

TOWNSHIP COMMITTEE WORKSHOP MEETING – February 26, 2024 – 6:00 P.M.

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

Township Committee	Present/ Absent	Professionals	Present/ Absent
Keith Cafferty	_____	Gina LaPlaca, Business Administrator	_____
Robert Lane, Jr.	_____	Gabriella Siboni, Township Clerk	_____
Kevin McMillan	_____	Gene Anthony, Township Attorney	_____
Derel Stroud	_____		
Tassie D. York	_____		

Mayor York announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 5, 2024, 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).

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Affordable Housing of Neptune Township
2. Nuisance Ordinance
3. Short Term Rental Ordinance
4. Committee Calendars

Res #24 - 127 Authorize An Executive Session As Authorized By The Open Public Meetings Act.

Offered by: _____ Seconded by: _____
Vote: Cafferty _____ Lane _____ McMillan _____ Stroud _____ York _____

TOWNSHIP COMMITTEE MEETING – February 26, 2024 – 7:00 P.M.

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

Township Committee	Present/ Absent	Professionals	Present/ Absent
Keith Cafferty	_____	Gina LaPlaca, Business Administrator	_____
Robert Lane, Jr.	_____	Gabriella Siboni, Township Clerk	_____
Kevin McMillan	_____	Gene Anthony, Township Attorney	_____
Derel Stroud	_____		
Tassie D. York	_____		

MOMENT OF SILENCE AND FLAG SALUTE

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

Mayor York announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 5, 2024, 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).

APPROVAL OF MINUTES

Motion offered by _____, seconded by _____, to approve the minutes of meetings of February 12, 2024.

APPOINTMENT OF POLICE OFFICERS AND SWEARING IN

- Chief of Police will announce the recommendations for hire
- Mayor York will open Public Comments on Resolution 24-128 only. The public will be permitted one visit to the microphone with a limit of five minutes.

Res#24- 128 A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Police Department

Offered by: _____ Seconded by: _____
Vote: Cafferty _____ Lane _____ McMillan _____ Stroud _____ York _____

Oaths of Office will be administered.

COMMENTS FROM THE DAIS

Comments from the Dais regarding business on this agenda or any reports on recent events in their respective departments.

REPORT OF THE BUSINESS ADMINISTRATOR

The Business Administrator will report on capital projects and matters of general interest.

PUBLIC COMMENTS ON RESOLUTIONS

The Clerk will announce additional information regarding Separated Resolutions if necessary.

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

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

PUBLIC HEARING AND FINAL ADOPTION ORDINANCES

Ordinance 24-04 An Ordinance To Amend Volume I, Chapter Vii Of The Code Of The Township Of Neptune By Removing A Resident Only Handicapped Parking Zone On Pilgrim Pathway And Embury Ave.

Explanatory Statement: This ordinance removes resident handicapped parking spaces at 79 Embury Ave. and 15 Pilgrim Pathway.

Offered by: _____ Seconded by: _____
Vote: Cafferty _____ Lane _____ McMillan _____ Stroud _____ York _____

Ordinance 24-05 Capital Ordinance Amending And Restating In Its Entirety Capital Ordinance Number 21-52 Finally Adopted By The Township Committee Of The Township Of Neptune, In The County Of Monmouth, State Of New Jersey On December 6, 2021 To Increase The Total Appropriation Therein From \$360,000 To \$560,000 From The Township’s Receipt Of Funds From The Coronavirus State And Local Fiscal Recovery Fund

Explanatory Statement: Amend and restate in its entirety Capital Ordinance Number 21-52 (the “Original Ordinance”), which provides for the construction and installation of improvements to the Township’s Municipal Complex to enhance the safety of the general public and Township employees, including, but not limited to, the construction of a second drive-up window for customer transactions at the municipal building, and construction within the municipal offices intended to accommodate social distancing and reduce the potential of disease transmission among Township employees and the general public) to increase the total appropriation therein by \$200,000, from \$360,000 to \$560,000 due to a \$200,000 increase in the amount received or expected to be received from the Coronavirus State and Local Fiscal Recovery Fund

Offered by: _____ Seconded by: _____
Vote: Cafferty _____ Lane _____ McMillan _____ Stroud _____ York _____

Ordinance 24-06 Capital Ordinance Providing For Improvements To Atkins Avenue, By And In The Township Of Neptune, In The County Of Monmouth, State Of New Jersey; Appropriating \$570,000 To Pay For The Cost Thereof, Which Amount Will Be Funded By A \$541,000 Grant Received Or Expected To Be Received From The NJDOT Transportation Trust Fund And By \$29,000 From The Township’s General Capital Surplus Fund

Explanatory Statement: The Capital Ordinance appropriates and authorizes the amount of \$570,000 to finance road improvements to Atkins Avenue within the Township under the 2024 New Jersey Department of Transportation (“NJDOT”) Safe Routes to Transit Program, which includes, but is not limited to, roadway reconstruction, drainage improvements, crosswalk improvements, curb replacements and other related improvements, as further described in the NJDOT Transportation Trust Fund application related to this project on file with the Township Engineer.

Offered by: _____ Seconded by: _____
Vote: Cafferty _____ Lane _____ McMillan _____ Stroud _____ York _____

Ordinance 24-07 Capital Ordinance Providing For Improvements To Myrtle Avenue, By And In The Township Of Neptune, In The County Of Monmouth, State Of New Jersey; Appropriating \$400,000 To Pay For The Cost Thereof, Which Amount Will Be Funded By A \$356,754 Grant Received Or Expected To Be Received From The NJDOT Transportation Trust Fund And By \$43,246 From The Township’s General Capital Surplus Fund

Explanatory Statement: The Capital Ordinance appropriates and authorizes the amount of \$400,000 to finance road improvements to Myrtle Avenue within the Township under the 2024 New Jersey Department of Transportation (“NJDOT”) Municipal Aid Program, which includes, but is not limited to, roadway reconstruction, drainage improvements, crosswalk improvements, curb replacements and other related improvements, as further described in the NJDOT Transportation Trust Fund application related to this project on file with the Township Engineer.

Offered by: _____ Seconded by: _____
Vote: Cafferty _____ Lane _____ McMillan _____ Stroud _____ York _____

Ordinance 24-08 An Ordinance Of The Township Of Neptune To Amend And Supplement Chapter 4 Business And Licensing Regulations By Adding Section 35 “Special Events”

Explanatory Statement: This ordinance amends Chapter 4 and defines “Special Events”, establishes regulations, application, fees and reimbursement, use of public building or public land, permit revocation and penalties.

Offered by: _____ Seconded by: _____
Vote: Cafferty _____ Lane _____ McMillan _____ Stroud _____ York _____

ORDINANCES FOR FIRST READING

Ordinance 24-09 An Ordinance To Amend Volume I, Chapter Vi Of The Code Of The Township Of Neptune “Alcoholic Beverage Control” By Amending §6-3 “Licenses”

Explanatory Statement: This ordinance amends the fees due annually for liquor licenses to increase the fee amount for Plenary Retail Consumption License, Plenary Retail Distribution and Club License in Neptune Township.

