

TOWNSHIP COMMITTEE MEETING – JUNE 28, 2021

Mayor Brantley called the meeting to order at 6:00 p.m. and requested the Clerk to call the roll. The following members were present: Keith Cafferty, Robert Lane, Jr., Nicholas Williams, Tassie D. York, and Mayor Michael Brantley.

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

Mayor Brantley announced 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 May 27, 2021, 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 is posted on the Township web site (www.neptunetownship.org) and the meeting is being streamed live via townhallstreams.com.

The following items were discussed in open session:

Mr. Anthony reviewed the cannabis ordinance on for introduction at this meeting. The ordinance was prepared by the Township Planner. The ordinance contains six classes of licenses and designates where they are permitted. Mr. Gadaleta added that the State's 1,000 foot rule around schools will impact where they will be permitted. Mr. Cafferty questioned if the limit on the number of establishments is permitted. The Committee took action to introduce the ordinance during the regular business portion of the meeting.

Mr. Gadaleta stated that a Special Meeting is needed to approve the submission of a Green Acres application by the July 15th deadline. He recommended an application for funding to install a multi-purpose synthetic turf field at Loffredo Fields as well as added a building for equipment and utilities. T&M Associates has the preliminary work already completed and will prepare the application. The Committee agreed on July 12th at 6:00 p.m. for a Special Meeting solely to conduct a public hearing on the project and consider a resolution to submit the grant application.

Mr. Lane stated that the annual Independence Day parade in Ocean Grove will be held on July 3rd. Mr. Cafferty reminded everyone to take advantage of the various recreation programs available. The Mayor announced he will be periodically unavailable from July 4 to July 19.

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

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

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exist,

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

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.

2. The general nature of the subject matter to be discussed is as follows:

- Contract negotiations – Sanitary sewer capacity agreement
- Personnel – Recommendations to fill two DPW Driver vacancies
- Personnel – Police Department Promotional Policy
- Personnel – Litigation issues and Personnel Policies

3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.

4. This Resolution shall take effect immediately.

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

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

Mr. Anthony, along with Mr. Gadalata and Mr. Bascom, spoke to the veterans organization that entered into an agreement with the Township to reserve sewer capacity years ago. They no longer are developing property in Tinton Falls so they no longer have the need for the capacity and do not want to make the annual payments. They did not pay the fee in 2020 and are not seeking reimbursement from prior years. There is a question as to whether or not they can be required to pay the 2020 fee pursuant to the agreement. The Committee indicated that the matter should be dropped to avoid litigation. The agreement will be severed with no payments or reimbursements due.

The Committee reviewed recommendations for the hiring of two Drivers in Public Works. The Committee took action during the regular business portion of the meeting.

The Committee discussed an amendment to the Township Code to define the position of Assistant Business Administrator. The amendment will be prepared by the Labor Attorney for the next meeting. The Mayor and Mr. Williams indicated that they will review the applications received for the position and advise the remainder of the Committee of their recommendation on which applicants to interview.

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

Mayor Brantley called the regular meeting to order and requested the Clerk to call the roll. The following members were present: Keith Cafferty, Robert Lane, Jr., Nicholas Williams, Tassie D. York, and Mayor Michael Brantley.

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

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

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

Mayor Brantley announced 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 May 27, 2021, 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, ordinances, and resolutions are posted on the Township web site (www.neptunetownship.org) and the meeting is being streamed live via townhallstreams.com.

APPROVAL OF MINUTES

Mr. Cafferty offered a motion, seconded by Ms. York, to approve the minutes of the meeting held on June 14, 2021. All were in favor.

COMMENTS FROM THE DAIS

Ms. York attended the Neptune High School graduation at the field behind Summerfield School. It was noted that for the first time in Neptune history, both the Valedictorian and the Salutatorian were both African-American. She also attended the bocce tournament in Neptune City.

Mr. Cafferty stated that the Recreation Department was offering a lot of programs this summer. He encouraged everyone to take a look and sign-up to participate.

Mr. Lane stated that the Neptune Senior Center is one of two centers in the County that are open. There will be a barbeque at the Center on June 30th and programs are continuing to take place. He attended the Neptune City bocce tournament. There will be a small group participating in the annual World Changers program in July and NJNG is sponsoring a barbeque at the beach for the kids. The Juneteenth celebration on June 19th was great. He attended the Neptune High School graduation and the NJROTC scholarship winners were in the program for the first time.

Mr. Williams stated that his daughter graduated from Neptune High School. The graduation ceremony was not quite the same as it is at the Great Auditorium but at least the kids were able to have a ceremony this year. The Library Trustees announced that the Library will be open on Mondays and Wednesdays starting July 19th. The plan is to open three days a week in August and full time in September all with time limits and a mask requirement.

