# TOWNSHIP COMMITTEE WORKSHOP MEETING - AUGUST 10, 2020 - 6:00 P.M.

This is a Virtual Meeting. Video and audio access to the meeting is via townhallstreams.com/towns/neptune\_nj.

**ROLL CALL** 

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

PRESENT/ABSENT

Dr. Michael Brantley Kevin B. McMillan Carol Rizzo Nicholas Williams Robert Lane	
Also present: Vito D. Gadaleta, Business Administra Richard J. Cuttrell, Municipal Clerk.	tor; Gene Anthony, Township Attorney; and
Mayor Lane announces that the notice requirements publication of the required advertisement in The Coaster and which included a notice of virtual meeting with web access insthe Municipal Complex, and filing a copy of said notice with the agenda, resolutions and ordinances are posted online at	

## RESOLUTION #20-255 - 8/10/20

# 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 – Business Administrator employment contract Personnel – Recommendation for Driver position hiring

- 3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.
  - 4. This Resolution shall take effect immediately.

# TOWNSHIP COMMITTEE MEETING - AUGUST 10, 2020 - 7:00 P.M.

This is a Virtual Meeting. Video and audio access to the meeting is via townhallstreams.com/towns/neptune\_nj. When an agenda item is reached that allows for public comment, comments will be taken via text to 908-415-3680.

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

ROLL CALL	PRESENT/ABSENT
Dr. Michael Brantley Kevin B. McMillan Carol Rizzo Nicholas Williams Robert Lane, Jr.	
Also present at the dais: Gene Anthony, Administrator; and Richard J. Cuttrell, Municipal C	Township Attorney; Vito D. Gadaleta, Business Blerk.
Silent Prayer and Flag Salute	
Mayor Lane announces that the notice requite publication of the required advertisement in Th 6, 2020 which included a notice of virtual meeting on the Board in the Municipal Complex, and filing addition, the meeting agenda, resolutions www.neptunetownship.org.	with web access instructions, posting the notice a copy of said notice with the Municipal Clerk. In
APPROVAL OF MINUTES – Motion offered by the minutes of the meetings held on July 13 <sup>th</sup> and	, seconded by,, to approve July 27th.
COMMENTS FROM THE DAIS - Comments from any reports on recent events in their respective de	
PUBLIC COMMENTS ON RESOLUTIONS - Public this agenda may be submitted via text to 908-41 Mayor opens this portion of the meeting for public	5-3680. Comments will be accepted when the
ORDINANCES - For each ordinance with a public 415-3680 when the Mayor opens the public hearing	
ORDINANCE NO. 20-17 — An ordinance to amend the Township of Neptune by adding a no parking z Reading	
Explanatory Statement: This ordinance authorize Riverside Drive between Melrose Avenue and High	· · · · · · · · · · · · · · · · · · ·
Public Hearing:	
Offered by: Seconded by: Vote: Brantley,; McMillan,; Rizzo, _	, Williams,; Lane,

<u>ORDINANCE NO. 20-18</u> — 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 Cookman Avenue and removing a resident only handicapped parking zone on Embury Avenue - Final Reading

Explanatory Statement: This ordinance authorizes a resident only handicapped parking zone in front of 73A Cookman Avenue and the removal of an existing handicapped parking zone in front of 24 Embury Avenue.

Public Hearing:
Offered by: Seconded by: Vote: Brantley,; McMillan,; Rizzo,, Williams,; Lane,
ORDINANCE NO. 20-19 — Bond Ordinance providing for various 2020 roadway and drainage improvements, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$2,000,000 therefor and authorizing the issuance of \$1,900,000 bonds or notes of the Township to finance part of the cost thereof - Final Reading
Explanatory Statement: This Bond Ordinance authorizes an appropriation of \$2,000,000 for various 2020 roadway and drainage improvement projects throughout the Township, such improvements to include the reconstruction of roadways and the construction and reconstruction of drainage infrastructure, including, but not limited to, installation of basins, manholes and drainage pipes, and roadway, sidewalk and curb restoration, and all other related improvements, and also including, as applicable, demolition and excavation, milling, paving, resurfacing and reconstruction of the roadways, roadway painting and striping, the repairing and/or removal and installation of sidewalks, driveway aprons, curbing, retaining walls and curb ramps, guardrails, and concrete improvements
Public Hearing:
Offered by: Seconded by:; Williams,; Lane,
ORDINANCE NO. 20-20 – Bond Ordinance providing for the acquisition of vehicles, equipment, office equipment and furniture, by and in 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 – Final Reading
Explanatory Statement: This Bond Ordinance authorizes an appropriation of \$450,000 for the acquisition of vehicles, equipment, office equipment and furniture, including, but not limited to, the acquisition of a leaf trailer, brine making and distribution equipment, a four wheel drive SUV, furniture and office equipment for use by various municipal departments within the Township
Public Hearing:
Offered by: Seconded by: Vote: Brantley, ; McMillan, ; Rizzo, ; Williams, ; Lane,

ORDINANCE NO. 20-21 — Sewer Utility Bond Ordinance providing for Phase VI of the Gables Area Sanitary Sewer Rehabilitation Project, the replacement of various sewer force mains and lines, various pump station improvements and various sanitary sewer system infrastructure improvements, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$2,500,000 therefor and authorizing the issuance of \$2,375,000 bonds or notes of the Township to finance part of the cost thereof - Final Reading

Explanatory Statement: This Sewer Utility Bond Ordinance authorizes an appropriation of \$2,500,000 for Phase VI of the Gables Area sanitary sewer rehabilitation project, the replacement of the Clinton Avenue Force Main, improvements to the North Riverside Pump Station, the Seaview Island Pump Station Hardening Project, and other sanitary sewer system infrastructure improvements and related site work

Public Hearing:
Offered by: Seconded by:; Williams,; Lane,
ORDINANCE NO. 20-22 — Marina Utility Bond Ordinance providing for improvements to docks and ramps and for preliminary costs related to dredging the marina basin, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$100,000 therefor and authorizing the issuance of \$95,000 bonds or notes of the Township to finance part of the cost thereof - Final Reading
Explanatory Statement: This Marina Utility Bond Ordinance authorizes an appropriation of \$100,000 for various improvements to the marina facilities in the Township, including the installation of a finger dock system and similar improvements to docks and ramps, and preliminary costs related to dredging the marina basin
Public Hearing:
Offered by: Seconded by: Vote: Brantley,; McMillan,; Rizzo,; Williams,; Lane,
ORDINANCE NO. 20-23 — Sewer Utility Capital Ordinance providing for equipment and furniture for the sewer utility, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$75,000 from the township's sewer utility capital surplus fund to pay for the cost thereof-Final Reading
Explanatory Statement: This Sewer Utility Capital Ordinance authorizes an appropriation of \$75,000 for the acquisition of various items of equipment and furniture for use by the Sewer Utility of the Township, including but not limited to, a radio communications system, building access controls, maintenance equipment and furniture, and all as shall be more particularly described in documents on file in the Office of the Clerk of the Township
Public Hearing:
Offered by: Seconded by: Vote: Brantley,; McMillan,; Rizzo,; Williams,; Lane,

Explanatory Statement: This ordinance fully amends the Police Department section of the Township Code including, but not limited to, defining the structure of the Department, composition and responsibilities of the Police Committee, appointment of officers, and addition of Class III officers. Offered by:\_\_\_\_\_ Seconded by:\_\_\_\_\_ Vote: Brantley, \_\_\_\_; McMillan, \_\_\_\_; Rizzo, \_\_\_\_; Williams, \_\_\_\_; Lane, \_\_\_\_. ORDINANCE NO. 20-25 - An ordinance to amend the Land Development Ordinance of the Township of Neptune by rezoning properties currently in the C-4 Route 66E Commercial Zone or C-7 Route 35 Commercial zone to B-1 Town Commercial Zone - First Reading Explanatory Statement: This ordinance rezones commercial properties on Route 35 currently zoned as either C-4 or C-7 to the zoning designation of B-1 Town Commercial. Offered by:\_\_\_\_\_ Seconded by:\_\_\_\_\_ Vote: Brantley, \_\_\_\_; McMillan, \_\_\_\_; Rizzo, \_\_\_\_; Williams, \_\_\_\_; Lane, \_\_\_\_. ORDINANCE NO. 20-26 - An ordinance to amend Section 404.01 of the Land Development Ordinance of the Township of Neptune by amending the permitted, conditional, and accessory uses in the B-1 Town Commercial Zone - First Reading Explanatory Statement: This ordinance fully amends the permitted, conditional, and accessory uses in the B-1 Town Commercial Zone. Offered by:\_\_\_\_\_ Seconded by:\_\_\_\_\_ Vote: Brantley, \_\_\_\_; McMillan, \_\_\_\_; Rizzo, \_\_\_\_; Williams, \_\_\_\_; Lane, \_\_\_\_. ORDINANCE NO. 20-27 - An ordinance amending Ordinance No. 16-46 entitled "An ordinance creating and setting the salary range for new job titles and amending the salary ranges for all other existing job titles of the Township of Neptune" by creating the positions of M.I.S. Manager and Paramedic - First Reading Explanatory Statement: This ordinance creates the positions of M.I.S. Manager and Paramedic and establishes a salary range of \$56,000 to \$65,000 and \$46,000.00 to \$60,000 respectively. Offered by:\_\_\_\_\_ Seconded by:\_\_\_\_\_ Vote: Brantley, \_\_\_\_; McMillan, \_\_\_\_; Rizzo, \_\_\_\_; Williams, \_\_\_\_; Lane, \_\_\_\_. The Public Hearings on Ordinances 20-24 through 20-27 will be held at the next Township Committee meeting on Monday, September 14th. CONSENT AGENDA Res. #20-256 – Authorize the endorsement of the tax sale certificate affecting Block 302, Lot 23 (8) Vanderbilt Place)

ORDINANCE NO. 20-24 — An ordinance to amend, revise and supplement Volume I, Chapter II, Section 2-10 of the code of the Township of Neptune, entitled "Police Department" - First Reading

Res. #20-258 – Authorize Developer's Agreement with WCS Group, LLC, Block 3902, Lots 2 & 3,

600 Essex Road.

Res. #20-257 – Accept maintenance guarantee and release a performance bond filed by Jersey Shore University Medical Center for site improvements in connection with the HOPE Tower and

Res. #20-259 – Accept the resignation of Dawn Crozier from the position of Historic Preservation Commission Administrative Officer.