Offered by: _____ Seconded by: _____
Vote: Cafferty _____ Lane _____ McMillan _____ Stroud _____ York _____

Ordinance 24-10 An Ordinance Adopting The Amended Redevelopment Plan For Ocean Grove North End Located In The Township Of Neptune, County Of Monmouth, New Jersey

Explanatory Statement: This ordinance amends the redevelopment plan for Ocean Grove North End in accordance with the proposed settlement agreement.

Offered by: _____ Seconded by: _____
Vote: Cafferty _____ Lane _____ McMillan _____ Stroud _____ York _____

Ordinance 24-11 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 And Repealing All Parts Of Previous Ordinances Inconsistent Herewith

Explanatory Statement: This ordinance amends the salary ordinance to include the positions Police Chaplain and Special Law Enforcement Officer (Class III SRO) and set the salary or stipend range for each.

Offered by: _____ Seconded by: _____
Vote: Cafferty _____ Lane _____ McMillan _____ Stroud _____ York _____

CONSENT AGENDA

- Res#24- 129** A Resolution Of The Township Committee Of The Township Of Neptune Accepting Resignations
- Res#24- 130** Place Lien On Various Properties
- Res#24- 131** Authorizing Fees And Reimbursements For “Special Events” As Part Of An Ordinance Of The Township Of Neptune To Amend And Supplement Chapter 4, Business And Licensing Regulations, Section 35
- Res#24- 132** A Resolution Authorizing The Refund Of Taxes As A Result Of An Overpayment
- Res#24- 133** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Police Department
- Res#24- 134** Resolution Authorizing Purchase Supply And Install Parts And Equipment For Pennsylvania Ave. Pump Station, Corp Under North Jersey Wastewater Cooperative Pricing System Contract #B-364-2 And B369-11, In The Amount Not To Exceed \$26,200.00
- Res#24- 135** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing 1 Year Extension Option In Agreement With Onsite Landscape Management For Township Grounds Maintenance
- Res#24- 136** Authorize The Cancellation Of Grant Receivable
- Res#24- 137** Resolution Authorizing Lawsuit Against Michael J. Langan, 215 Overlook Drive, Block 4916, Lot 13 Neptune Township, New Jersey For Trespass And Encroachment Upon Neptune Township Right-Of-Way
- Res#24- 138** Authorize Payment of Bills
- Res#24- 139** Authorizing The Application For Recreation Improvement Grant From The New Jersey Department Of Community Affairs

CONSENT AGENDA

Offered by: _____ Seconded by: _____
Vote: Cafferty _____ Lane _____ McMillan _____ Stroud _____ York _____

SEPARATED RESOLUTIONS

Res#24- 140 A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Emergency Medical Services

Offered by: _____ Seconded by: _____
Vote: Cafferty _____ Lane _____ McMillan _____ Stroud _____ York _____

Res#24- 141 Authorizing The Execution Of A Settlement Agreement And Amended And Restated Redevelopment Agreement By And Between The Township Of Neptune And Og North End Development, Llc, Pursuant To The Local Redevelopment And Housing Law, N.J.S.A. 40a:12a-1 Et Seq.

Offered by: _____ Seconded by: _____
Vote: Cafferty _____ Lane _____ McMillan _____ Stroud _____ York _____

Res#24- 142 Resolution Referring The Proposed Amended Redevelopment Plan For Ocean Grove North End To The Township Of Neptune Planning Board For Review And Report Pursuant To The Local Redevelopment And Housing Law, N.J.S.A. 40a:12a-7

Offered by: _____ Seconded by: _____
Vote: Cafferty _____ Lane _____ McMillan _____ Stroud _____ York _____

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Members of the public may address any concern relating to the Township. The public will be permitted one visit to the microphone with a limit of five minutes.

ADJOURNMENT

Offered by: _____ Seconded by: _____

Time adjourned: _____

TOWNSHIP OF NEPTUNE

RESOLUTION 24-127

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE AUTHORIZING THE DISCUSSION OF MATTERS IN A CLOSED SESSION PURSUANT TO THE STATUTORY EXCLUSIONS OF N.J.S.A. 10:4-12

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; and,

WHEREAS, the matters to be discussed relate to a statutorily excluded topic pursuant N.J.S.A 10:4-12(b) 1-9, specifically:

- Attorney- client privilege;
- X Employment and personnel;
- Imposition of civil penalty;
- Investigation;
- Leasing or acquisition of property;
- X Pending or anticipated litigation;
- Privacy;
- Public Safety;
- Educational matter;
- X Contract Negotiation

Description of matter:

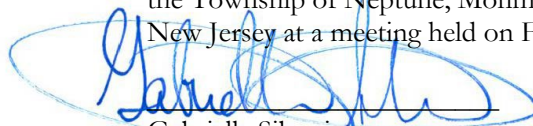
1. Personnel
 - a. New hires
2. Pending or Anticipated Litigation
 - a. Revocable License Agreement
3. Contract Negotiation
 - a. Sports Contracts

WHEREAS, this may be disclosed to the public at a time when the necessity for confidentiality no longer exists, or within six months or less from the date hereof; and,

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

1. That the Township Committee shall retire into executive session where the public shall be excluded and where said matters shall be discussed.
2. That the Township Committee shall reconvene in public session upon conclusions of the discussions.
3. That the minutes of this executive session shall be closed from public inspection and shall so remain until the reason for confidentiality ceases to exist, or upon formal action by the Township Committee at an official meeting.

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on February 26, 2024.



Gabriella Siboni
Township Clerk

**TOWNSHIP OF NEPTUNE
ORDINANCE NO. 24-09**

**AN ORDINANCE TO AMEND VOLUME I, CHAPTER VI OF THE CODE OF THE
TOWNSHIP OF NEPTUNE “ALCOHOLIC BEVERAGE CONTROL” BY AMENDING §6-3
“LICENSES”**

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

§6-3 Licenses

§6-3.4 License Fees; Maximum Number

The annual fees of licenses for the sale or distribution of alcoholic beverages in the Township shall be as follows:

Class of License	Annual Fee	Number	Increase of
Plenary Retail			
Consumption License	\$2,400.00 <u>\$2,500.00</u>	18	\$100.00 Max license fee
Distribution License	\$1,620.00 <u>\$1,944.00</u>	5	\$324.00- 20% increase
Club License	\$170.00 <u>\$188.00</u>		\$18- Max license fee

SECTION 2

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

Motion/ Second	Roll Call To Adopt On First Reading	Adopted on First Reading
	YAY NAY ABSTAIN ABSENT	Dated:
	Keith Cafferty	
	Robert Lane, Jr	
	Kevin McMillan	_____
	Tassie D. York	Dainene Roberts Deputy Clerk