Mayor Brantley attended the Juneteenth celebration at Midtown Commons. He will be unavailable from the July 4th weekend until July 19th.

BUSINESS ADMINISTRATOR'S REPORT

Mr. Gadaleta provided an update on Township projects as follows:

The Seaview Island Living Shoreline Project will begin on July 6. An email notice to all residents will be sent out this week.

The Neptune Soccer Association Tournament over this past weekend brought more than 100 youth teams to Neptune. It was a great event.

Route 66 at Green Grove Road Redevelopment Plan currently being prepared. Public comment period will follow.

Gateway Redevelopment Area (Routes 33 & 35) was approved by the Township Committee last meeting. We have met with the developer to begin the Redevelopment Plan process.

The Redevelopment Committee will be meeting this month to discuss the future of the Waterfront Redevelopment Plan.

The Business Administrator had an introductory meeting with a member of the former High Tech property ownership group. A future meeting with the Redevelopment Committee will be planned.

A virtual meeting was held with officials from Neptune, Ocean, Tinton Falls, NJDOT and the 11th Legislative District to discuss the status of the Route 66 project. Engineering is underway. Right of Way Acquisition is to begin this year. Construction is tentatively scheduled for 2025, but Assemblyman Houghtaling is working to move that date up and to also try and eliminate the roundabout planned for the project.

PUBLIC COMMENTS ON RESOLUTIONS

Mayor Brantley asked for public comments regarding resolutions presented on this agenda only. The public was permitted to speak one time with a limit of five minutes.

Nancy Clarke, Embury Avenue, asked if property being assessed a lien, 58 Heck Avenue, is on abandoned property list. Mr. Cuttrell responded that it is inhabited and not on the list.

ORDINANCE NO. 21-28 - ADOPTED

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

ORDINANCE NO. 21-28

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 CLARK AVENUE

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

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

ORDINANCE NO. 21-29 - ADOPTED

Mr. Williams offered the following ordinance, moved and seconded by Ms. York, that it be adopted:

ORDINANCE NO. 21-29

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A TELEPHONE SYSTEM, VIDEO SURVEILLANCE SYSTEMS, COMPUTERS, SERVERS, AND OTHER TECHNOLOGY IMPROVEMENTS, 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

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

Nancy Clarke, 47 Embury Avenue, stated that no one asks a question about bond ordinances and she feels like someone should. She asked if there is anything unusual about the bond ordinances being adopted this evening. Mr. Cafferty responded no, and the Township is in very good financial shape.

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

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

ORDINANCE NO. 21-30 - ADOPTED

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

ORDINANCE NO. 21-30

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS AND MUNICIPAL FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

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

ORDINANCE NO. 21-31 - ADOPTED

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

ORDINANCE NO. 21-31

BOND ORDINANCE PROVIDING FOR PHASE II (GENERAL) OF THE PUBLIC WORKS FACILITY IMPROVEMENT PROGRAM, INCLUDING THE CONSTRUCTION AND RECONSTRUCTION OF MUNICIPAL FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,520,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

Mr. Williams asked what is being reconstructed. Mr. Gadaleta replied that the recycling center is being redone including a new entrance off of Doremus Way.

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

ORDINANCE NO. 21-32 - ADOPTED

Mr. Cafferty offered the following ordinance, moved and seconded by Ms. York, that it be adopted:

ORDINANCE NO. 21-32

BOND ORDINANCE PROVIDING FOR PHASE II (SEWER UTILITY) OF THE PUBLIC WORKS FACILITY IMPROVEMENT PROGRAM, INCLUDING THE CONSTRUCTION AND RECONSTRUCTION OF MUNICIPAL FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$570,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

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

ORDINANCE NO. 21-33 - ADOPTED

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

ORDINANCE NO. 21-33

BOND ORDINANCE PROVIDING FOR VARIOUS SANITARY SEWER INFRASTRUCTURE IMPROVEMENTS, INCLUDING TO THE CLINTON AVENUE FORCE MAIN, SEAVIEW ISLAND PUMP STATION, AND NEW YORK ROAD PUMP STATION, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$760,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

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

ORDINANCE NO. 21-34 - APPROVED

Mr. Williams offered the following ordinance, moved and seconded by Ms. York, that it be approved:

ORDINANCE NO. 21-34

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY DEFINING AND REGULATING CANNABIS CLASS USES

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

ORDINANCE NO. 21-35 - APPROVED

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

ORDINANCE NO. 21-35

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

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

ORDINANCE NO. 21-36 - APPROVED

Mr. Cafferty offered the following ordinance, moved and seconded by Ms. York, that it be approved:

ORDINANCE NO. 21-36

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 MAIN AVENUE

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

ORDINANCE NO. 21-37 - APPROVED

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

ORDINANCE NO. 21-37

AN ORDINANCE AMENDING ORDINANCE NO. 20-35 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 POSITION OF ASSISTANT BUSINESS ADMINISTRATOR

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

ORDINANCE NO. 21-38 - APPROVED

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

ORDINANCE NO. 21-38

AN ORDINANCE TO AMEND CHAPTER II, SECTION 2-10 OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED "POLICE DEPARTMENT" TO INCLUDE POLICE PROMOTION POLICIES

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

Mr. Cuttrell stated that the public hearings on Ordinances 21-34 through 21-38 will be held at the next regularly scheduled meeting on Monday, July 26, 2021.

CONSENT AGENDA

Mr. Lane offered the following resolutions of the Consent Agenda, moved and seconded by Ms. York, that they be adopted:

AUTHORIZE RENEWAL OF LIQUOR LICENSES FOR THE 2021-2022 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,

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, 2021 to June 30, 2022:

PLENARY RETAIL CONSUMPTION LICENSES

<u>LICENSE NUMBER</u>	<u>NAME</u>	<u>ADDRESS</u>
1334-32-002-005	ROS Associates, LLC	Inactive/In-pocket
1334-33-012-017	Chatham 1110 Liquor, LLC, t/a Crab Tales	3548 Route 66
1334-33-018-014	Sea Crab, Inc.	25 South Main Street

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.

RENEW LIQUOR LICENSE HELD BY VPK, INC. T/A ALPHA LIQUORS FOR THE 2021-2022 LICENSING YEAR

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Plenary Retail Distribution Liquor License known as 1334-44-022-002 be renewed to VPK, Inc. t/a Alpha Liquors, located at 1515 West Lake Avenue for the 2021-2022 licensing year under the following condition (continued from the prior licensing period):

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

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

PLACE LIEN ON VARIOUS PROPERTIES

WHEREAS, Ordinance #843 of the Township of Neptune states that where a violation or condition exists on any property in the Township of Neptune that is of such a nature as to constitute an immediate threat to life, health, safety and the well being of residents in this township unless abated without delay, the Director of Code Enforcement may abate the violation or condition immediately or order the owner, operator or occupant to correct the violation or condition within a three-day period; and

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

WHEREAS, the Director of Code Enforcement has notified the Township Committee of the Township of Neptune that the owners of said property have failed to correct the condition/violation as ordered; and

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

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
3705/41	14 Montclair Avenue	\$ 455.00
214/3	58 Heck Avenue	312.50

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

ACCEPT THE RESIGNATION OF PAUL SHANAHAN AS A DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Public Works Director has received a letter from Paul Shanahan resigning as a Driver in the Public Works Department effective June 25, 2021,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Paul Shanahan as a Driver in the Public Works Department is hereby accepted effective June 25, 2021; and,

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

ACCEPT THE RESIGNATION OF JOSEPH ACERRA AS A DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Public Works Director has received a letter from Joseph Acerra resigning as a Driver in the Public Works Department effective July 2, 2021,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Joseph Acerra as a Driver in the Public Works Department is hereby accepted effective July 2, 2021; and,

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

AUTHORIZE DEVELOPER'S AGREEMENT WITH HEMENWAY CONSTRUCTION, INC., FOR SITE IMPROVEMENTS AT 5TH AVENUE AND RIDGE AVENUE (BLOCK 420, LOT 4)

WHEREAS, Hemenway Construction, Inc., sought development of property subject to a Preliminary and Major Subdivision Approval by the Neptune Township Planning Board for development of property for six (6) individual residential lots with proposed single-family homes, and the Planning Board of the Township of Neptune having granted approval of the application by Resolution No. 20-15; dated November 24, 2020; and

WHEREAS, Hemenway Construction, Inc., 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 Hemenway Construction, Inc., 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 Hemenway Construction, Inc., a true copy of which is on file in the office of the Municipal Clerk, for compliance with the aforesaid Planning Board of Neptune Township's Resolution No. 20-15, 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 Administrative Officer to the Planning Board.