Res. #20-260 – Authorize an amendment to the 2020 municipal budget to realize monies from the Hazardous Discharge Site Remediation Fund.

Res. #20-261 – Authorize Change Order #1 (final) in connection with improvements to Neptune Boulevard.

Res. #20-262 – Authorize Change Order #1 (final) in connection with Heck Avenue roadway improvements.

Res. #20-263 – Authorize Change Order #1 (final) in connection with improvements to Oxonia and Anelye Avenues.

Res. #20-264 – Authorize execution of a Federal Aid Agreement with the New Jersey Department of Transportation in connection with a Federal Highway Administration grant award for Shark River Hills pedestrian/bicycle lane improvements.

Res. #20-265 – Authorize submission of a 2020 Edward Byrne Memorial Justice Assistance Local Program grant application.

Res. #20-266 – Authorize T&M Associates to submit an application to the Hazardous Discharge Site Remediation Fund for additional remediation of the former Welsh Farms property.

Res. #20-267 – Authorize the purchase of a card reader system for the new Public Works/OEM building through the Educational Services Commission of New Jersey Purchasing Program.

Res. #20-268 – Authorize the Chief Financial Officer and other Township Officials to undertake certain actions in connection with the issuance of a not to exceed \$2,498,030 General Improvement Bond Anticipation Note.

Res. #20-269 – Authorize Revocable License Agreement with 73 Florence, LLC, Block 4916, Lot 13; 215 Overlook Drive.

Res. #20-270 – Authorize renewal of the liquor license held by Krenkel-Liquors, Inc. t/a Krenkel Liquors for the 2020-2021 licensing year.

Res. #20-271 – Authorizer renewal of liquor licenses for the 2020-2021 licensing year.

Res. #20-272 – Authorize Developer's Agreement with WSP Neptune, LLC (f/k/a Wasatch Storage Partners) Block 816, Lot 5.02; 635 Neptune Boulevard.

Res. #20-273 – Authorize the purchase of a portable emergency shelter and accessories through the State Cooperative Purchasing System.

Res. #20-274 - Authorize the purchase of appliances for the new Public Works/OEM building.

Res. #20-275 - Appoint School Crossing Guards for the 2020-2021 school year.

Res. #20-276 – Terminate Special Law Enforcement Officer – Class I.

Res. #20-277 – Terminate Emergency Medical Technician.

Res. #20-278 – Authorize the lease of Neopost mail system and equipment through the State Cooperative Purchasing Program.

CONSENT AGENDA Offered by:	Seconded by:	
Vote: Brantley,; McMillan,; Rizzo,	; Williams,	; Lane,
Res. #20-279 – Authorize Change Order #1 in conne facility.	ection with construct	ion of the Public Works/OEN
Offered by: Seconded by: Vote: Brantley,; McMillan,; Rizzo,	; Williams,	; Lane,
Res. #20-280 – Appoint members to the Police Com	nmittee.	
Offered by: Seconded by: Vote: Brantley,; McMillan,; Rizzo,	; Williams,	; Lane,
Res. #20-281 – Award bid for North Riverside Drive	improvements.	
Offered by: Seconded by: Vote: Brantley,; McMillan,; Rizzo,	; Williams,	; Lane,
Res. #20-282 – Extend Offer of Employment for the Works.	e position of Driver	in the Department of Public
Offered by: Seconded by: Vote: Brantley,; McMillan,; Rizzo,	; Williams,	; Lane,
Res. #20-283 – Authorize the payment of bills.		
Offered by: Seconded by: Vote: Brantley,; McMillan,; Rizzo,	; Williams,	; Lane,

# PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Members of the public may address any concern relating to the Township by submitting questions via email to 908-415-3680. Comments will be accepted when the Mayor opens this portion of the meeting for public comment.

# <u>ADJOURNMENT</u>

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-7 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A NO PARKING ZONE ON A PORTION OF SOUTH RIVERSIDE DRIVE

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:

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Volume I, Chapter VII, Section 7-7.7 – Parking Prohibited at All Times on Certain Streets, is hereby amended by adding the following:

Name of Street	Side	Location	•	
South Riverside Drive	West	Between Melrose Highland Avenue.	Avenue	and
SECTION 2				
This ordinance shall take eff	ect upon publication in	accordance with law.		

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell, Municipal Clerk	Robert Lane, Jr., Mayor	

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 COOKMAN AVENUE AND REMOVING A RESIDENT ONLY HANDICAPPED PARKING ZONE ON EMBURY AVENUE

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

#### SECTION 1

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

Name of Street	No. of Spaces	<u>Location</u>
Cookman Avenue	* <b>1</b>	North side of Cookman Avenue beginning 124 feet east of the northeast intersection of Cookman and New York Avenue

## **SECTION 2**

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

Name of Street	No. of Spaces	<u>Location</u>
Embury Avenue		South side of Embury Avenue beginning 78 feet east of the southeast intersection of Embury Avenue and Central Avenue

## **SECTION 3**

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

Richard J. Cuttrell,	Robert Lane, Jr.
APPROVED, PASSED, AND ADOPTED:	
APPROVED ON FIRST READING:	

BOND ORDINANCE PROVIDING FOR VARIOUS 2020 ROADWAY AND DRAINAGE IMPROVEMENTS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$2,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,900,000 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 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, said sum being inclusive of a down payment in the amount of \$100,000 (the "Down Payment") for said improvement required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), which Down Payment is now available from the General Capital Improvement Fund 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, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$1,900,000 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 \$1,900,000 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 various 2020 roadway and drainage improvement projects throughout the Township, such improvements to include the reconstruction of roadways and the construction and reconstruction of drainage infrastructure, including, but not limited to, installation of basins, manholes and drainage pipes, and roadway, sidewalk and curb restoration, and all other related improvements, and also including, as applicable, demolition and excavation, milling, paving, resurfacing and reconstruction of the roadways, roadway painting and striping, the repairing and/or removal and installation of sidewalks, driveway aprons, curbing, retaining walls and curb ramps, guardrails, and concrete improvements, and all other related improvements, engineering and design work, consulting, preparation of plans and specifications, construction planning, surveying, permits, bid documents, construction inspection and contract administration, equipment rental and all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans and specifications therefor prepared by the Township Engineer and on file in the Office of the Township Clerk and available for public inspection and hereby approved.

- (b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$1,900,000.
- (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 \$100,000 available for such improvement or purpose.

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 improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement or purpose which the Township may lawfully undertake as a general improvement or purpose, 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 improvement or purpose 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 fifteen (15) 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 \$1,900,000 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 \$200,000 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 improvement or purpose 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 improvement or purpose 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. 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 improvement or purpose 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. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township, which are authorized herein, and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In

the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. 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.

Mayor

Richard J. Cuttrell,	Robert Lane, Jr.	
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APPROVED, PASSED, AND ADOPTED:		
APPROVED ON FIRST READING:		

Municipal Clerk

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VEHICLES, EQUIPMENT, OFFICE EQUIPMENT AND FURNITURE, BY AND IN 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 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 \$450,000, said sum being inclusive of a down payment in the amount of \$22,500 (the "Down Payment") for said improvement required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), which Down Payment is now available from the General Capital Improvement Fund 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 \$450,000 appropriation not provided for by application hereunder of the 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 improvement or purpose, 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 improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is the acquisition of vehicles, equipment, office equipment and furniture, including, but not limited to, the acquisition of a leaf trailer, brine making and distribution equipment, a four wheel drive SUV, furniture and office equipment for use by various municipal departments within the Township, and all other related improvements, engineering and design work, consulting, preparation of plans and specifications, construction planning, surveying, permits, bid documents, construction inspection and contract administration, equipment rental and all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, 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.

- (b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$427,500.
- (c) The estimated cost of said improvement or purpose 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 improvement or purpose.

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 improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement or purpose which the Township may lawfully undertake as a general improvement or purpose, 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 improvement or purpose 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 \$20,000 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 improvement or purpose 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 improvement or purpose 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. 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 improvement or purpose 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. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township, which are authorized herein, and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. 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:	
Richard J. Cuttrell, Municipal Clerk	Robert Lane, Jr., Mayor

SEWER UTILITY BOND ORDINANCE PROVIDING FOR PHASE VI OF THE GABLES AREA SANITARY SEWER REHABILITATION PROJECT, THE REPLACEMENT OF VARIOUS SEWER FORCE MAINS AND LINES, VARIOUS PUMP STATION IMPROVEMENTS AND VARIOUS SANITARY SEWER SYSTEM INFRASTRUCTURE IMPROVEMENTS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$2,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,375,000 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 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 \$2,500,000, said sum being inclusive of a down payment in the amount of \$125,000 (the "Down Payment") for said improvement required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), which Down Payment is now available from the Sewer Utility Capital Improvement Fund 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 \$2,500,000 appropriation not provided for by application hereunder of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$2,375,000 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 \$2,375,000 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 Phase VI of the Gables Area sanitary sewer rehabilitation project, the replacement of the Clinton Avenue Force Main, improvements to the North Riverside Pump Station, the Seaview Island Pump Station Hardening Project, and other sanitary sewer system infrastructure improvements, and related site work and all other related improvements, and also including, as applicable, demolition and excavation, and all other related improvements, engineering and design work, consulting, preparation of plans and specifications, construction planning, surveying, permits, bid documents, construction inspection and contract administration, equipment rental and all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the Sanitary Sewer Infrastructure Maintenance Plan therefor prepared by the Township Engineer and on file in the Office of the Township Clerk and available for public inspection and hereby approved.

- (b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$2,375,000.
- (c) The estimated cost of said improvement or purpose is \$2,500,000, 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 \$125,000 available for such improvement or purpose.

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 improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement or purpose which the Township may lawfully undertake as a general improvement or purpose, 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 improvement or purpose 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 forty (40) 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 \$2,375,000 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 \$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 improvement or purpose 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 improvement or purpose 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. 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 improvement or purpose 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. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township, which are authorized herein, and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In

the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. 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:

Richard J. Cuttrell, Municipal Clerk

Robert Lane, Jr., Mayor

MARINA UTILITY BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO DOCKS AND RAMPS AND FOR PRELIMINARY COSTS RELATED TO DREDGING THE MARINA BASIN, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$95,000 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 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 \$100,000, said sum being inclusive of a down payment in the amount of \$5,000 (the "Down Payment") for said improvement required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), which Down Payment is now available from the Marina Capital Improvement Fund 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 \$100,000 appropriation not provided for by application hereunder of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$95,000 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 \$95,000 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 various improvements to the marina facilities in the Township, including the installation of a finger dock system and similar improvements to docks and ramps, and preliminary costs related to dredging the marina basin, and also including, as applicable, all other related improvements, engineering and design work, consulting, preparation of plans and specifications, construction planning, surveying, permits, bid documents, construction inspection and contract administration, equipment rental and all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, 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.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$95,000.