Motion/ Second	Roll Call To Adopt On Second and Final Reading	Adopted on Second Reading
	YAY NAY ABSTAIN ABSENT	Dated:
	Keith Cafferty	
	Robert Lane, Jr	
	Kevin McMillan	_____
	Tassie D. York	Gabriella Siboni, RMC Township Clerk

Gabriella Siboni
Township Clerk

Tassie D. York
Mayor

ORDINANCE NO. 24-10

AN ORDINANCE ADOPTING THE AMENDED REDEVELOPMENT PLAN FOR OCEAN GROVE NORTH END LOCATED IN THE TOWNSHIP OF NEPTUNE, COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the “Act”), provides a process for municipalities to participate in the development and improvement of areas designated as areas in need of redevelopment or as areas in need of rehabilitation; and

WHEREAS, the Township of Neptune (the “Township”) desires that the land located in an area which has been determined to be an area in need of redevelopment in accordance with the Act (the “Redevelopment Area”), currently designated on the Tax Map of the Township of Neptune as Block 1.01, Lots 3 and 4 and a portion of Lot 2 that is more commonly known collectively as “North End”, as same is set forth on the survey prepared by Gallas Surveying Group and dated October 3, 2019 (the “Project Site”), be redeveloped in accordance with the Ocean Grove North End Redevelopment Plan (the “Redevelopment Plan”, including as same may be amended); and

WHEREAS, the Project Site, which comprises approximately three (3) acres, is located within the Ocean Grove Historic District; and

WHEREAS, the Project Site is owned by the Ocean Grove Camp Meeting Association (“CMA”); and

WHEREAS, OG North End Development, LLC (“OGNED”), a joint venture entity which is comprised of MB2 Ocean Grove, LLC (“MB2”), an affiliate of MB1 Capital Partners, LLC (“MB1”), and Wesley Atlantic Village Enterprises, LLC (“WAVE”), entered into a Ground Lease Agreement with CMA providing OGNED the right to, *inter alia*, develop the Project Site; and

WHEREAS, as authorized by Resolution No. 19-335 of the Township Committee of the Township of Neptune (“Township Committee”), was designated as the exclusive Redeveloper of the Project Site and OGNED and the Township entered into that certain Redevelopment Agreement dated September 9, 2019 (the “Original Redevelopment Agreement”); and

WHEREAS, as described in the Original Redevelopment Agreement, OGNED agreed to implement a mixed use project upon the Project Site comprising, *inter alia*, two (2) buildings, the first of which would include a new, iconic Victorian boutique hotel containing no more than forty (40) rooms, a residential condominium building containing no more than thirty (30) 2-bedroom condominiums at market rate, and approximately 7,600 sq. ft. of boardwalk retail; and a second building which would contain no more than nine (9) condominium units, of which approximately six (6) would be 2-bedroom residential condominiums and approximately three (3) would be 3-bedroom residential condominiums; as well as ten (10) 3-bedroom single family homes; additionally, no more than twenty (20) surface parking spaces, and no less than one hundred and forty (140) parking spaces within a subterranean parking structure would be provided; the creation or improvement of certain public open space such as a promenade along Wesley Lake and the preservation of view corridors along Spray Avenue through to Wesley Lake, all in accordance with applicable laws, including the Redevelopment Plan, and the terms and conditions of a Redevelopment Agreement (the “Original Project”); and

WHEREAS, after obtaining site plan approval from the Planning Board of the Township of Neptune (“Planning Board”), OGNED submitted an application for a Certificate of Appropriateness (“COA”) to the Historic Preservation Commission (“HPC”) which included the detailed plans for the Original Project (the

“Original Plans”), as such submission was required by the Redevelopment Plan and the Original Redevelopment Agreement; and

WHEREAS, ultimately, the HPC denied OGNED’s application for a COA for, *inter alia*, failure to comply with the Design Guidelines applicable to the Ocean Grove area of the Township; and

WHEREAS, HPC’s thorough technical comments regarding its consideration of the Original Project and the design components were incorporated into the formal Resolution denying OGNED’s application which was adopted by the HPC on October 25, 2022 (“HPC Resolution”); and

WHEREAS, on or about October 21, 2022, OGNED filed a Verified Complaint in Lieu of Prerogative Writ and Writ for Mandamus against the Township of Neptune and the Zoning Officer of the Township of Neptune in the Law Division of the Superior Court of New Jersey (Docket No. MON-L-2916-22) (the “Complaint” or the “Litigation”) seeking to compel the issuance of a COA permitting the construction of the Original Project as it was reflected in the Original Plans; and

WHEREAS, OGNED alleged in its Complaint that the HPC failed to act on its application in a timely fashion and that as such, the issuance of a permit to implement the Original Plans is merely ministerial in nature and should be issued immediately; and

WHEREAS, the Township and OGNED agreed to temporarily hold the Complaint in abeyance in order to allow for an opportunity to resolve the matter and to discuss the Redevelopment Plan, the terms and conditions of the Original Redevelopment Agreement, and the specific design elements in the Original Plans and the related comments regarding same in the HPC Resolution; and

WHEREAS, the Redevelopment Committee and OGNED have undertaken extensive additional negotiations regarding the redevelopment project to be implemented and protracted, expensive litigation would render the future of the Project Site uncertain, thereby frustrating the Redevelopment Plan and the vision of the Township; and

WHEREAS, therefore, the Township and OGNED desire to enter into a Settlement Agreement and Amended and Restated Redevelopment Agreement (“Amended Redevelopment Agreement”), in order to settle the pending Complaint without further delay and expense and to further the implementation of the Redevelopment Plan, as amended; and

WHEREAS, the Township and OGNED agreed that upon the satisfaction of certain conditions in the Amended Redevelopment Agreement including the adoption of an amendment of the Redevelopment Plan in the form attached hereto as **Attachment A** (“Amended Redevelopment Plan”), the Amended Redevelopment Agreement shall (a) fully replace and supersede the Original Redevelopment Agreement, (b) provide for the new construction and implementation of a project, as specifically reflected in the updated, detailed project plans and drawings (“Architectural Plans”) (the “Project”) and (c) result in the dismissal of the Complaint; and

WHEREAS, the Parties acknowledge that the Amended Redevelopment Agreement and the Architectural Plans attached thereto reflect thoroughly negotiated modifications of the Original Plans and the Township Committee deems such modifications to satisfactorily address a substantial majority of the insightful and detailed comments which were set forth in the HPC Resolution; and

WHEREAS, additionally, the Township Committee deems the Architectural Plans to be materially consistent with the Victorian character of Ocean Grove as well as the Design Guidelines; and

WHEREAS, as set forth in the Amended Redevelopment Agreement, an amendment of the Redevelopment Plan is a condition of the settlement of the Litigation and as such, an ordinance authorizing same is simultaneously presented to the Township Committee with this Resolution; and

WHEREAS, upon passage of this Ordinance Adopting the Amended Redevelopment Plan, the Amended Redevelopment Plan shall amend and supersede the Redevelopment Plan for the Ocean Grove North End; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, the Amended Redevelopment Plan has been referred to the Planning Board for its review and recommendation; and

WHEREAS, the Township Committee has reviewed and considered the recommendations of the Planning Board regarding the proposed Amended Redevelopment Plan; and

WHEREAS, the Township Committee has determined that the Amended Redevelopment Plan will further the overall goals and objectives of the Redevelopment Plan and that the Amended Redevelopment Plan meets the statutory requirements of, and can be adopted consistent with, the applicable provisions of the Redevelopment Law.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Neptune as follows:

SECTION 1.