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY WAYSIDE ASSOCIATES, LLC FOR SITE IMPROVEMENTS AT MI PLACE AT WAYSIDE ON WAYSIDE ROAD

WHEREAS, on November 26, 2018, Wayside Associates, LLC posted performance bond #2720637 in the amount of \$44,778.96 written by Great American Insurance Company guaranteeing site improvements at Mi Place at Wayside, Wayside Road (Block 2201, Lot 17); and,

WHEREAS, in January 27, 2020, the Township Committee adopted Resolution #20-82 which authorized a reduction in said performance bond to the amount of \$34,129.58; and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of June 18, 2021 and said performance bond can be released contingent upon posting a two year maintenance bond in the amount of \$13,250.00; and,

WHEREAS, Wayside Associates, LLC has filed Maintenance Bond #3856685 in the amount of \$13,250.00 written by Great American Insurance Company 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 in the

amount of \$3,793.65 be and is hereby authorized to be refunded; and,

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

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT

WHEREAS, the properties listed below reflect overpayments; and,

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

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

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
3301	2.02	Cook	3319 Highway 33	2020	1,170.49
3301	2.02	Cook	3319 Highway 33	2021	1,215.74
3808	5	Feeney	6 Rutgers Terrace	2019	1,522.62

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

EMPLOY TEMPORARY SEASONAL PERSONNEL FOR THE NEPTUNE SUMMER RECREATION PROGRAM

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

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

WHEREAS, funds will be provided in the 2021 Municipal Budget in the appropriation entitled Recreation S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following persons be and are hereby employed in the Neptune Summer Recreation Program for the number of hours and days as specified herein, pending favorable results of the required background check and with the understanding that staffing levels will be based on final enrollment. This resolution does not guarantee either employment or number of hours; and,

Substitute Role Models \$12.00/hour June 24 – August 9 3.5 hours/day 30 days

Emily Fleming	David Ramirez	Edgar Torralba
Josiah Montgomery	Owen Esparza	

CITs (Role Models in Training) no pay/experience only

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

AUTHORIZE THE CHIEF FINANCIAL OFFICER AND OTHER TOWNSHIP OFFICIALS TO UNDERTAKE CERTAIN ACTIONS IN CONNECTION WITH THE ISSUANCE OF A NOT TO EXCEED \$1,261,000 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 \$1,261,000 General Improvement Bond Anticipation Note (the "Note") to currently refund a \$1,261,000 principal portion of a prior Bond Anticipation Note of the Township issued in the aggregate principal amount of \$1,402,000 on July 13, 2020 and maturing on July 12, 2021 (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 2021 budgetary appropriation of the Township in the amount of \$65,132 and a Community Development Block Grant received by the Township in the amount of \$75,868, for a total paydown of \$141,000); 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, shall be dated July 9, 2021 and shall mature on July 8, 2022; 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 18-06, Bond Ordinance Number 19-02, Bond Ordinance Number 19-27, Bond Ordinance Number 19-28, Bond Ordinance Number 19-29, and Bond Ordinance Number 19-38, all 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 \$1,261,000 (the "Note") shall be issued for the purpose of currently refunding a \$1,261,000 principal portion of a prior Bond Anticipation Note of the Township issued in the aggregate principal amount of \$1,402,000 on July 13, 2020 and maturing on July 12, 2021 (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 2021 budgetary appropriation of the Township in the amount of \$65,132 and a Community Development Block Grant received by the Township in the amount of \$75,868, for a total paydown of \$141,000).

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

Section 3. The Note shall be dated July 9, 2021 and shall mature on July 8, 2022, 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.

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

AUTHORIZE TOWNSHIP ENGINEERING CONSULTANT TO PERFORM ENGINEERING SERVICES IN CONNECTION WITH THE 2021 ROAD IMPROVEMENT PROGRAM

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

WHEREAS, the Township of Neptune desires to initiate the 2021 Road Improvement Program which includes the resurfacing of numerous Township roadways and the Municipal Building parking lot; and,

WHEREAS, it is necessary for a Township Engineer Consultant to perform professional engineering services including pre-design meetings, preparation of plans and specifications, surveying, permitting, bidding and construction/administration services in connection with this project; and,

WHEREAS, the Township Engineer solicited proposals for said services from engineering firms in the 2021 engineering pool; and,

WHEREAS, CME Associates submitted the lowest quote and has experience in this type of work; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 20-19, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes CME Associates to perform the services as stated herein as Township Engineering Consultant, said proposal on file in the Office of the Municipal Clerk, at an amount not to exceed \$117,570.00 for the 2021 Road Improvement Program; and,

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

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

EXTEND OFFERS OF EMPLOYMENT FOR THE POSITION OF DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, there are vacancies 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; and,

WHEREAS, funds will be provided in the 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 Ronald Tillery and Jaime Lepore for the position of Class A Driver in the Department of Public Works at an annual salary of \$32,200.00, 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 June 21, 2021; 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.