(c) The estimated cost of said improvement or purpose is \$100,000, 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 \$5,000 available for such improvement or purpose.

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 improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement or purpose which the Township may lawfully undertake as a general improvement or purpose, 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 improvement or purpose 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 \$95,000 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 \$50,000 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 improvement or purpose 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 improvement or purpose 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. 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 improvement or purpose 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. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township, which are authorized herein, and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for

any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. 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:

Richard J. Cuttrell, Municipal Clerk Robert Lane, Jr., Mayor

SEWER UTILITY CAPITAL ORDINANCE PROVIDING FOR EQUIPMENT AND FURNITURE FOR THE SEWER UTILITY, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$75,000 FROM THE TOWNSHIP'S SEWER UTILITY CAPITAL SURPLUS FUND TO PAY FOR THE COST THEREOF

WHEREAS, the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), wishes to undertake a capital improvement consisting of the acquisition of various items of equipment and furniture for use by the Sewer Utility of the Township, including but not limited to, a radio communications system, building access controls, maintenance equipment and furniture, and all as shall be more particularly described in documents on file in the Office of the Clerk of the Township and by this reference incorporated herein (collectively, the "Capital Improvements"); and

WHEREAS, the cost of said Capital Improvements is estimated to be \$75,000; and

WHEREAS, the Township Committee desires to authorize an appropriation from the Sewer Utility Capital Surplus Fund in the amount of \$75,000 to undertake the aforesaid Capital Improvements,

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

- SECTION 1. The capital improvement or purpose described in Section 2 of this capital ordinance is hereby authorized as a general capital improvement to be undertaken by the Township. There is hereby appropriated the amount of \$75,000 from the Sewer Utility Capital Surplus Fund for said improvement or purpose stated in Section 2 hereof.
- SECTION 2. The capital improvement or purpose hereby authorized is the acquisition of various items of equipment and furniture for use by the Sewer Utility of the Township, including but not limited to, a radio communications system, building access controls, maintenance equipment and furniture, and all as shall be more particularly described in documents on file in the Office of the Clerk of the Township and by this reference incorporated herein (collectively, the "Capital Improvements"), and also including all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.
- SECTION 3. The expenditure of moneys from the Sewer Utility Capital Surplus Fund for the improvement or purpose set forth in Section 2 hereof is hereby authorized and approved. The Mayor, the Clerk, the Chief Financial Officer and any other official/officer of the Township are each hereby authorized and directed to execute, deliver and perform any agreement necessary to undertake the Capital Improvements or purposes set forth herein and to effectuate any transaction contemplated hereby.
- SECTION 4. The capital budget of the Township is hereby amended to conform with the provisions of this capital ordinance, and to the extent of any inconsistency

herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs, as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk of the Township and will be available for public inspection.

SECTION 5. Capitalized terms used herein and not otherwise defined, shall have the meanings ascribed to such terms in the preamble to this capital ordinance.

SECTION 6. This ordinance shall take effect in accordance with applicable law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,

Robert Lane, Jr.,

Municipal Clerk

Rayor

# \*\*\*\*TABLED\*\*\*\*

AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT VOLUME I, CHAPTER II SECTION 2-10 OF THE CODE OF THE TOWNSHIP OF NEPTUNE, ENTITLED "POLICE DEPARTMENT"

\*\*[Brackets] shall mean deletion; <u>Underlines</u> shall mean additions\*\*

**BE IT ORDAINED** by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey that Section 2-10 of the Township Code of the Township of Neptune, entitled, "Police Department" is hereby amended, revised and/or supplemented as follows:

## §2-10.1 Department Established.

There is hereby created in and for the Township of Neptune Police Department, which shall consist of such employees and officers as shall be deemed necessary by the Township Committee and may include a Police Chief in accordance with N.J.S.A. 40A:14-118. The Township Committee shall, from time to time, determine the number of employees and officers of the Police Department together with their compensation. The structure of the Police Department will include, at a maximum, of seventy-eight (78) sworn law enforcement officers. who shall consist of a maximum of one (1) Police Chief; one (1) Deputy Police Chief; three (3) Captains, seven (7) Lieutenants, [in addition to the number of Sergeants and Patrolmen determined by the Township Committee] fourteen (14) Sergeants and fifty-two (52) police officers. The [governing body] Township Committee shall also appoint from amongst its members a Police Committee composed of up to five (5) members, but at a minimum, two (2) Township Committeepersons and the Township Business Administrator shall be members. The remaining two (2) possible members may be comprised of one (1) non-police officer/employee of Neptune Township and one (1) resident of Neptune Township, appointed at the discretion of the Township Committee. One (1) of the Township Committeepersons shall be designated as the Chairperson of the Police Committee by the Police Committee members. [and a third member who may be a retired Police Officer from the Neptune Township Police Department, retired in good standing; an active duty or retired Police Officer or other Law Enforcement Officer from another Police Department or Law Enforcement Agency; a non-police officer/employee of Neptune Township [or another town, or a non-employee volunteer or paid professional at the Township Committee's sole discretion.] [The Police Committee shall designate a person to serve as its Chairperson or Township Police Commissioner of the Police Committee from amongst the three members appointed to the Police Committee by the Township Committee.] [The Police Committee is hereby designated as the appropriate authority as provide for in the New Jersey Statutes, and shall be responsible for the overall performance of the Police Department, as set forth more fully below.] The Township Committee will endeavor, within six (6) months of the adoption of the Ordinance to fill one (1) or more of the remaining Police Committee membership, other than the two Committeepersons and the Township Business Administrator.

## §2-10.2 Designation of Appropriate Authority.

[In accordance with <u>N.J.S.A.</u> 40A:14-118, the Police Committee, as set forth above, is hereby designated as the Appropriate Authority, and is hereby vested with the powers and duties of an Appropriate Authority as delegated by law.]

In accordance with the provisions of N.J.S.A. 40A:14-118 and all rules, regulations and Court decisions as to same, the Police Committee is hereby designated as the Appropriate Authority, subject to the ultimate and final approval of its actions/recommendations by the Township Committee.

# §2-10.3 Responsibilities of Police Department, Police Committee and Chief of Police.

a. Police Department: The Police Department shall preserve the public peace; protect life and property; detect, arrest and prosecute offenders of the laws of New Jersey and the ordinances of the Township of Neptune; direct and control traffic; provide attendance and protection during emergencies; provide appearances in court; cooperate with all other law enforcement agencies; provide training for the efficiency of its members and officers.

## b. Police Committee:

- 1. The Police Committee shall report to the Township Committee and shall be responsible to review the performance of the Police Department and report such to the Township Committee. It shall serve as the administrative and [executive head] oversight body of the Police Department. It shall review and recommend to the Township Committee for its approval all [adopted] proposed and promulgated rules and regulations for the government of the Police Department and for the discipline of its employees. The Police Committee's duties include, but are not limited to:
  - (a) Establishing the procedures to be followed by the Chief of Police and other subordinate officers for the purchase of equipment and supplies. Such procedures may include the requirement that the Police Committee [approve] review all expenditures with regard to the equipment and supplies and recommend actions as to same by the Township Committee.
  - (b) The Police Department and Chief Financial Officer shall keep a record of all business transacted by the Police Department and <a href="recommend">recommend</a> approv[e]al of all bills for the expenses of the Police Department to the Township Committee after review and approval of the Police Committee.
  - (c) The Police Department shall keep and maintain accurate records and submit an annual report to the Township Committee, on or before January 31, which shall assess the operations of the Police Department, and its personnel, equipment and property.
  - (d) The Police Department shall keep and maintain all records, reports, documents and other data required to be kept and maintained by the Federal

- and/or State government, with the Police Committee's right of review to the extent allowed by law[.], after a decision of the majority of the Police Committee at a meeting of same to conduct such review.
- (e) The Police Department shall keep and maintain a record of all appointments, dismissals, removals, resignations and deaths of officers and other department employees as they take place, with such other information as may be necessary, with the Police Committee's right of review to the extent allowed by law[.], after a decision of the majority of the Police Committee at a meeting of same to conduct such review.
- (f) The Police Department and Chief Financial Officer shall develop the annual budget for the Police Department, [subject to] in conjunction with the Police Committee. [overseeing any and all expenditures of the Police Department, and reviewing and approving said annual budget.] The budget approval shall be done by the Township Committee. Review of all expenditures prior to same occurring shall be reviewed by the Police Committee and Chief Financial Officer with final approval by the Township Committee.
- (g) The Police Chief shall analyze crime trends and statistics to ensure that the Police Department makes the best use of available funds, personnel, equipment and supplies, with the Police Committee's right of review[.] to the extent allowed by law after a decision of the majority of the Police Committee at a meeting of same to conduct such review.
- (h) The Police Committee [, in conjunction with the Police Department,] <u>and the Police Chief</u> shall <u>jointly</u> evaluate the effectiveness of work program and procedures of all organizational components within the police Department and developing effective work methods for subordinates.
- (i) The Police Committee, in conjunction with the Police [Department,] <u>Chief or designee</u> shall undertake special studies pertaining to Police functions and promoting close coordination of planning efforts.
- (j) The Police Committee, in conjunction with the Police [Department,] <u>Chief or designee</u> shall establish and maintain helpful and cooperative relations with civic and business organizations, schools, and court offices, and with other groups and public authorities and other jurisdictions, and with others interested in the maintenance of law and order.
- [(k) All such other duties not specifically reserved to the Chief of Police pursuant to N.J.S.A. 40A14-118.]
- 2. The Chief of Police [or designee] or highest ranking sworn law enforcement officer in the absence of the Chief shall report directly to the Police Committee and the Police Committee shall receive [daily] weekly or other periodic reports, as designated by the Police Committee, from the Chief of Police [or designee] or highest ranking sworn law enforcement officer in the absence of the Chief.

- 3. The Police Committee shall also be responsible for ensuring that all Police Officers and employees are compensated in accordance with State and Federal Wage and Hour requirements.
- 4. The Police Committee shall be appointed by the Township Committee. The members of the Police Committee shall serve [at the pleasure of the Township Committee and may be removed by the Township Committee at their discretion] for a term of two (2) years from the date of their appointment.
- 5. In addition to the two (2) members of the Township Committee appointed to the Police Committee, and a third (3<sup>rd</sup>) member as set forth above, the [governing body] Township Committee may also [appoint, or] authorize on its own or after the Police Committee [may] requests same, any professional needed to accomplish its duties, including the Township Labor Counsel, the Township Attorney, the Township Chief Financial Officer or any other consultant or professional [that the Police Committee may feel appropriate.] necessary to assist the Police Committee in its functions.