1. The Township Committee has determined that the Amended Redevelopment Plan, a copy of which is attached hereto as **Attachment A**, is in conformance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.
2. The Township Committee has received the comments of the Planning Board and has determined that adopting and implementing the Amended Redevelopment Plan is in the best interest of the Township.

SECTION 2.

Upon full adoption of this Ordinance, the Amended Redevelopment Plan shall fully supersede and replace the Ocean Grove North End Redevelopment Plan.

SECTION 3.

All ordinances or parts of ordinances heretofore adopted that are inconsistent with the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4.

Upon full adoption, the Township Clerk shall transmit a copy of this Ordinance to the Planning Board of the County of Monmouth for filing, pursuant to N.J.S.A. 40:55D-16, and the Clerk shall further transmit a copy of this Ordinance to the Planning Board of the Township of Neptune for review and recommendations, pursuant to N.J.S.A. 40A:12A-7.

SECTION 5.

Township Staff and consultants are hereby authorized and directed to take all actions to

implement this Ordinance as are necessary or appropriate to accomplish its goals and intent.

SECTION 6.

This Ordinance shall become final upon adoption and publication in the manner prescribed by law.

Attachment A (to the Ordinance)
Amended Redevelopment Plan for Ocean Grove North End

**TOWNSHIP OF NEPTUNE
ORDINANCE NO. 24-11**

**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 AND REPEALING ALL PARTS OF PREVIOUS
ORDINANCES INCONSISTENT HEREWITH**

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

SECTION 1. The salary ranges for all existing job titles in the Township of Neptune are hereby amended and established as follows:

Title	Minimum Salary	Maximum Salary
Accountant	\$ 35,000.00	\$ 70,000.00
Administrative Assistant	\$ 37,000.00	\$ 85,000.00
Affirmative Action Officer (Public Agency Compliance Officer)	\$ 1,000.00	\$ 3,500.00
Assessing Clerk	\$ 27,300.00	\$ 48,000.00
Assessing/Land Use Inspector	\$ 34,000.00	\$ 56,000.00
Assessment Search Officer	\$ 1,500.00	\$ 6,000.00
Assessor	\$ 80,000.00	\$ 150,000.00
Assistant Assessor	\$ 36,000.00	\$ 70,000.00
Assistant Business Administrator	\$ 90,000.00	\$ 150,000.00
Assistant CFO	\$ 15,000.00	\$ 110,000.00
Assistant Construction Official	\$ 15,000.00	\$ 85,000.00
Assistant Deputy Emergency Management Coordinator	\$ 4,000.00	\$ 8,000.00
Assistant Director of Code and Construction	\$ 5,000.00	\$ 25,000.00
Assistant EMS Manager	\$ 55,000.00	\$ 88,000.00
Assistant Engineer	\$ 55,500.00	\$ 90,000.00
Assistant Mercantile License Officer	\$ 2,500.00	\$ 6,000.00
Assistant Purchasing Agent	\$ 40,000.00	\$ 85,000.00
Assistant Zoning Officer	\$ 3,000.00	\$ 8,000.00
Asst. Economic Development Coordinator	\$ 3,500.00	\$ 8,000.00
Asst. Public Works Director	\$ 3,500.00	\$ 105,000.00
Bi-Lingual Translator	\$ 300.00	\$ 800.00
Black Seal License	\$ 500.00	\$ 750.00
Bookkeeper	\$ 30,000.00	\$ 70,000.00
Building Inspector	\$ 40,000.00	\$ 95,000.00
Building Sub-Code Official	\$ 45,000.00	\$ 120,000.00
Business Administrator	\$ 90,000.00	\$ 190,000.00
Captain of Police	\$ 130,000.00	\$ 165,000.00
Chief Financial Officer	\$ 90,000.00	\$ 180,000.00
Chief of Police	\$ 150,000.00	\$ 210,000.00
Citizens Board Administrator	\$ 39,000.00	\$ 80,000.00
Code Enforcement Supervisor	\$ 60,000.00	\$ 95,000.00
Code/Construction Inspector	\$ 32,000.00	\$ 97,000.00

Community Programs Coordinator	\$	32,500.00	\$	70,000.00
Construction Official	\$	80,000.00	\$	145,000.00
Custodian	\$	31,200.00	\$	75,000.00
Customer Service Representative	\$	27,300.00	\$	55,000.00
Departmental Secretary	\$	34,500.00	\$	95,000.00
Deputy Chief of Police	\$	150,000.00	\$	190,000.00
Deputy Court Administrator	\$	33,500.00	\$	72,000.00
Deputy Emergency Management Coordinator	\$	4,000.00	\$	10,000.00
Deputy Municipal Clerk	\$	50,000.00	\$	85,000.00
Deputy Registrar of Vital Statistics	\$	29,000.00	\$	55,000.00
Deputy Senior Center Director	\$	43,000.00	\$	78,000.00
Deputy Sewer Collector	\$	5,000.00	\$	20,000.00
Deputy Tax Assessor	\$	50,000.00	\$	102,000.00
Deputy Tax Collector	\$	50,000.00	\$	102,000.00
Detective	\$	2,500.00	\$	3,000.00
Director of Code and Construction	\$	10,000.00	\$	85,000.00
Director of Engineering and Planning	\$	80,000.00	\$	170,000.00
Driver	\$	31,200.00	\$	78,000.00
Economic Development Administrative Assistant	\$	2,000.00	\$	6,000.00
Economic Development Coordinator	\$	5,000.00	\$	35,000.00
Economic Development Secretary	\$	3,500.00	\$	6,000.00
Elections Clerk	\$	6,000.00	\$	12,000.00
Electrical Inspector	\$	30,000.00	\$	80,000.00
Electrical Sub-Code Official	\$	54,000.00	\$	105,000.00
Emergency Management Coordinator	\$	4,000.00	\$	12,000.00
Emergency Management Secretary	\$	2,000.00	\$	9,000.00
Emergency Medical Services Manager	\$	60,000.00	\$	105,000.00
Emergency Medical Technician	\$	42,000.00	\$	70,000.00
Emergency Medical Technician Supervisor	\$	43,000.00	\$	72,000.00
Engineer	\$	50,000.00	\$	90,000.00
Engineer Technician	\$	40,000.00	\$	75,000.00
Environmental / Shade Tree Secretary	\$	2,000.00	\$	4,000.00
Finance Dept. Secretary	\$	3,500.00	\$	75,000.00
Fire Sub-Code Official	\$	12,000.00	\$	52,000.00
Foreman	\$	65,000.00	\$	90,000.00
Grant Coordinator	\$	35,000.00	\$	65,000.00
Harbor Master	\$	40,000.00	\$	65,000.00
Health Benefits Opt-Out	\$	2,500.00	\$	3,500.00
Heavy Equipment Operator	\$	3,500.00	\$	82,000.00
Historic Preservation Comm. Secretary	\$	2,500.00	\$	15,000.00
Human Resources Director	\$	65,000.00	\$	140,000.00
Human Resources Specialist	\$	58,000.00	\$	75,000.00
Jailer	\$	34,500.00	\$	58,000.00
Laborer	\$	31,500.00	\$	52,000.00

