Bond Anticipation Note (the "Note") to currently refund (i) a \$513,850 principal portion of prior Bond Anticipation Notes of the Township issued in the aggregate principal amount of \$524,500 on August 30, 2018 and maturing on August 29, 2019 (the "August 2018 Prior Notes") and (ii) the entire principal amount of prior Bond Anticipation Notes of the Township issued in the aggregate principal amount of \$532,200 on January 29, 2019 and maturing on August 29, 2019 (the "January 2019 Prior Notes" and together with the August 2018 Prior Notes, the "Prior Notes"), which Prior Notes were originally issued to temporarily finance the costs of various marina capital improvements in the Township (the remaining portion of such August 2018 Prior Notes is being paid by a \$10,650 budgetary appropriation of the Township); and

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

WHEREAS, such Note shall bear interest at a rate of one and zero hundredths percentum (1.00%) per annum and shall mature on January 30, 2020; and

WHEREAS, the Township seeks to authorize the issuance of the Note 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 06-33, as amended by 07-19, Bond Ordinance Number 11-03, Bond Ordinance Number 12-18, Bond Ordinance Number 15-04 and Bond Ordinance Number 15-51 duly adopted by the Township (collectively, the "Marina Bond Ordinances"), a Marina Utility Bond Anticipation Note of the Township in an aggregate principal amount not to exceed \$1,046,050 (the "Note") shall be issued for the purpose of currently refunding (i) a \$513,850 principal portion of prior Bond Anticipation Notes of the Township issued in the aggregate principal amount of \$524,500 on August 30, 2018 and maturing on August 29, 2019 (the "August 2018 Prior Notes") and (ii) the entire principal amount of prior Bond Anticipation Notes of the Township issued in the aggregate principal amount of \$532,200 on January 29, 2019 and maturing on August 29, 2019 (the "January 2019 Prior Notes" and together with the August 2018 Prior Notes, the "Prior Notes"), which Prior Notes were originally issued to temporarily finance the costs of various marina capital improvements in the Township (the remaining portion of such August 2018 Prior Notes is being paid by a \$10,650 budgetary appropriation of the Township).

Section 2. The Note is authorized to be issued to the Sewer Operating Fund of the Township.

Section 3. The Note shall be dated August 29, 2019 and shall mature on January 30, 2020 and shall bear interest from its date, which interest shall be at a rate of one and zero hundredths percentum (1.00%) per annum, and shall be in the form attached hereto as Exhibit A.

Section 4. The Note shall be subject to prepayment by the Township at any time prior to its stated date of maturity.

Section 5. The Note 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

Note issued, and the signature of the Chief Financial Officer upon the Note shall be conclusive evidence as to all such determinations. The Chief Financial Officer is also hereby authorized to sell part or all of the Note from time to time at a public or private sale and to deliver it to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from its date 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 Note pursuant to this resolution is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the Note 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 Note.

Section 6. This resolution shall take effect immediately.

The resolution was adopted on the following vote: Brantley, absent; Lane, aye; McMillan, aye; Williams, aye; and Rizzo, aye.

#### PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

(Dr. Brantley returned to the meeting)

Cindy Nelson, 219 Highland Avenue, asked why the Committee would consent to terminate the employment of Mr. Gadaleta. Mayor Rizzo stated that the resolution no longer exists. Mr. Anthony stated that the Committee is in executive session discussing negotiations in the matter. The Committee has to enter executive session for negotiations and in order to that a RICE notice needs to be sent. Ms. Nelson thanked Mayor Rizzo for being an advocate for the Township.

Joel Popkin, 88 Inskip Avenue, stated that Mr. Gadaleta is recognized by his peers as one of the best Business Administrator. He has his finger on the pulse of Neptune and has historical knowledge of the Township. The Committee would be doing a disservice if they do not renew his contract.

Jim Chenitz, South Riverside Drive, stated that the issue of Mr. Gadaleta has brought Neptune Democrats and Republicans together in a bipartisan common cause. This issue deserves transparency. Mr. Gadaleta is a straight shooter and there is never a doubt about his dedication to Neptune. Mr. Gadaleta has always been available for discussing issues and Dr. Chenitz has always been warmly greeted by him. The Committee should extend a formal apology to Mr. Gadaleta.

Elizabeth Musica, 4 Shorebrook Circle, discussed issues occurring in her neighborhood due to a halfway house being run at 3 Shorebrook Circle. There are always people coming and going and odd behavior has been observed outside of the home. She asked about notification to neighbors and licensing of halfway houses. Mr. Anthony stated that if it is a legal halfway house, the state allows them in residential neighborhoods, they cannot be zoned out, and it cannot be contested. The Mayor asked Ms. Musica to speak to Mr. Gadaleta after the meeting.

Francis Devlin, 39 Olin Street, stated there is crumbling sidewalk at the entrance from the green space at Mt. Hermon Way and Lawrence Avenue. He asked when the decision was made to keep the Wesley Lake gates locked at night. Mr. Anthony stated the decision was made in 1995, so there was no decision needed to continue locking the gates. Mr. Devlin stated that there is still a parking problem and the problem will continue until there is paid parking in Ocean Grove equal to the amount charged in Asbury Park.

Tee Lesinski, Asbury Park, stated that she serves on the Wesley Lake Commission. Mr. Gadaleta has always been available to help and is willing to work with people. She stated that everyone needs to come together to discuss the Wesley Lake gates and take a look at options such as cameras.

Bill Burdge, Durand Road, stated that Mr. Gadaleta has been a great Business Administrator and does a lot for this town. Bringing in someone else would be political.

Dan Koval, 14 Schoolhouse Road, stated that 20 wheelers drive down Schoolhouse Road. He told one of the drivers to slow down and he received foul language from the driver. All of his neighbors signed a petition to restrict trucks and heavy equipment on Schoolhouse Road.

(Dr. Brantley left the meeting)

Ed Hahneman, 310 Hemlock, stated that he agrees with Mr. Koval about the issues on Schoolhouse Road. There are dump trucks at 7:15 a.m. on Saturdays and there are trucks

speeding every day. Speed bumps should be no more than 500 feet apart.

At this time, Mr. Hahneman collapsed due to a medical episode. As emergency service personnel were administering aid, the Mayor asked that the public clear the room.

Mr. McMillan offered a motion, seconded by Mr. Williams to adjourn. All were in favor.

Richard J. Cuttrel,  
Municipal Clerk