#### c. Chief of Police:

- If a Police Chief is appointed, he/she shall exercise any and all of the rights, authorities, powers and responsibilities reserved solely to the Chief of Police pursuant to N.J.S.A. 40A:14-118. [Any other rights, authorities, powers and responsibilities not reserved solely to the Chief of Police by N.J.S.A. 40A:14-118 shall be assumed or delegated by the Police Committee.]
- 2. If a Police Chief is not appointed, any and all of the rights, authorities, powers and responsibilities reserved solely to the Chief of Police, pursuant to N.J.S.A. 40A:14-118, [which cannot be performed by the Police Committee,] shall be delegated to a Chief Law Enforcement Officer, which shall be highest ranking sworn law enforcement officer in the Department [, as designated by the Police Committee].

# [§ 2-10.4. Appointment of Officers

No person shall be appointed to the Police Department who is not qualified as provided in the New Jersey Statutes. The selection criteria for a police officer shall be established in department policy consistent with New Jersey Statutes.]

# [§ 2-10.5. Appointment of Probationary Officers.

The Township Committee shall have the power and authority to appoint such Probationary Officers as in its discretion shall be deemed necessary for the proper maintenance of the Police Department for a period not to exceed one (1) year. (Ord. No. 463 § 1)]

# § 2-10.4. Appointment of Officers and Probationary Period.

a. No person shall be appointed as a member of the Neptune Township Police Department unless he/she:

- (1) is a citizen of the United States;
- (2) is not less than 21 years of age or older than 35 years of age, except under certain circumstances provided by law;
- (3) shall have graduated from high school or possess a General Equivalency Degree (GED);
- (4) shall possess an associate's degree or sixty (60) college/university credits from an accredited college/university or be honorably discharged from active duty services in any branch of the U.S. military;
- (5) is sound in body and of good health sufficient to satisfy the Board of Trustees of the Police and Firemen's Retirement System (PFRS) as to his/her eligibility for membership in the retirement system;
- (6) is able to at least read, write and speak the English language well and intelligently;
- (7) has no indictable criminal history conviction and is of good moral character;
- (8) shall have successfully passed the police officer's entry level written, and if part of same, physical examination administered by the New Jersey State Association of Chiefs of Police and currently on a valid active list. This requirement may be issued by the Township if the candidate successfully completed a New Jersey Police Training Commission (PTC) approved basic training course for police officers or has successfully completed a PTC approved training course for Special Law Enforcement Officer Class II (SLEO II) at the Monmouth County Police Academy and is eligible for a waiver of training under PTC guidelines.
- (9) successfully passes a physical examination and a psychological examination as part of a conditional offer of employment.
- b. No police officer shall be entitled to a permanent employment as a police officer in the Neptune Township Police Department unless said police officer has successfully completed a period of one (1) year after successful completion of either: (1) employment with the Neptune Township Police Department, if already having successfully completed a police training course (not a special law enforcement course); or, (2) a police training course at a school approved and authorized by the Police Training Commission (PTC) and Department of Law and Public Safety of the State of New Jersey. As to §b(2) herein, if the police training course is not taken by the police officer at the start of his/her retention by the Department, the probationary period shall be extended so that one (1) year of probation shall follow the successful completion of the training course. Once the one (1) year probationary period is completed, the Township Committee shall determine whether or not to make the probationary officer permanent. Up to and through the expiration of said probationary period, the Township Committee may terminate the police officer's employment with the Township Police Department at any time without cause by a resolution of the Township Committee.

## [§ 2-10.6.] § 2-10.5. Excess Duty During State of Emergency.

- a. Whenever an emergency exists, as provided by Statute or as declared by the Mayor, the Chief of Police is hereby authorized to summon and keep on duty any member of the Police Department for such a period of time in excess of ordinary duty hours which, in the sole discretion of the Chief of Police, is necessary to adequately perform the duties of the Police Department and to preserve public safety and welfare in the Township.
- b. Members of the Police Department shall be compensated for time on duty in excess of their regular hours of duty at the same rate per hour as they are paid for regular duty. This additional compensation shall be in lieu of any compensatory time off and in addition to the regular salary paid to members of the Police Department.

## [§ 2-10.7.] § 2-10.6. Special Police Officers.

- a. The position of Special Police Officer in the Neptune Township Police Department is hereby established.
- b. The Mayor, subject to the approval by resolution of the Township Committee, shall appoint Special Police Officers for a term not exceeding one (1) year[,] and shall not revoke such appointments without cause or hearing, unless the appointment is for four (4) months or less. Such Special Police Officers shall carry out their duties and responsibilities under the direct supervision of the Chief of Police[,] and their powers, rights and duties shall be specifically defined by the Chief of Police, pursuant to the statutory duties of a Special Law Enforcement Officer and within the scope of their training as determined by the Police Training Commission. These powers, rights and duties, however, shall immediately cease at the expiration of the term for which they were appointed, or upon revocation of their appointment. The resolution approving appointment of Special Police Officers shall designate the rate of pay if any.
- c. No person shall be appointed as a Special Police Officer unless he or she is a citizen of the United States and of the State of New Jersey; is able to read, write, and speak the English language well and intelligently and has a high school diploma or equivalent; is physically qualified and of good moral character, [and] shall not have been convicted of any crime/offense; and, has successfully undergone the same psychological testing that is required of all full-time police officers in the Township. Every such Special Police Officer shall be fingerprinted and his fingerprints shall be filed with the Division of the State Police and Federal Bureau of Investigation. Reports shall be made by the Chief of Police to the Township Committee in writing concerning the eligibility and qualifications of any person proposed to be appointed a Special Police Officer.
- d. Class One Officers (Class I). Class I Officers shall be authorized to perform routine traffic detail, spectator control and similar duties. Class I Officers shall have the power to issue summonses for disorderly persons and petty disorderly persons offenses, violations of municipal ordinances and violations of Title 39 of the Revised Statutes. The use of a firearm by an Officer of this class shall be strictly prohibited and no Class I Officer shall be assigned any duties which may require the carrying or use of a firearm.

e. Class Two Officers (Class II). Class II Officers shall be authorized to exercise full powers and duties similar to those of a permanent, regularly appointed full-time police officer. The use of a firearm by an officer of this class may be authorized only after the officer has been fully certified as successfully completing training as prescribed by the commission. Class II Officers are not authorized to carry an off duty weapon.

## f. Class Three Officers (Class III).

- (1) Class III Officers shall be authorized to exercise full powers and duties similar to those of a permanent, regularly appointed full-time police officer while providing security at a public or non-public school or a county college on the school or college premises during hours when the public or non-public school or county college is normally in session or when it is occupied by public or non-public school or county college students or their teachers or professors. While on duty in the jurisdiction of employment, an officer may respond to offenses or emergencies off school or college grounds if they occur in the officer's presence while traveling to a school facility or county college, but an officer shall not otherwise be dispatched or dedicated to any assignment off school or college property.
- (2) In order to be appointed as a Class III Officer, the person must be: a retired law enforcement officer in good standing who is less than sixty-five (65) years of age whose retirement does not include a retirement resulting from injury or incapacity or the officer's return to work does not violate Federal or State law or regulation as to a return to work; has served as a duly qualified, fully trained, full time officer in any law enforcement position eligible for participation in PFRS or in any Federal or bi-state law enforcement agency or as a member of the State Police and was separated from that prior service in good standing; is physically capable of performing the functions of the position, determined in accordance with PTC guidelines; possess a NJ PTC Basic Police Officer certification or a NJ State Police Academy Certification or other proof of basic police training approved by the PTC; has completed the training course for safe school resource officers developed pursuant to N.J.S.A. 52:17B-71.8a; and, is hired in a part-time capacity.
- (3) The use of a firearm by a Class III Officer shall be authorized pursuant to the provisions of N.J.S.A. 40A:14-146.14b. A Class III Officer shall not be authorized to carry a firearm while off duty unless the officer complies with the requirements of subsection I of N.J.S.A. 2C:39-6 authorizing a retired law enforcement officer to carry a handgun.
- [f.] g. In accordance with [N.J.S.A. 40A:14-146-17] N.J.S.A. 40A:14-146-17, the Township Committee may employ a maximum of twenty-five (25) Class II and fifteen (15) Class I Officers.
- [g.] h. The Special Police Officer shall be subject to the terms and conditions, rules and regulations of the Personnel Ordinance of the Township of Neptune and subject further to such rules and regulations as shall be established by the Chief of Police and/or Business Administrator.
- [h.] <u>i.</u> The Special Police Officer shall be paid such hourly salary as provided for in the salary ordinance of the Township.

# [§ 2-10.8.] § 2-10.7. Employment of School Crossing Guards.

- a. Pursuant to N.J.S.A. 40A:9-154.1, the Township Committee shall have the power, by resolution, to employ Police Officers or any other authorized personnel to act as School Crossing Guards.
- b. Such Adult School Crossing Guards shall receive compensation as established by resolution of the Township Committee.

# [§ 2-10.9.] § 2-10.8. Establishing the Rules and Regulations of the Police Department.

The Police Committee, as the "Appropriate Authority" shall, from time to time as may be necessary, adopt and amend the rules and regulations for the government and discipline of the Police Department and employees thereof subject to approval of the Township Committee [per the Police Committee's recommendation]. Said rules and regulations may fix and provide for the enforcement of such rules and regulations and the enforcement of penalties for the violation of such rules and regulations. All employees of the Police Department shall be subject to such rules and regulations and penalties. [Disciplinary hearings shall be conducted by the Township Administrator or his designee.]