Land Use Administrator	\$	4,000.00	\$	150,000.00
Lead Communications Operator	\$	32,500.00	\$	85,000.00
Lieutenant of Police	\$	130,000.00	\$	158,000.00
M.I.S. Manager	\$	56,000.00	\$	72,000.00
M.I.S. Specialist	\$	46,500.00	\$	65,000.00
Matron	\$	500.00	\$	1,500.00
Mayor	\$	8,000.00	\$	12,500.00
Medical Director	\$	2,000.00	\$	6,000.00
Mercantile Clerk	\$	1,000.00	\$	1,200.00
Mercantile License Officer	\$	2,000.00	\$	10,000.00
MIS Director	\$	75,000.00	\$	120,000.00
Municipal Alliance Coordinator	\$	4,000.00	\$	17,500.00
Municipal Clerk	\$	70,000.00	\$	135,000.00
Municipal Court Administrator	\$	50,000.00	\$	108,000.00
Municipal Court Judge	\$	50,000.00	\$	75,000.00
Municipal Prosecutor	\$	30,000.00	\$	55,000.00
Outreach Coordinator	\$	32,500.00	\$	60,000.00
Outreach Worker	\$	31,500.00	\$	53,000.00
Paramedic	\$	42,000.00	\$	72,000.00
Parks Inspector	\$	1,000.00	\$	25,000.00
Patrolman	\$	40,000.00	\$	130,000.00
Pesticide License	\$	500.00	\$	1,500.00
Plumbing Sub-Code Official	\$	54,000.00	\$	105,000.00
<u>Police Chaplain</u>	\$	5,000.00	\$	5,000.00
Police Director	\$	25,000.00	\$	100,000.00
Police Information System Manager	\$	46,300.00	\$	95,000.00
Police Support Systems Manager	\$	48,000.00	\$	95,000.00
Principal Assessing Clerk	\$	30,000.00	\$	52,000.00
Public Defender	\$	18,000.00	\$	32,000.00
Public Works Director	\$	90,000.00	\$	140,000.00
Public Works Supervisor	\$	80,000.00	\$	120,000.00
Purchasing Agent	\$	60,000.00	\$	120,000.00
Records Clerk	\$	27,300.00	\$	65,000.00
Recreation Coordinator (Recreation Dept)	\$	35,000.00	\$	70,000.00
Recreation Coordinator (Sr Ctr)	\$	35,000.00	\$	55,000.00
Recreation Director	\$	60,000.00	\$	120,000.00
Recycling Coordinator	\$	500.00	\$	3,500.00
Registrar of Vital Statistics	\$	45,000.00	\$	85,000.00
Rent Leveling Board Secretary	\$	2,500.00	\$	5,000.00
Secondary Sewer Operators License	\$	2,500.00	\$	8,000.00
Senior Center Bus Driver	\$	31,200.00	\$	50,000.00
Senior Center Director	\$	65,000.00	\$	105,000.00
Senior Center Kitchen Aid	\$	27,300.00	\$	45,000.00
Senior Center Kitchen Manager	\$	30,000.00	\$	52,000.00

Senior Programs Representative	\$	31,000.00	\$	50,000.00
Senior Violations Clerk	\$	30,000.00	\$	60,000.00
Sergeant of Police	\$	115,000.00	\$	145,000.00
Sewer Collector	\$	10,000.00	\$	50,000.00
Sewer Operators License	\$	7,500.00	\$	20,000.00
Special Projects Coordinator	\$	35,000.00	\$	75,000.00
Superintendent of Buildings	\$	65,000.00	\$	105,000.00
Tax Collector	\$	75,000.00	\$	140,000.00
Tax Search Officer	\$	1,500.00	\$	6,000.00
Technical Asst. to Construction Official	\$	5,000.00	\$	65,000.00
Township Committee Member	\$	6,000.00	\$	12,000.00
Transportation Coordinator	\$	27,500.00	\$	55,000.00
Violations Clerk	\$	27,300.00	\$	50,000.00
Zoning Compliance Officer	\$	5,000.00	\$	70,000.00

Hourly Rates:

Assistant Engineer	\$	20.00	\$	42.00
Bus/Van Driver	\$	15.00	\$	22.00
Carpenter	\$	18.00	\$	35.00
Code Enforcement Inspector	\$	15.70	\$	25.00
Construction Code Inspector	\$	25.00	\$	50.00
Court Security Officer	\$	15.00	\$	25.00
Crossing Guard	\$	15.00	\$	22.00
Custodian	\$	15.00	\$	27.00
Customer Service Representative	\$	15.00	\$	20.00
Emergency Medical Technician	\$	17.50	\$	30.00
Fire Sub-Code Official	\$	25.00	\$	50.00
Investigator	\$	20.00	\$	30.00
Jailer	\$	15.00	\$	25.00
Kitchen Aid	\$	15.00	\$	25.00
Litter Control Attendant	\$	15.00	\$	18.00
Marina Attendant	\$	15.00	\$	25.00
Municipal Intern	\$	10.00	\$	12.00
Property Maintenance Worker	\$	15.00	\$	30.00
Recreation Attendant	\$	12.00	\$	20.00
Senior Emergency Medical Technician	\$	24.00	\$	35.00
Special Law Enforcement Officer (Class I)	\$	15.00	\$	22.00
Special Law Enforcement Officer (Class II SRO)	\$	22.00	\$	40.00
Special Law Enforcement Officer (Class II)	\$	17.00	\$	38.00
Special Law Enforcement Officer (Class III)	\$	20.00	\$	38.00
<u>Special Law Enforcement Officer (Class III SRO)</u>	\$	22.00	\$	40.00
Supervising Special Law Enforcement Officer	\$	22.00	\$	40.00
Temporary Skilled Worker		NJ Prevailing Wage		NJ Prevailing Wage
Tourism Director	\$	15.00	\$	25.00

Tourism Representative	\$	15.00	\$	20.00
Violations Clerk	\$	15.00	\$	20.00
Yard Attendant	\$	15.00	\$	25.00

SECTION 2. This ordinance shall become effective upon adoption and publication by law.