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

AUTHORIZE THE PAYMENT OF BILLS

Ms. York offered the following resolution, moved and seconded by Mr. Cafferty, that it be adopted:

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

CURRENT FUND	4,447,724.61
GRANT FUND	9,199.87
TRUST FUND	42,214.50
GENERAL CAPITAL FUND	1,907.00
SEWER OPERATING FUND	199,044.17

SEWER CAPITAL FUND	416.99
MARINA OPERATING FUND	5,022.50
LIBRARY TRUST	42.53
 BILL LIST TOTAL	 \$4,705,572.17

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

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Mayor Brantley asked for public comments. The public was permitted to speak one time with a limit of five minutes. Comments were as follows:

Jill Cox, 20 Waterview Ct., asked why the Township refuses to enforce the noise ordinance at the Headliner/Oasis nightclub. She hears loud music and voices from 10:00 p.m. until 2:00 a.m. every day and on Sundays starting at Noon. She has sent emails since October, called the Headliner, and called the police to get the DJ turned down. She lives two blocks away and always has her windows closed. When she moved here, the bands ended at 10:00 p.m. She wants answers as to what will be done. Mr. Gadaleta stated that he received two police reports of noise complaints from the weekend. Mr. Anthony stated that he had a conference with the Police Department and the Township Committee amended the noise ordinance. He suggested that he meet with the Police Chief to further discuss.

Dianna Harris, 17 Willow Drive, asked is the maximum number of cannabis establishments permitted under the new ordinance. Mr. Anthony replied three. Ms. Harris asked if this includes smoke shops. Mr. Gadaleta responded no. She asked if the Assistant Business Administrator is a new position. Mr. Gadaleta responded that this will be the person that will transition into his position after retirement. Ms. Harris asked who is responsible for the West Lake Avenue redevelopment. The Mayor responded that the Redevelopment Committee is responsible. Ms. Harris thanked all who came out to the Juneteenth celebration, particularly Recreation and Public Works. She added that police officers were there each night to participate.

Rich Williams, 1 Abbott Avenue, stated that there is an issue with food trucks in Ocean Grove. He asked who approves the licenses and if the five minute movement rule is in place. Mr. Gadaleta stated the Mercantile License Officer issues the licenses and there is a rule that a vendor must move if he does not have a customer for five minutes. Mr. Williams asked if the non-idling rule applies to food trucks. Mr. Gadaleta stated that a group of vendors were floating a single license amongst themselves. One truck was issued a summons at Sunshine Village. The Mercantile Officer is recommended changes to the ordinance. He told Mr. Williams to contact the Police Department in the event further violations occur.

Chris Horning, 108 Highland Avenue, asked for the hours of operation for cannabis establishments. In regards to extrication labs, he has concerns about the permitted hours if power outages occur. Mr. Williams replied that the ordinance references hours of operation. Mr. Anthony stated that the Committee may need to address the cultivation situation.

Joyce Klein, Mt. Hermon Way, asked if food trucks are required to post their prices. Mr. Gadaleta responded that he will check the ordinance. Ms. Klein asked about the hiring process for Assistant Business Administrator. Mr. Anthony responded that a sub-committee will do the initial review of the applicants, then the full Township Committee will conduct interviews.

Nancy Clarke, Embury Avenue, stated that she was concerned about the porch supports falling at 57 Embury Avenue and the owner continually removes the abandoned property sign with contact information. Also, there are issues with the porch and broken windows at 37 Main Avenue.

Tara Sergenti, Asbury Park, stated that she heads the Cannabis Trade Association and helped co-author the cannabis bill at the State Legislature. She stated that micros are limited to the town, or an adjoining town, in which the owner resides. Micros are uncapped by the state and the Township should not place a cap on these because they will be run by members of the community. Limiting the number of establishments to three will cater to big business operations. She offered her

assistance in crafting the ordinance.

A union representative for the United Federation of Cannabis Workers stated that his union represents cannabis workers and Zen-Leaf is currently in collective bargaining. He urged a merit based system to include pollution, labor, and local ownership. He thanked the Committee for being open to the industry and for standing up for equity.

Michael Badger, OG Camp Meeting President, 129 Broadway, invited all to the Community Night on July 2nd, the Independence Day Parade and free concert in the Auditorium on July 3rd, and the Choir Festival on July 11th. The Camp Meeting Association hosted an end of season ROTC Program and would love to once again host the high school graduation in 2022.

Marcia Austin, 65 Heck Avenue, suggested a shuttle service for the flea markets and craft show. Mr. Gadaleta replied that a shuttle was done in the past and if the Chamber of Commerce wants to have a shuttle again, the Township would be interested.

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

Richard J. Cuttrel,
Municipal Clerk