## [§ 2-10.10.] § 2-10.9. Disciplinary Actions.

Discipline of employees and police officers will be imposed consistent with New Jersey State statutes and the Rules and Regulations of the Neptune Township Police Department. Employees may be subject to discipline for violating laws, statutes, ordinances, rules and regulations and written directives. <u>Disciplinary hearings shall be conducted by the Township Administrator or designee.</u>

# [§ 2-10.11.] <u>§ 2-10.10.</u> County Mutual Aid Agreement.

- a. Participation by the Township of Neptune in a County-wide compact which shall be known as "The Monmouth County Mutual Aid Agreement" is hereby authorized.
- b. This subsection is created pursuant to N.J.S.A. 40:48-1(6) and N.J.S.A. 40A:14-156.1 and is adopted as a reciprocal agreement with all municipalities participating in the County-wide mutual aid compact. Pursuant to this agreement, the Township of Neptune shall render assistance to any participating municipality by providing members of the Neptune Township Police Department, upon request, to help preserve the public peace and order.
- c. The municipality requesting assistance shall compensate the officers at an agreed-upon rate by forwarding payment to the municipality, which will then compensate those officers who rendered assistance.
- d. In the event that an officer is injured while rendering assistance, the municipality providing assistance shall be primarily responsible for any costs as a result of the injury. Nothing in the Agreement shall serve as a bar to the municipality providing assistance from seeking indemnification from the municipality receiving assistance.

e. This subsection is separate and distinct from any mutual aid agreements previously entered into between the Township of Neptune and any other municipalities and shall remain in full force and effect until specifically repealed by an affirmative act of the governing body.

### NOW, THEREFORE, BE IT FURTHER ORDAINED that:

- 1. Any ordinance that is inconsistent with the provisions of this Ordinance shall be repealed as to their inconsistencies only.
- 2. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase or portion shall be deemed a separate district and independent provision and such holding shall not affect the validity of the remaining portions thereof.
- 3. This Ordinance shall take effect after final adoption and publication in accordance with law.

APPROVED ON FIRST READING:	TABLED	
APPROVED, PASSED, AND ADOPTED:		
Richard J. Cuttrell,	Robert Lane, Jr.,	
Municipal Clerk	Mayor	

#### ORDINANCE NO. 20-25

AN ORDINANCE TO AMEND THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY REZONING PROPERTIES CURRENTLY IN THE C-4 ROUTE 66E COMMERCIAL ZONE OR C-7 ROUTE 35 COMMERCIAL ZONE TO B-1 TOWN COMMERCIAL ZONE

WHEREAS, properties known and designated on the Tax Map of Neptune Township as Block 701, Lots 25 and 26; Block 805, Lots 8, 9 and 10; Block 806, Lot 6; Block 807, Lots 8, 9, 10 and 11 and Block 808 Lots 5, 6, 7 and 8; are currently zoned C-4 Route 66E Commercial, and

WHEREAS, properties known as Block 1001, Lots 1, 2 and 3; Block 1002 Lots 1, 2 and 16; Block 1003 Lots 1 and 3; Block 1004 Lots 1 and 2; Block 507 Lots 1, 2, 3 and 4; Block 506 Lots 1, 2, 3, 11, 15, 16, 17 and 18; Block 613 Lots 5, 6, 7, 8, 9 and 10; Block 612 Lots 10, 11, 12 and 13; Block 401 Lots 7, 8, 9, 10, 11 and 12; Block 409, Lots 13, 14, 15, 16, 17, 18 and 19; Block 410, Lots 14, 15, 16 and 18; Block 417, Lots 16 and 17; Block 407, Lots 1 and 25; Block 411, Lots 1 and 20 and Block 416, Lot 1, are zoned C-7 Route 35 Commercial, and

WHEREAS, the above referenced properties all front along the Route 35 Corridor, and

WHEREAS, the rezoning of these properties to the B-1 Town Commercial Zone will allow for a more consistent land use along the Route 35 Corridor, and

WHEREAS, the proposed changes in zoning are generally consistent with many of the goals and objectives of former and current Township Master Plan documents. By way of example, the 2011 Comprehensive Master Plan recommends to evaluate the opportunity to consolidate commercial zoning districts along the Route 33, Route 35 and Route 66 corridors,

THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune that the Land Development Ordinance is hereby amended as follows:

#### SECTION 1 - PROPERTIES REZONED FROM C-4 OR C-7 TO B-1

The "Zoning Map" of the Township of Neptune is hereby supplemented and amended to reflect the rezoning of the abovementioned properties to the B-1 Zone.

#### **SECTION 2 - REPEALER**

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

#### **SECTION 3 - INCONSISTENT ORDINANCES**

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

### **SECTION 4 - SEVERABILITY**

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

### **SECTION 5 - EFFECTIVE DATE**

This Ordinance shall take effect upon its passage and publication according to law.

APPROVED ON FIRST READING:	·	
APPROVED, PASSED, AND ADOPTED:		
	•	
Richard J. Cuttrell,	Robert Lane, Jr.,	
Municipal Clerk	Mavor	

#### ORDINANCE NO. 20-26

AN ORDINANCE TO AMEND SECTION 404.01 OF THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY AMENDING THE PERMITTED, CONDITIONAL, AND ACCESSORY USES IN THE B-1 TOWN COMMERCIAL ZONE

BE IT ORDAINED, by the Township Committee of the Township of Neptune that the Land Development Ordinance of the Township of Neptune is amended as follows:

SECTION 1 – Section 404.01 – B-1 Town Commercial is fully amended as follows:

### § 404.01 B-1 - Town Commercial

A. <u>Purpose</u>. The B-1 Zone District intends to serve the needs of specific surrounding residential neighborhoods by providing for retail sale and service uses. The need to complement and preserve the character of the surrounding residential neighborhoods is paramount.

#### B. <u>Permitted uses</u>.

- 1. Furniture and Home Furnishings stores (NAICS 442)
- 2. Electronics and Appliance stores (NAICS 443)
- 3. Musical instrument Stores, Sporting Goods, Hobby and Book Stores (NAICS 451)
- 4. Food and Beverage Stores (NAICS 445)
- 5. Health and Personal Care Stores (NAICS 446)
- 6. Clothing and Clothing Accessories Stores (NAICS 448)
- 7. General Merchandise Stores (NAICS 452)
- 8. Miscellaneous Store Retailers (NAICS 453)
- 9. Credit Intermediation and Related Activities (NAICS 522)
- 10. Securities, Commodity Contracts, and Other Financial Investments and related Activities (NAICS 523)
- 11. Insurance Carriers and Related Activities (NAICS 524)
- 12. Real Estate (NAICS 531)

- 13. Rental and Leasing Services (NAICS 532)
- 14. Educational Services (NAICS 611)
- 15. Ambulatory Health Care Services (NAICS 621)
- 16. Social Assistance (NAICS 624, except Vocational Rehab Services, Community 6242)
- 17. Performing Arts and Related Industries (NAICS 711, 7112)
- 18. Food Services and Drinking Places (NAICS 722 except Drive Thru Food Services)
- 19. Personal Laundry services (NAICS 812, except 81293 parking lots and garages)
- 20. Repair and Maintenance (NAICS 811, except all Automotive Repair and Maintenance and NAICS 8111)
- 21. Administrative and Support Services (NAICS 561 except Landscape Services, Outdoor storage of goods and services is prohibited)
- 22. Professional, Scientific and Technical Services (NAICS 541)
- 23. Funeral homes

#### C. Conditional uses.

- Convenience Store with Gas
- 2. Public Utility Facility
- 3. Electricity regulating substations
- 4. Places of Worship
- 5. Building Material and Garden Equipment and Supplies Dealers (NAICS 444)
- 6. Mixed Use (residential over retail)

#### D. <u>Accessory uses</u>.

- 1. Uses customarily incidental and accessory to a principal permitted use
- 2. Outdoor Dining Facility associated with a permitted principal use
- 3. Parking for principal use

#### Bulk regulations. See Schedule B-1.

#### Conditions for Mixed Use (residential over retail)

- 1. No residential uses shall be permitted on the ground floor
- 2. A vegetative buffer and fencing shall be provided along the eastern boundary of the site no less than 15 feet.
- 3. Parking shall not be in Route 35 front yard area
- 4. Maximum front yard setback from Route 35: 20 feet
- 5. Minimum front yard setback from Bangs Avenue: 20 feet
- 6. Minimum front yard setback from Monroe Avenue: 20 feet
- 7. Minimum building setback from residential lot line: 40 feet
- 8. Maximum percent building coverage: 35%
- 9. Maximum impervious coverage: 80%
- 10. Maximum Building Height: 42 feet

#### SECTION 2 - REPEALER

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

#### **SECTION 3 - INCONSISTENT ORDINANCES**

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

#### **SECTION 4 - SEVERABILITY**

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

#### **SECTION 5 - EFFECTIVE DATE**

This Ordinance shall take effect upon its passage and publication according to law.

APPROVED ON FIRST READING:		
APPROVED, PASSED, AND ADOPTED:		
Richard J. Cuttrell,	Robert Lane, Jr.,	
Municinal Clerk	Mayor	

#### ORDINANCE NO. 20-27

AN ORDINANCE AMENDING ORDINANCE NO. 16-46 ENTITLED "AN ORDINANCE CREATING AND SETTING THE SALARY RANGE FOR NEW JOB TITLES AND AMENDING THE SALARY RANGES FOR ALL OTHER EXISTING JOB TITLES OF THE TOWNSHIP OF NEPTUNE" BY CREATING THE POSITIONS OF M.I.S. MANAGER AND PARAMEDIC

BE IT ORDAINED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, as follows:

#### SECTION 1

Ordinance No. 16-46 be and is hereby amended as follows:

- A. The job titles of M.I.S. Manager and Paramedic are hereby created and the salary ranges for said job titles are established in Section 2 below.
  - B. The job description for said job titles are on file in the Human Resources Department.

#### **SECTION 2**

The salary range for MIS Manager and Paramedic are hereby established as follows:

TITLE	<u>MINIMUM</u>	<b>MAXIMUM</b>
M.I.S. Manager	\$ 56,000.00	\$ 65,000.00
Paramedic	\$ 46,000.00	\$ 60,000.00

#### **SECTION 3**

The salary for each position named above shall be established within the aforesaid ranges by adoption of a contract with employees of AFSCME Local 1844 or by Resolution of the Township Committee.