SECTION 3. The salary for each position named above shall be established within the aforesaid ranges by adoption of a contract with employees of AFSCME Local 1844, AFSCME Local 2792, the Neptune Township Management and Department Heads Association, P.B.A. Local #74, F.O.P. Local #19 or by individual contract for employees not represented by a bargaining unit.

SECTION 4. That all ordinances or parts of ordinances of the Township of Neptune, in conflict or inconsistent with this ordinance are hereby repealed.

TOWNSHIP OF NEPTUNE

RESOLUTION 24-128

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
AUTHORIZING CERTAIN PERSONNEL ACTIONS- POLICE DEPARTMENT**

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

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

WHEREAS, the Chief of Police has made his recommendations and the Police Committee has approved said recommendations; and,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Neptune that the following personnel actions be and are hereby authorized on the effective date included herein; pending favorable results of physical and psychological examinations:

<u>NAME</u>	<u>DEPARTMENT</u>	<u>POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Bernie Garcia- Aguirre	Police	Police Officer	\$47,000.00	2/27/2024
Malik Jenkins	Police	Police Officer	\$40,000.00	2/27/2024
Dylan McLearn	Police	Police Officer	\$61,000.00	2/27/2024
Yasmeen Jones- Muhammad	Police	Police Officer	\$40,000.00	2/27/2024
Aaron Robertson	Police	Police Officer	\$40,000.00	2/27/2024
Nicholas Turi	Police	Police Officer	\$47,000.00	2/27/2024

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on February 26, 2024.

Gabriella Siboni
Township Clerk

Certification of Funds

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the above noted personnel actions.

Account Name

Police Department Salary and Wages 01-201-25-240-010

Michael Bascom, Chief Financial Officer

Date

TOWNSHIP OF NEPTUNE

RESOLUTION 24-129

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
ACCEPTING RESIGNATIONS**

WHEREAS, the Human Resources Director has received notification from employee(s) that they will be resigning their position; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation(s) of noted below are hereby accepted.

<u>NAME</u>	<u>DEPARTMENT</u>	<u>POSITION</u>	<u>DATE OF NOTIFICATION</u>	<u>EFFECTIVE DATE OF RESIGNATION</u>
Nadia Holzer	Environmental Shade Tree Commission	Member	2/13/2024	2/14/2024
Tristan Waldron	Police	SLEO II	2/14/2024	2/23/2024
Tracey James	Code and Construction	Departmental Secretary	2/12/2024	2/23/2024

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the respective departments, Business Administrator and Human Resources Director.

**TOWNSHIP OF NEPTUNE
RESOLUTION 24-130**

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,

Block	Lot	Address	Amount
1003	3	121 Highway 35	\$1,730.58

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

RESOLUTION NO. 24-131

AUTHORIZING FEES AND REIMBURSEMENTS FOR “SPECIAL EVENTS” AS PART OF AN ORDINANCE OF THE TOWNSHIP OF NEPTUNE TO AMEND AND SUPPLEMENT CHAPTER 4, BUSINESS AND LICENSING REGULATIONS, SECTION 35

WHEREAS, an Ordinance of the Township of Neptune to amend and supplement Chapter 4, Business and Licensing Regulations by adding Section 35, entitled “Special Events” was adopted by the Township Committee of Neptune Township; and

WHEREAS, at the time of adoption of the aforesaid Ordinance, and for each year thereafter, by Resolution on or about the time of the Reorganization Meeting of the Mayor and Township Committee, a Resolution shall be adopted concerning all fees and reimbursements pursuant to §4-35.5 of the Township Ordinance concerning “Special Events” in order to provide the most up-to-date fees and costs subject to reimbursement based on the actual cost and needs of the Township.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorizes the following fees and reimbursements for all “Special Events” be incorporated with the Ordinance of the Township of Neptune supplementing and amending Chapter 4, entitled Business and Licensing Regulations, Section 35, “Special Events:”

- a. Application Fee (non-refundable)
 1. \$50.00 for non-profits.
 2. \$250.00 for all other organizations or groups with attendees of less than 2,000
 3. \$1,000.00 for events over 2,000 attendees
 4. \$5,000.00 for events over 15,000 attendees

- b. Maintenance Personnel and Equipment Fees and Reimbursements:
 1. Putting up barricades – 1 staff member, per hour - \$50.00
 2. Picking up barricades – 1 staff member, per hour - \$50.00
 3. Putting up banner – 2 staff members, per hour - \$100.00
 4. Taking down banner – 2 staff members, per hour - \$100.00
 5. Use of pickup truck – per hour - \$50.00*
 6. Use of dump truck – per hour - \$85.00*
 7. Use of Sweeper – per hour - \$75.00*
 8. Use of front-end loader – per hour - \$80*
 9. Use of garbage truck, per hour - \$90.00* (plus tipping fees)
 10. Use of bucket – per hour \$75.00*
 11. Ambulance – per hour \$200.00(includes crew of 2 EMT's)
 12. Dumping fee - \$120.00 per ton
 13. Fire Engine or Rescue Truck - per hour - \$200.00 (includes crew of qualified personnel)
 14. Rack Body Flatbed Truck - \$65.00 per hour*
 15. Mason Dump Truck - \$65.00 per hour*
 16. Use of Senior Center bus or transportation - \$75.00 per hour (minimum of 4 hours) and \$.65 per mile based on an odometer reading and subject to availability.
 17. For all other uses, see Annual Fee Schedule Resolutions adopted by the Township Committee for Public Works and other Departments.

Items shown with an () above require an additional charge for the operator of the vehicle or equipment, which shall be at the rate of \$50.00 per hour. The above fees include delivery and pickup during regular working hours (Monday – Friday 7am – 2 pm; excluding Township Holidays. All charges shall be hourly and all shall have a minimum charge of one hour. For any increments into the following hours, a one-hour charge shall be incurred.

- c. Street Blocking or closing
 - 1. Non-metered streets - \$250 daily fee per block for any non-metered street blocking or closing.
- d. Off-duty Police Officers: Pursuant to adopted schedule for Off-Duty assignment of Police Officers.
- e. EMS – See annual Fee Schedule Resolution adopted by the Township Committee.
- f. Utility Fees – Any and all fees for actual water and electric consumption shall be billed by the Director of Public Works after the conclusion of the event, with a minimum charge of \$75.00 per hour.
- g. Marina Fees – See annual fee Schedule Resolution adopted by the Township Committee.
- h. Returned Checks - \$25.00 fee in addition to the reimbursement of the original check amount.

As used above a day is considered 24 hours and the minimum time frame for special event coverage shall be four (4) hours.

Co-sponsored events shall not be subject to non-refundable application fee or reimbursement costs.

