

TOWNSHIP COMMITTEE SPECIAL MEETING – JULY 27, 2020 – 5:00 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 Special Meeting to order at 5:00 p.m. 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, Township Attorney; Vito D. Gadaleta, Business Administrator; and Richard J. Cuttrell, Municipal Clerk.

Mayor Lane announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on July 23, 2020 which included a notice of virtual meeting with web access instructions, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at www.neptunetownship.org.

INTRODUCTION OF BOND ORDINANCES

ORDINANCE NO. 20-18 – 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 - First 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.

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 - First 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

Offered by: _____ Seconded by: _____
Vote: Brantley, _____; McMillan, _____; Rizzo, _____; 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 - First 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

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 - First 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

Offered by: _____ Seconded by: _____
Vote: Brantley, _____; McMillan, _____; Rizzo, _____; 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 - First 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

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 - First 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

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

The Public Hearings on Ordinances No. 20-18 through 20-23 will be held at the next regular meeting on August 10, 2020.

PUBLIC COMMENTS ON RESOLUTIONS - Public comments regarding resolutions presented on this agenda only submitted via text to 908-415-3680.

Res. # 20-251 – Declare the Sunshine Village Skatepark improvements project as complete.

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

Res. # 20-252 – Grant unpaid leave of absence under the Family Medical Leave Act.

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

Res. # 20-253 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

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

Res. # 20-254 – Authorize Settlement in the matter of Savage v. Township of Neptune, et als., Docket No. MON-L-1528-16.

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

ADJOURNMENT

ORDINANCE NO. 20-18

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:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Cookman Avenue	1	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:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Embury Avenue	1	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.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Robert Lane, Jr.
Mayor

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

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.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Robert Lane, Jr.
Mayor

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

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

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

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

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

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

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

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,
Municipal Clerk

Robert Lane, Jr.,
Mayor

RESOLUTION #20-251 – 7/27/20

DECLARE THE SUNSHINE VILLAGE SKATEPARK IMPROVEMENT PROJECT
AS COMPLETE

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Township of Neptune entered into a Municipal Open Space Program Grant Agreement with the County of Monmouth on April 2, 2018 that provided \$165,000.00 for Sunshine Field Skatepark Improvements under Application No. 17-05 that required certain conditions be met by the Township of Neptune prior to receipt of the aforesaid funds; and

WHEREAS, the Monmouth County Park System requires a certified copy of a resolution of the governing body determining that the project aforesaid was finally complete and a closing statement of "Final Change Order" adopted by the governing body,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Neptune that all conditions of the April 2, 2018 Grant Agreement have been satisfied by the Township of Neptune and that the project known as Sunshine Village Skatepark Improvement Project has been completed; and

BE IT FURTHER RESOLVED, that the Township of Neptune made final payment to the contractor Spohn Ranch and that payment was made per voucher on 9/23/2019 under Check No. 30533, resulting in a total project cost for Spohn Ranch of \$310,000.00. Voucher and check are hereby attached and also on file in the Municipal Clerk's Office; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Township Engineer and Monmouth County Park System.

CERTIFICATION

I, Richard J. Cuttrell do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Township of Neptune at a meeting held on the 27th day of July, 2020. In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 27th day of July, 2020.



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #20-252 - 7/27/20

GRANT UNPAID LEAVE OF ABSENCE UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, Richard Handy, Driver in the Department of Public Works, has requested an unpaid leave of absence under the provisions of the Family Medical Leave Act; and,

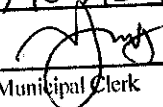
WHEREAS, the Human Resources Director has approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that Richard Handy, Driver in the Department of Public Works, is hereby granted an unpaid leave of absence under the provisions of the Family Medical Leave Act from May 18, 2020 to September 1, 2020; 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. and Human Resources Director.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON 7/27/2020


Richard J. Cuttrell, Municipal Clerk

RESOLUTION #20-253 – 7/27/20

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,

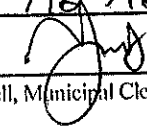
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, as follows:

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:

Personnel/Potential Litigation – Personnel Investigative Report
Litigation – Settlement in Savage v. Neptune, et.al.
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.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON 7/27/2020


Richard J. Cuttrell, Municipal Clerk

RESOLUTION #20-254 – 7/27/20

AUTHORIZE SETTLEMENT IN THE MATTER OF SAVAGE V. TOWNSHIP OF NEPTUNE,
ET ALS., DOCKET NO. MON-L-1528-16

WHEREAS, Christine Savage (Plaintiff) has filed a lawsuit against the Township of Neptune (Neptune) and several individual Defendants (collectively referred to as (defendants”) alleging various causes of action including New Jersey Law Against Discrimination and New Jersey Civil Rights Violations (Savage v. Neptune, et. als., Docket No. Mon. L-1528-16); and,

WHEREAS, the Township had filed charges against Plaintiff for various violations of Police Department policies; and,

WHEREAS, Judge Eugene J. McCaffrey, Jr. (Ret) served as mediator and assisted the Parties in resolving the pending litigation and personnel issues; and,

WHEREAS, all parties, to the pending matters, recognize the uncertainty of potential outcomes and the fees and costs of the continued litigation; and,

WHEREAS, the parties wish to reach a global settlement of pending litigation, personnel matter, and claims by executed a Settlement Agreement; and,

WHEREAS, in addition to other considerations as detailed in the Settlement Agreement, Plaintiff will remain employed by the Township until retirement; and,

WHEREAS, the following matters will be dismissed with prejudice as to all Parties on the date a global Settlement of all pending matters has been placed on the record in Superior Court after this Settlement Agreement has been fully executed:

- a) Savage v. Neptune et. als., Docket # Mon L-1528-16
- b) Savage v. Neptune et. als., Docket # Mon L-1185-20
- c) Neptune v. Savage Disciplinary Charges filed: IA Case Number 20-5 and 18-02 and any other pending IA's/disciplinary charges; and
- d) Christine Savage and Kyheem Davis v. Neptune Township, et al., Appellate Docket No.: A-001713-19, Law Division Docket No.: MON-L-685-18 (i.e., Plaintiff will dismiss with prejudice her claims only).

THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, that the governing body hereby authorizes execution of a Settlement Agreement, a copy of which is on file in the Office of the Municipal Clerk in the case of Savage v. Township of Neptune, et als., in the Superior Court of New Jersey, under Docket No. MON-L-1528-16; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Attorney, Chief Financial Officer, and Human Resources Director.

CERTIFICATION
I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON 7/27/2020


Richard J. Cuttrel, Municipal Clerk