#### **SECTION 4**

This ordinance shall be effective upon publication in accordance with law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

AFFROVED, FASSED, AND ADOFTED.		
Richard J. Cuttrell, Municipal Clerk	Robert Lane, Jr., Mayor	<del></del>

#### RESOLUTION #20-256 - 8/10/20

# AUTHORIZE THE ENDORSEMENT OF THE TAX SALE CERTIFICATE AFFECTING BLOCK 302, LOT 23 (8 VANDERBILT PLACE)

WHEREAS, all the taxes, costs and interest have been paid on the Tax Title Lien Certificate affecting the property listed below,

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 endorse for cancellation the Tax Title Lien Certificate affecting Block 302, Lot 23 (8 Vanderbilt Place); and,

BE IT FURTHER RESOLVED, that a copy of this resolution and the endorsed Tax Sale Certificate be forwarded to the Tax Collector.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON AUGUST 10, 2020

#### RESOLUTION #20-257 - 8/10/20

### ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY JERSEY SHORE UNIVERSITY MEDICAL CENTER FOR SITE IMPROVEMENTS IN CONNECTION WITH THE HOPE TOWER AND GARAGE

WHEREAS, on November 14, 2015, Jersey Shore University Medical Center filed performance bond 106413691, written by Travelers Casualty and Surety Company of America in the amount of \$980,532.00, guaranteeing site improvements at the HOPE Tower and garage (Block 1201, Lots 4 & 5); and,

WHEREAS, this bond was increased to \$1,041,336.00 on June 6, 2017 due to additional landscaping; and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of February 27, 2020 and said performance bond can be released contingent upon posting a two year maintenance bond in the amount of \$144,630.00; and,

WHEREAS, Jersey Shore University Medical Center has filed Maintenance Bond #107226061 in the amount of \$144,630.00 written by Travelers Casualty and Surety Company of America guaranteeing said site improvements for a period of two years,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Maintenance Guarantee as stated above be and is hereby accepted and the performance bond is authorized to be released; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee and inspection fee escrow deposited with the Township be and is hereby authorized to be refunded (\$4,000.00 being retained for final inspection at the end of the maintenance period); and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE

COPY OF A RESOLUTION ADOPTED BY THE

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF

NEPTUNE ON AUGUST 10, 2020

Richard J. Cuttrell, Municipal Clerk

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#### RESOLUTION #20-258 - 8/10/20

# AUTHORIZE DEVELOPER'S AGREEMENT WITH WCS GROUP, LLC, BLOCK 3902 LOTS 2 & 3, 600 ESSEX ROAD

WHEREAS, WCS GROUP, LLC is the Developer of property subject to an Final Major Site Plan Approval by the Neptune Township Planning Board seeking to make certain improvements at 600 Essex Road, a/k/a Block 3903, Lots 2 & 3 on the Tax Map of the Township of Neptune; and

WHEREAS, WCS GROUP, 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 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 WCS GROUP, 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's Agreement with WCS GROUP, LLC, 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 Resolution #19-12, 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; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Engineer and the Township Attorney along with the fully executed Developer's Agreement.

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE

COPY OF A RESOLUTION ADOPTED BY THE

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF

NEPTUNE ON AUGUST 10, 2020

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#### RESOLUTION #20-259 - 8/10/20

# ACCEPT THE RESIGNATION OF DAWN CROZIER FROM THE POSITION OF HISTORIC PRESERVATION COMMISSION ADMINISTRATIVE OFFICER

WHEREAS, the Business Administrator has received a letter from Dawn Crozier resigning from the position of Historic Preservation Commission Administrative Officer effective August 7, 2020,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Dawn Crozier from the position of Historic Preservation Commission Administrative Officer is hereby accepted effective August 7, 2020; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON AUGUST 10, 2020

Richard J. Cuttrell, Municipal Clerk

#### RESOLUTION #20-260 - 8/10/20

# AUTHORIZE AN AMENDMENT TO THE 2020 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2020 in the sum of \$7,813.65 which is now available from a Hazardous Discharge Site Remediation Fund grant in the amount of \$7,813.65; and,

BE IT FURTHER RESOLVED that the like sum of \$7,813.65 is hereby appropriated under the caption of Hazardous Discharge Site Remediation Fund – Shark River Municipal Marina; and,

BE IT FURTHER RESOLVED, that the above is the result of funds received from the State of New Jersey – Hazardous Discharge Site Remediation Fund for continued site remediation at the Shark River Municipal Marina in the amount of \$7,813.65; and,

BE IT FURTHER RESOLVED, that the Clerk forward three certified copies of this resolution to the Chief Financial Officer, and one copy to the Assistant C.F.O., and Auditor.

Vote:

Brantley:

aye

McMillan:

aye

Rizzo:

aye

Williams:

aye

Lane:

aye

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMETTEE OF THE TOWNSHIP OF

NEPTUNE ON \_\_\_\_\_\_ \$ 11019

#### RESOLUTION #20-261 - 8/10/20

# AUTHORIZE CHANGE ORDER #1 (FINAL) IN CONNECTION WITH IMPROVEMENTS TO NEPTUNE BOULEVARD

WHEREAS, on May 13, 2019, the Township Committee adopted Resolution #19-214 which awarded a bid to Earle Asphalt Company in the amount of \$449,413.13 in connection with Improvements to Neptune Boulevard; and,

WHEREAS, a change to the contract has been experienced as a result of final as-built quantities at project close-out; and,

WHEREAS, this change has been approved by the Township Engineer; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 18-19 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #1 (final) in the contract with Earle Asphalt Company in connection with Improvements to Neptune Boulevard resulting in a net increase of \$2,621.16 revising the total contract amount to \$452,034.29; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON AUGUST 10, 2020

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#### RESOLUTION #20-262 - 8/10/20

# AUTHORIZE CHANGE ORDER #1 (FINAL) IN CONNECTION WITH HECK AVENUE ROADWAY IMPROVEMENTS

WHEREAS, on August 22, 2019, the Township Committee adopted Resolution #19-334 which awarded a bid to Fernandes Construction, Inc. in the amount of \$326,337.99 in connection with Heck Avenue Roadway Improvements; and,

WHEREAS, a change to the contract has been experienced as a result of final as-built quantities at project close-out; and,

WHEREAS, this change has been approved by the Township Engineer; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #1 (final) in the contract with Fernandes Construction, Inc. in connection with Heck Avenue Roadway Improvements resulting in a net decrease of \$16,435.61 revising the total contract amount to \$309,902.38; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE

COPY OF A RESOLUTION ADOPTED BY THE

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF

NEPTUNE ON AUGUST 10, 2020

Richard J. Cuttrell, Municipal Clerk

#### RESOLUTION #20-263 - 8/10/20

# AUTHORIZE CHANGE ORDER #1 (FINAL) IN CONNECTION WITH IMPROVEMENTS TO OXONIA AND ANELVE AVENUES

WHEREAS, on March 23, 2020, the Township Committee adopted Resolution #20-151 which awarded a bid to Fernandes Construction, Inc. in the amount of \$250,384.10 in connection with Improvements to Oxonia and Anelve Avenues; and,

WHEREAS, a change to the contract has been experienced as a result of final as-built quantities at project close-out; and,

WHEREAS, this change has been approved by the Township Engineer; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #1 (final) in the contract with Fernandes Construction, Inc. in connection with Improvements to Oxonia and Anelve Avenues resulting in a net decrease of \$28,468.78 revising the total contract amount to \$221,915.32; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON AUGUST 10, 2020

Richard J. Cuttrell, Municipal Clerk

#### RESOLUTION #20-264 - 8/10/20

AUTHORIZE EXECUTION OF A FEDERAL AID AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH A FEDERAL HIGHWAY ADMINISTRATION GRANT AWARD FOR SHARK RIVER HILLS PEDESTRIAN/BICYCLE LANE IMPROVEMENTS

WHEREAS, on June 29, 2020, the Federal Highway Administration authorized funding in the amount of \$461,715.50 for Shark River hills Pedestrian/Bicycle Lane Improvements; and,

WHEREAS, the Township and the State desires to specify the conditions applicable to the financing of the costs of the Project and the obligations of the Township and the State with respect to said project through the execution of a Federal Aid Agreement,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk of the said Township of Neptune be and are hereby authorized to execute a Federal Aid Agreement for Shark River hills Pedestrian/Bicycle Lane Improvements, Federal Project No. STP-C00S (732), NJDOT Job No. 6734308, a copy of said agreement being available for public review in the Office of the Municipal Clerk; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON AUGUST 10, 2020

#### RESOLUTION #20-265 - 8/10/20

# AUTHORIZE THE SUBMISSION OF A 2020 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE LOCAL PROGRAM GRANT APPLICATION

WHEREAS, the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance has posted the availability of grant funds for the Edward Byrne Memorial Justice Assistance Local Grant Program FY 2020, which provides a no match funding source to local units of government for law enforcement and justice initiative purposes. The aggregate of the available funds for the eligible Monmouth County Communities is \$46,697.00 and Neptune Township along with Asbury Park and Long Branch are eligible to share in this funding; and,

WHEREAS, the Police Departments from each of the communities desires to apply for this program for the purpose of purchasing Communication Equipment, Information Technology, Surveillance and Security technology along with the eligible related training and supplies to advance the public safety and the efficiency of the Police Departments,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that, the Mayor or his designee, the Chief Financial Officer and the Chief of Police, be and are hereby authorized to submit a 2020 Edward Byrne Memorial Justice Assistance Local Assistance Grant Program application to participate in the sharing of the aggregate of the Monmouth County funding and the Chief Of Police be and is hereby authorized to enter into an agreement in the form of a Memorandum of Understanding with Monmouth County, Asbury Park and Long Branch to administer this grant; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE

COPY OF A RESOLUTION ADOPTED BY THE

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF

NEPTUNE ON AUGUST 10, 2020

#### RESOLUTION #20-266 - 8/10/20

# AUTHORIZE T&M ASSOCIATES TO SUBMIT AN APPLICATION TO THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND FOR ADDITIONAL REMEDIATION OF THE FORMER WELSH FARMS PROPERTY

WHEREAS, the Township of Neptune has acquired the property known as the former Welsh Farms property located at 703 Old Corlies Avenue (Block 7013, Lot 11); and,

WHEREAS, the Deed indicating conveyance to the Township was filed with the County of Monmouth on December 30, 2010; and,

WHEREAS, the Township desires to preserve said property for open space and is currently developing a Veterans Memorial Park on the site for use and benefit of the citizens of the Township; and,

WHEREAS, the NJ Economic Development Authority has previously approved HDSRF funds for remediation of this site; and,

WHEREAS, additional remedial investigation and remedial action activities are required as a result of existing groundwater contamination and the Township Engineer has recommended that application be made to the Hazardous Discharge Site Remediation Fund for funding to perform the necessary remediation,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that T&M Associates be and is hereby authorized to prepare and submit an application to the Hazardous Discharge Site Remediation Fund for funding to perform necessary environmental remediation at the former Welsh Farms property located at 703 Old Corlies Avenue (Block 7013, Lot 11); and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON AUGUST 10, 2020