**TOWNSHIP OF NEPTUNE
RESOLUTION 24-132
A RESOLUTION AUTHORIZING 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,

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

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

<u>Block</u>	<u>Lot</u>	<u>Assessed to</u>	<u>Address</u>	<u>Year</u>	<u>Amount</u>
1402	3C0301	Jenkins	301 Alpine Trail	2024	\$2,244.49
1402	3C1603	Wohnus	1603 Alpine Trail	2024	\$1,247.70
509	7	Bernard/Sanovelle	33 Myrtle Ave.	2022	\$959.83
				2023	\$1,1196.12

TOWNSHIP OF NEPTUNE

RESOLUTION 24-133

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
AUTHORIZING CERTAIN PERSONNEL ACTIONS- POLICE DEPARTMENT**

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

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

WHEREAS, the Chief of Police has made his recommendations and the Police Committee has approved said recommendations; and,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Neptune that the following personnel actions be and are hereby authorized on the effective date included herein; pending favorable results of physical and psychological examinations:

<u>NAME</u>	<u>DEPARTMENT</u>	<u>POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Eric Farrington	Police	Police Officer	\$19.80	2/27/2024
James Martin	Police	Police Officer	\$19.80	2/27/2024

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on February 26, 2024.

Gabriella Siboni
Township Clerk

Certification of Funds

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the above noted personnel actions.

Account Name

Police Department Salary and Wages 01-201-25-240-010

Michael Bascom, Chief Financial Officer

Date

TOWNSHIP OF NEPTUNE

RESOLUTION 24-134

RESOLUTION AUTHORIZING PURCHASE SUPPLY AND INSTALL PARTS AND EQUIPMENT FOR PENNSYLVANIA AVE. PUMP STATION, CORP UNDER NORTH JERSEY WASTEWATER COOPERATIVE PRICING SYSTEM CONTRACT #B-364-2 AND B369-11, IN THE AMOUNT NOT TO EXCEED \$26,200.00

WHEREAS, the Township of Neptune sought Supply And Install Parts And Equipment For Pennsylvania Ave. Pump Station, Corp Under North Jersey Wastewater Cooperative Pricing System Contract #B-364-2 And B369-11, In The Amount Not To Exceed \$26,200.00; and

WHEREAS, Pumping Services, Inc , having an address at 201 Lincoln Blvd. PO Box 117 Middlesex, NJ 08846 has been awarded under North Jersey Wastewater Cooperative Pricing System Contract #B-364-2, B369-11 for purposes of providing such services; and

WHEREAS, N.J.S.A.40A:11-12 permits the purchase of goods and services without advertising for bids when purchased under contract for goods or services entered on behalf of the State by the Division of Purchase and Property in the Department of the Treasury.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that:

1. Supply And Install Parts And Equipment For Pennsylvania Ave. Pump Station, Corp Under North Jersey Wastewater Cooperative Pricing System Contract #B-364-2 And B369-11, In The Amount Not To Exceed \$26,200.00 is hereby approved.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., and Police Department.

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on February 26, 2024

Gabriella Siboni
Township Clerk

Certification of Funds

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for above named contract.

Account Name
Ordinance 21-33 Various Sewer

Account Number
08-215-55-581-020

Michael Bascom, Chief Financial Officer

Date

TOWNSHIP OF NEPTUNE

RESOLUTION 24-135

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
AUTHORIZING 1 YEAR EXTENSION OPTION IN AGREEMENT WITH ONSITE
LANDSCAPE MANAGEMENT FOR TOWNSHIP GROUNDS MAINTENANCE**

WHEREAS, Resolution 21-181 awarded bid for Township Grounds Maintenance to OnSite Landscape Management on April 26, 2021, and;

WHEREAS, the agreement with OnSite Landscape Management includes an option for a 2-year or two 1-year extensions to the terms, and;

WHEREAS, the Qualified Purchasing Agent has recommended extending for the first 1 year option with the price increase based on the current Index Rate, which represents the following:

April Through November 2024	\$115,710.00
Fertilizer	\$34,608.46 per year
Seeding	\$0.05 per square feet
Core Aeration	\$0.05 per square feet

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that:

1. Extension of agreement for 1 year with OnSite Landscape Management is hereby approved.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., and Business Administrator.

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on February 26, 2024

Gabriella Siboni
Township Clerk

Certification of Funds

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for above named contract.

Account Name
Maintenance of Parks OE

Account Number
01-201-28-375-020

Michael Bascom, Chief Financial Officer

Date

TOWNSHIP OF NEPTUNE

RESOLUTION 24 - 136

AUTHORIZE THE CANCELLATION OF GRANT RECEIVABLE

WHEREAS, certain Grant Receivable balances remain open for projects that were completed for less than the anticipated grant amount and/or for which the funding will not be received; and,

WHEREAS, it is necessary to formally cancel said balances,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the following grant receivable be and hereby is authorized to be cancelled:

Grant Name	Appropriation Cancelled	Receivable Cancelled
Firefighter Grant	\$14,438.99	\$14,438.99

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

TOWNSHIP OF NEPTUNE

RESOLUTION #24-137

**RESOLUTION AUTHORIZING LAWSUIT AGAINST MICHAEL J. LANGON, 215 OVERLOOK DRIVE,
BLOCK 4916, LOT 13 NEPTUNE TOWNSHIP, NEW JERSEY FOR TRESPASS AND
ENCROACHMENT UPON NEPTUNE TOWNSHIP RIGHT-OF-WAY**

WHEREAS, Neptune Township has a Municipal Right-of-Way on 215 Overlook Drive, located at Block 4916, Lot 13, which is presently being encroached upon by a retaining wall constructed without a Zoning Permit by the property owner or agent or prior owner; and

WHEREAS, the prior owner to 215 Overlook Drive entered into a Revocable License Agreement with the Township, but the present owner, Michael J. Langon, refuses to do; nor will he remove the encroachment.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorizes the Municipal Attorney, Gene J. Anthony, Esq., with offices at 48 South Street, Eatontown, New Jersey to commence legal action in the Superior Court of New Jersey seeking injunctive relief, damages and legal fees against Michael J. Langon for his continued trespass and encroachment upon the Municipal Right-of-Way, after having been given due notice in writing on May 2, 2023, and having ignored the Notice.

BE IT FURTHER RESOLVED, that the Mayor and Township Committee authorizes legal fees not to exceed ten thousand dollars (\$10,000.00) without additional approval for the purpose of this litigation.