Richard J. Cuttrell, Municipal Clerk

#### RESOLUTION #20-267 - 8/10/20

# AUTHORIZE THE PURCHASE OF A CARD READER SYSTEM FOR THE NEW PUBLIC WORKS/OEM BUILDING THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY PURCHASING PROGRAM

WHEREAS, there is a need to purchase a Card Reader System to provide security at the new Public Works/OEM building through the Educational Services Commission of New Jersey Purchasing Program; and,

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

WHEREAS, the Educational Services Commission of New Jersey Purchasing Program has awarded Contract ESCNJ 19/20-38 to Open Systems Integrators, Inc. for this equipment; and,

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

WHEREAS, the cost to purchase this equipment shall not exceed \$70,303.00; and,

WHEREAS, funds for this purpose are available in Ordinances No. 15-38, 19-21, 19-30 and 19-31 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 a Card Reader System for security purposes at the new Public Works/OEM building be and is hereby authorized through the Educational Services Commission of New Jersey Purchasing Program Contract ESCNJ 19/20-38, Open Systems Integrators, Inc. at an amount not to exceed \$70,303.00; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON AUGUST 10, 2020

Richard J. Cuttrell, Municipal Clerk

#### RESOLUTION #20-268 - 8/10/20

AUTHORIZE THE CHIEF FINANCIAL OFFICER AND OTHER TOWNSHIP OFFICIALS TO UNDERTAKE CERTAIN ACTIONS IN CONNECTION WITH THE ISSUANCE OF A NOT TO EXCEED \$2,498,030 GENERAL IMPROVEMENT BOND ANTICIPATION NOTE

WHEREAS, the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township") is seeking to issue a not to exceed \$2,498,030 General Improvement Bond Anticipation Note (the "Note") to currently refund a \$2,498,030 principal portion of a prior Bond Anticipation Note of the Township issued in the aggregate principal amount of \$2,552,500 on August 28, 2019 and maturing on August 27, 2020 (the "Prior Note"), which Prior Note was originally issued to temporarily finance the costs of various general capital improvements in and for the Township (the remaining portion of such Prior Note is being paid by a 2020 budgetary appropriation of the Township in the amount of \$54,470); 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 zero and zero hundredths percentum (0.00%) per annum and shall mature on February 25, 2021; 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 16-27, Bond Ordinance Number 18-05, Bond Ordinance Number 18-18 and Bond Ordinance Number 18-20 duly adopted by the Township (collectively, the "General Improvement Bond Ordinances"), a General Improvement Bond Anticipation Note of the Township in an aggregate principal amount not to exceed \$2,498,030 (the "Note") shall be issued for the purpose of currently refunding a \$2,498,030 principal portion of a prior Bond Anticipation Note of the Township issued in the aggregate principal amount of \$2,552,500 on August 28, 2019 and maturing on August 27, 2020 (the "Prior Note"), which Prior Note was originally issued to temporarily finance the costs of various general capital improvements in and for the Township (the remaining portion of such Prior Note is being paid by a 2020 budgetary appropriation of the Township in the amount of \$54,470).

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 26, 2020 and shall mature on February 25, 2021 and shall bear interest from its date, which interest shall be at a rate of zero and zero hundredths percentum (0.00%) per annum, and shall be in the form attached hereto as Exhibit A.

Section 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.

resolution was meeting of the following vote:	Township Co	of firmative vote of mmittee duly call	, seconded the majority of the dand held on t	oy ne Township he 10th day	Committee of August,	the foregoing at a regular 2020 by the
AYES:						
NAYS:						
ABSENTEES:						

#### CERTIFICATION

I, RICHARD J. CUTTRELL, Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), DO HEREBY CERTIFY that the annexed resolution is a true, complete and correct copy of a resolution duly adopted by the Township Committee at its meeting duly called and held on August 10, 2020, in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., at which meeting a quorum was present and acting throughout and which resolution has been compared by me with the original thereof as officially recorded in the Minute Book of said Township Committee and that said resolution has not been amended, modified or repealed and is in full force and effect as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Township this \_\_\_\_\_ day of August, 2020.

(SEAL)

RICHARD J. CUTTRELL, Clerk of the Township of Neptune

#### **EXHIBIT A**

#### FORM OF NOTE

BAN 2020-3 \$2,498,030

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

#### **GENERAL IMPROVEMENT BOND ANTICIPATION NOTE**

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KNOW ALL MEN BY THESE PRESENTS that the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), for value received, hereby acknowledges itself to be indebted and promises to pay to the Sewer Operating Fund of the Township, the registered owner hereof or its registered assigns, on the 25th day of February, 2021, the principal sum of TWO MILLION FOUR HUNDRED NINETY-EIGHT THOUSAND THIRTY DOLLARS (\$2,498,030) with interest thereon at the rate of zero and zero hundredths percentum (0.00%) per annum (computed on the basis of a 360-day year of twelve 30-day months), payable at the maturity hereof. Both principal of and interest on this Note are payable in lawful money of the United States of America upon presentation and surrender hereof at the Office of the Chief Financial Officer of the Township. The full faith and credit of the Township are hereby irrevocably pledged for the prompt payment of the principal of and interest on this Note as the same become due and payable.

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

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

This Note is being issued to currently refund a \$2,498,030 principal portion of a prior Bond Anticipation Note of the Township issued in the aggregate principal amount of \$2,552,500 on August 28, 2019 and maturing on August 27, 2020 (the "Prior Note"), which Prior Note was originally issued to temporarily finance the costs of various general capital improvements in the Township (the remaining portion of such Prior Note is being paid by a 2020 budgetary appropriation of the Township in the amount of \$54,470). This Note is authorized to be issued pursuant to the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented, various bond ordinances duly adopted by the Township Committee, approved by the Mayor and published as required by law, and a resolution duly adopted by the Township Committee on August 10, 2020.

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

IN WITNESS WHEREOF, the Township has caused this Note to be signed by its Mayor and Chief Financial Officer and its official seal to be hereunto affixed and attested to by the Township Clerk, and this Note to be dated the 26th day of August, 2020.

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

By: [FORM OF NOTE- DO NOT SIGN]
ROBERT LANE,
Mayor

(SEAL)

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

[FORM OF NOTE- DO NOT SIGN] RICHARD J. CUTTRELL, Township Clerk Township of Neptune in the County of Monmouth State of New Jersey United States of America

### REGISTERED CERTIFICATE

as follows:	It is hereby certif	ied that the within Note is registe	red as to principal and interest
Date o	f Registry	Name of Registered Holder	Registered By
	Publication		

#### RESOLUTION #20-269 - 8/10/20

# AUTHORIZE REVOCABLE LICENSE AGREEMENT WITH 73 FLORENCE, LLC, BLOCK 4916, LOT 13; 215 OVERLOOK DRIVE

WHEREAS, 73 Florence, LLC, with property located at 215 Overlook Drive, Neptune Township, New Jersey, and more specifically identified as Block 4916, Lot 13 on the tax map of the Township of Neptune has requested a Revocable License Agreement be entered into between Neptune Township, and 73 Florence, LLC concerning certain encroachments upon a Municipal Right-of Way at Block 4916, Lot 13; and

WHEREAS, 73 Florence, LLC, is seeking a license to provide and to maintain a timber tie wall presently encroaching on the Municipal Right-of-Way, which the property owner intends to continue use of, subject to removal should the controlling authority have reasonable cause to believe that such an encroachment needs to be removed from the aforesaid Municipal Right-of-Way, and subject to a Revocable License Agreement; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee of the Township of Neptune hereby authorizes a Revocable License Agreement with 73 Florence, LLC, with property located at 215 Overlook Drive, Neptune Township, New Jersey, and more specifically identified as Block 4916, Lot 13, Neptune Township, New Jersey a true copy of such proposed Agreement is on file in the Office of the Municipal Clerk, subject to the conditions of the Agreement and prior review of the Township Engineer and approval of this Agreement as a major encroachment, with an annual payment to the Township of Neptune of \$300.00 per year, due upon execution and thereafter every January 2<sup>nd</sup> of each year, along with yearly proof of insurance, plus costs of recording of said Revocable License Agreement in the Clerk's Office of Monmouth County, paid to the Law Office of Gene J. Anthony, Esq., and subject to all other requirements in the aforesaid Revocable License Agreement.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute the Revocable License Agreement, and return to the Township Attorney for recording.

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE

COPY OF A RESOLUTION ADOPTED BY THE

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF

NEPTUNE ON AUGUST 10, 2020

#### RESOLUTION #20-270 - 8/10/20

# AUTHORIZE RENEWAL OF THE LIQUOR LICENSE HELD BY KRENKEL-LIQUORS, INC. T/A KRENKEL LIQUORS FOR THE 2020-2021 LICENSING YEAR

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Plenary Distribution Consumption License known as 1334-44-009-005 be renewed to Krenkel-Liquors, Inc. t/a Krenkel Liquors, located at 700 Highway 35 for the 2020-2021 licensing year under the following conditions (continued from the prior licensing period):

- 1) There will be no ingress and egress for customers of the liquor store and the main food store within the building. The only ingress and egress of the liquor store will be from the outside of the building. Employees of Krenkel's may utilize a door, or common counter area only to be utilized by employees of Krenkel's, within the subject building for ingress and egress between the two businesses.
- 2) A surveillance camera will be installed on the outside of the building to monitor the package goods store. Alternatively, a camera installed on the inside of the store will suffice so long as it monitors the outside of the store.

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON AUGUST 10, 2020

Richard J. Cuttrell, Municipal Clerk

#### RESOLUTION #20-271 - 8/10/20

### AUTHORIZE RENEWAL OF LIQUOR LICENSES FOR THE 2020-2021 LICENSING YEAR

WHEREAS, the following liquor licensees have completed the on-line Alcoholic Beverage Control renewal application, paid the required state and local fees, been reviewed by the Neptune Township Police Department, and has been issued a New Jersey State Sales Tax Clearance Certificate by the State Division of Taxation; and,

WHEREAS, due to the on-going pandemic, the State of New Jersey extended the expiration date of the 2019-2020 licensing period from June 30, 2020 to September 30, 2020,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses, and Club Licenses in the Township of Neptune be and are hereby renewed for the period July 1, 2020 to June 30, 2021:

#### PLENARY RETAIL CONSUMPTION LICENSES

STATE NUMBER	NAME	<u>ADDRESS</u>
1334-33-004-006	Ruby Tuesday, Inc.	Inactive
1334-33-007-004	Garden Bar Liquors t/a Sprengel's Sports Bar	2447 Route 33
1334-32-014-012	Saker Shop-Rites, Inc, t/a ShopRite Liquors and Wines of Neptune	2200 Route 66
1334-33-019-008	Brick House Acquisition NJ, LLC t/a Brick House Tavern & Tap	3655 Route 66
1334-33-026-007	Matrix/Jumping Brook, LLC t/a Jumping Brook Golf & Country Club	210 Jumping Brook Rd
1334-36-037-003	One NJ Neptune 230 Management, LLC t/a Residence Inn	230 Jumping Brook Rd

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON AUGUST 10, 2020

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### PLENARY RETAIL DISTRIBUTION LICENSES

STATE NUMBER	NAME	<u>ADDRESS</u>
1334-44-006-005	Jai Durga Ma, Inc. t/a Guy's Package Store	1417 Corlies Avenue
1334-44-015-003	Prit & Prisha, Inc. t/a Discount Liquor Warehouse	1611 Asbury Avenue

### **CLUB LICENSES**

STATE NUMBER	<u>NAME</u>	ADDRESS
1334-31-029-003	Shark River Beach & Yacht Club, Inc.	360 S. Riverside Drive

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed electronically with the Division of Alcoholic Beverage Control and in the file of each Licensee in the Office of the Municipal Clerk.

#### RESOLUTION #20-272 - 8/10/20

AUTHORIZE DEVELOPER'S AGREEMENT WITH WSP NEPTUNE, LLC (F/K/A WASATCH STORAGE PARTNERS) BLOCK 816, LOT 5.02, 635 NEPTUNE BLVD.,

WHEREAS, WSP Neptune, LLC (f/k/a Wasatch Storage Partners) is the Developer of property subject to a Final Major Site Plan Approval by the Neptune Township Planning Board seeking to make certain improvements at 635 Neptune Blvd., a/k/a Block 816, Lot 5.02 on the Tax Map of the Township of Neptune; and

WHEREAS, WSP Neptune, 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 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 WSP Neptune, 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's Agreement with WSP Neptune, LLC, 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 #20-05, 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; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON AUGUST 10, 2020

Richard J. Cuttrell, Municipal Clerk

#### RESOLUTION #20-273 - 8/10/20

# AUTHORIZE THE PURCHASE OF A PORTABLE EMERGENCY SHELTER AND ACCESSORIES THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the OEM Director has recommended the purchase of a portable shelter for use during emergencies 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, WS Acquisition, LLC has been awarded New Jersey State Contract No. 17-FLEET-00737; 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 \$50,127.55; and,

WHEREAS, funds for this purpose are available from Ordinance No. 20-13 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 portable shelter for use during emergencies through New Jersey Cooperative Purchasing Program Contract No. 17-FLEET-00737 be and is hereby authorized at an amount not to exceed \$50,127.55; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON AUGUST 10, 2020

Richard J. Cuttrell, Municipal Clerk

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#### RESOLUTION #20-274 - 8/10/20

# AUTHORIZE PURCHASE OF APPLIANCES FOR THE NEW PUBLIC WORKS/OEM BUILDING

WHEREAS, the Township Engineer solicited quotes for kitchen appliances for the new Public Works/OEM building; and,

WHEREAS, the cost of said item is less than the bid threshold but exceeds \$17,500.00 and therefore must be awarded by Resolution of the governing body; and,

WHEREAS, said quotes were reviewed by the Township Engineer and Purchasing Agent who have recommended that the low quote be accepted in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in Ordinances No. 15-38, 19-30, and 19-31, 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 kitchen appliances for the new Public Works/OEM building be and is hereby authorized through Johnson Equipment pursuant to their quote of \$33,350.36; and,

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

#### RESOLUTION #20-275 - 8/10/20

### APPOINT SCHOOL CROSSING GUARDS FOR THE 2020-2021 SCHOOL YEAR

WHEREAS, there is a need for School Crossing Guards for the 2020-2021 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 2019-2020 school year; and,

WHEREAS, funds for this purpose are available in the 2020 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 2020-2021 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:

Thomas Blewitt, Sr. Gail Hepburn-Bey Kathryn Kelly Everett Mitchell Amelia Okpanachi Yolanda Taylor	William Bloxon Tonya Hill Fred Kern Chester Moreski Robert Perkins Caroline Vandervort	Jeffrey Brenan Josephine Hughes Rosalee Lane Pam Moreski Roseann Rode Alfreda Wright	Carmelo Gonzalez Juanita Jones Barbara McGuire Loren Moses Joseph SanFelice
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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.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON AUGUST 10, 2020

Richard J. Cuttrell, Municipal Clerk

#### RESOLUTION #20-276 - 8/10/20

#### TERMINATE SPECIAL LAW ENFORCEMENT OFFICER - CLASS I

BE IT RESOLVED, by the Township Committee of the Township of Neptune that Syessence Davis, Special Law Enforcement Officer – Class I, be and is hereby terminated from employment with the Township of Neptune effective August 6, 2020; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON AUGUST 10, 2020

Richard J. Cuttrell, Municipal Clerk

#### RESOLUTION #20-277 - 8/10/20

#### TERMINATE EMERGENCY MEDICAL TECHNICIAN

BE IT RESOLVED, by the Township Committee of the Township of Neptune that Antero Tito Jackson, Emergency Medical Technician, be and is hereby terminated from employment with the Township of Neptune effective August 6, 2020; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON AUGUST 10, 2020

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#### RESOLUTION #20-278 - 8/10/20

### AUTHORIZE THE LEASE OF NEOPOST MAIL SYSTEM AND EQUIPMENT THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Purchasing Agent recommends to a sixty month lease of a Neopost IN-750 Mail System and Equipment utilizing pricing through 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, Quadient, Inc. has been awarded New Jersey State Contract No. 41267 for this equipment; and,

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

WHEREAS, the amount of this lease is \$369.22 per month for a period of sixty (60) months for a total of \$22,153.20; and,

WWHEREAS, funds for this purpose are available in the 2020 municipal budget in the appropriation entitled Financial Administration O.E. and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township of Neptune Committee of the Township of Neptune that the lease of a Neopost IN-750 Mail System and Equipment through New Jersey Cooperative Purchasing Program Contract No. 41267 be and is hereby authorized at an amount not to exceed \$22,153.20; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE

COPY OF A RESOLUTION ADOPTED BY THE

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF

NEPTUNE ON AUGUST 10, 2020

Richard J. Cuttrell, Municipal Clerk

#### RESOLUTION #20-279 - 8/10/20

# AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH CONSTRUCTION OF THE PUBLIC WORKS/OEM FACILITY

WHEREAS, on January 27, 2020, the Township Committee adopted Resolution #20-97 which awarded a bid to Kappa Construction Company in the amount of \$3,997,000.00 in connection with the construction of the Public Works/OEM facility; and,

WHEREAS, a change to the contract has been experienced as a result of the need for 93 additional phone/data outlets and 39 additional electrical outlets; and,

WHEREAS, this change has been approved by the Township Engineer; and,

WHEREAS, funds for this purpose will be provided in Ordinances No. 15-38, 19-30, and 19-31 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 Mayor and Clerk be and are hereby authorized to execute Change Order #1 in the contract with Kappa Construction Company in connection with the construction of the Public Works/OEM facility resulting in a net increase of \$163,010.50 revising the total contract amount to \$4,160,010.50; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE

COPY OF A RESOLUTION ADOPTED BY THE

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF

NEPTUNE ON AUGUST 10, 2020

Richard J. Cuttrell, Municipal Clerk

#### RESOLUTION #20-280 - 8/10/20

#### APPOINT MEMBERS TO THE POLICE COMMITTEE

WHEREAS, Section 2-10.1 of the Township Code authorizes a three member Police Committee to serve as the Appropriate Authority as provided for in State Statutes and,

WHEREAS, the Township Committee desires to appoint three members to serve on the Police Committee effective immediately,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby appoints the following members to the Police Committee, effective immediately, and to serve until the appointment of a successor(s):

Mayor Robert Lane, Jr., Township Committee member Carol Rizzo, Township Committee member Vito D. Gadaleta, Business Administrator, non-police officer employee

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Business Administrator, Township Attorney and Chief of Police.

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE

COPY OF A RESOLUTION ADOPTED BY THE

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF

NEPTUNE ON AUGUST 10, 2020

Richard J. Cuttrell, Municipal Clerk

### RESOLUTION #20-281 - 8/10/20

#### AWARD BID FOR NORTH RIVERSIDE DRIVE IMPROVEMENTS

WHEREAS, on July 30, 2020, the Township Engineering Consultant received bids for the award of a contract for North Riverside Drive Improvements; and,

WHEREAS, said bids were reviewed by the Township Engineer and Township Attorney who have recommended that the bid be awarded to the lowest bid submitted by Fernandes Construction, Inc.; and,

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

WHEREAS, funds for this purpose will be provided in Ordinance No. 18-19, as amended by Ordinance No. 19-10, 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 Fernandes Construction, Inc. on their lowest responsible of \$365,200.20 (which includes the base bid of \$357,700.20 and bid addition item #1 of \$7,500.00) for the North Riverside Drive Improvements; 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.

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE

COPY OF A RESOLUTION ADOPTED BY THE

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF

NEPTUNE ON AUGUST 10, 2020

Richard J. Cuttrell, Municipal Clerk

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#### RESOLUTION #20-282 - 8/10/20

# EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, there is a vacancy in the position of Driver in the Public Works Department; and,

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

WHEREAS, the Human Resources Director and Public Works Director have made their recommendation to hire a current part-time seasonal employee; and,

WHEREAS, funds will be provided in the 2020 municipal budget, in the appropriation entitled Solid Waste S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an offer of employment be and is hereby extended to Alexis Linares for the position of Class A Driver in the Department of Public Works on a probationary basis for a period of not less than 90 days and not exceeding one year, contingent upon favorable results of the required pre-employment testing, effective August 17, 2020, at an annual salary of \$32,200.00; and,

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

#### RESOLUTION #20-283 - 8/10/20

### 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	4,574,979.65
GRANT FUND	206,725.53
TRUST FUND	58,864.08
GENERAL CAPITAL FUND	431,076.93
SEWER OPERATING FUND	224,093.16
SEWER CAPITAL FUND	132,571.47
MARINA OPERATING FUND	19,603.49
DOG TRUST	1,060.20
LIBRARY TRUST	1,209.96
BILL LIST TOTAL	\$5,650,184.47

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON <u>AUGUST 10</u>, 2020