TOWNSHIP OF NEPTUNE

RESOLUTION #24-138

AUTHORIZING THE PAYMENT OF BILLS

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

February 26, 2024, BILL LIST

Current Fund	\$8,767,951.92
Grant Fund	\$9,994.10
Trust Other	\$38,559.98
General Capital	\$33,609.65
Sewer Operating Fund	\$29,608.51
Sewer Capital Fund	\$0.00
Marina Operating Fund	\$2,915.25
Marina Capital Fund	\$1,240.00
Dog Trust	\$5.40
Library Trust	\$3,694.40
Payroll Fund	\$0.00
Bill List Total	\$8,887,579.21

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

TOWNSHIP OF NEPTUNE

RESOLUTION 24-139

AUTHORIZING THE APPLICATION FOR RECREATION IMPROVEMENT GRANT FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

WHEREAS, the Township of Neptune desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for \$100,000.00 to carry out a project to make improvements to Football and Little League Fields with Pour and Play, and;

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that:

1. The Township of Neptune does hereby authorize the application for such a grant, and;
2. Recognizes and accepts that the department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Neptune and the New Jersey Department of Community Affairs.
3. That the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

Gabriella Siboni
Township Clerk

Tassie York
Mayor

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on February 26, 2024.

Gabriella Siboni
Township Clerk

TOWNSHIP OF NEPTUNE

RESOLUTION 24-140

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
AUTHORIZING CERTAIN PERSONNEL ACTIONS- EMERGENCY MEDICAL SERVICES**

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

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

WHEREAS, the Chief of Police has made his recommendations and the Police Committee has approved said recommendations; and,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Neptune that the following personnel actions be and are hereby authorized on the effective date included herein; pending favorable results of physical and psychological examinations:

<u>NAME</u>	<u>DEPARTMENT</u>	<u>POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
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I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on February 26, 2024.

Gabriella Siboni
Township Clerk

Certification of Funds

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the above noted personnel actions.

Account Name

Michael Bascom, Chief Financial Officer

Date

RESOLUTION 24-141

TOWNSHIP OF NEPTUNE

AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT AND AMENDED AND RESTATED REDEVELOPMENT AGREEMENT BY AND BETWEEN THE TOWNSHIP OF NEPTUNE AND OG NORTH END DEVELOPMENT, LLC, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the “**Act**”), provides a process for municipalities to participate in the development and improvement of areas designated as areas in need of redevelopment or as areas in need of rehabilitation; and,

WHEREAS, the Township desires that the land located in an area which has been determined to be an area in need of redevelopment in accordance with the Act (the “**Redevelopment Area**”), currently designated on the Tax Map of the Township of Neptune as Block 1.01, Lots 3 and 4 and a portion of Lot 2 that is more commonly known collectively as “North End”, as same is set forth on the survey prepared by Gallas Surveying Group and dated October 3, 2019 (the “**Project Site**”), be redeveloped in accordance with the Ocean Grove North End Redevelopment Plan (the “**Redevelopment Plan**”, including as same may be amended in the future); and,

WHEREAS, (the “**Project Site**”), which comprises approximately three (3) acres, is located within the Ocean Grove Historic District; and,

WHEREAS, (the “**Project Site**”), is owned by the Ocean Grove Camp Meeting Association (“**CMA**”); and,

WHEREAS, on or about May 17, 2018, OG North End Development, LLC (“**OGNED**”), a joint venture entity which is comprised of MB2 Ocean Grove, LLC (“**MB2**”), an affiliate of MB1 Capital Partners, LLC (“**MB1**”), and Wesley Atlantic Village Enterprises, LLC (“**WAVE**”), submitted an initial Pre-Submission Form to the Township of Neptune’s Redevelopment Committee (the “**Redevelopment Committee**”) seeking to be designated as the Redeveloper of the Project Site; and,

WHEREAS, following certain preliminary reviews, in November 2018, OGNED submitted an updated Pre-Submission Form (the “**Proposal**”) outlining its intention to redevelop the “**Project Site**”), together with a set of preliminary plans which were also submitted to the Township of Neptune’s Historic Preservation Commission (“**HPC**”) for preliminary review; and,

WHEREAS, at that time, (“**OGNED**”), was the Optionee pursuant to an (“**Option Agreement**”) for the Long-Term Lease of the Project Site with (“**CMA**”), dated May 2, 2018, the (“**Option Agreement**”); and,

WHEREAS, the (“**Option Agreement**”), provided (“**OGNED**”), with the option to enter into a long-term lease for (the “**Project Site**”) in order for (“**OGNED**”), to redevelop (the “**Project Site**”), subject to the Township’s approval; and,

WHEREAS, upon the exercise of said option, (“**OGNED**”), and (“**CMA**”) would then enter into a separate agreement, in the form attached to the Option Agreement, containing all of the terms and provisions for OGNED’s long term lease of (the “**Project Site**”) within (the “**Ground Lease Agreement**”); and,

WHEREAS, on or about September 16, 2019, (“**OGNED**”), and (“**CMA**”) executed and closed upon the (the “**Ground Lease Agreement**”); and since then, the Township is advised that a memorandum of same has been duly recorded with the Monmouth County Clerk’s Office; and,

WHEREAS, the Proposal called for, upon the exercise by OGNED of the option pursuant to the Option Agreement, the implementation of a mixed use redevelopment project comprising, *inter alia*, two (2) buildings, the first of which would include a new, iconic Victorian boutique hotel containing no more than forty (40) rooms (the hotel component of this building referred to herein as the **“Hotel”**), a residential condominium building containing no more than thirty (30) 2-bedroom condominiums at market rate (the condominium component of this building referred to herein as the **“Large Condo Building”**), and approximately 7,600 sq. ft. of boardwalk retail; and a second building which would contain no more than nine (9) condominium units, of which approximately six (6) would be 2-bedroom residential condominiums and approximately three (3) would be 3-bedroom residential condominiums (**“Small Condo Building”**); as well as ten (10) 3-bedroom single family homes; additionally, no more than twenty (20) surface parking spaces, and no less than one hundred and forty (140) parking spaces within a subterranean parking structure would be provided; the creation or improvement of certain public open space such as a promenade along Wesley Lake and the preservation of view corridors along Spray Avenue through to Wesley Lake, all in accordance with, *inter alia*, the Redevelopment Plan and the terms and conditions of a Redevelopment Agreement; and

WHEREAS, the implementation of the Proposal would also result in the reconstruction of the Wesley Lake Retaining Wall in addition to the implementation of certain public amenities, at no cost to the Township, all as further described in a Redevelopment Agreement, as well as the generation of approximately forty (40) hotel/retail/maintenance jobs and one hundred (100) construction jobs; and

WHEREAS, the Redevelopment Committee vetted the details comprising the Proposal and met with OGNED on several occasions to discuss the Proposal and the implementation of the Redevelopment Plan, generally; and

WHEREAS, additionally, the Township’s Chief Financial Officer obtained and reviewed certain financial information from OGNED as well as the entities which comprise OGNED and determined that OGNED possesses the financial strength and capability to finance and/or obtain such financing as may be necessary to fully implement the Proposal in accordance with, *inter alia*, the Redevelopment Plan; and

WHEREAS, as authorized by Resolution No. 18-395 adopted by the Township Committee of the Township of Neptune (**“Township Committee”**) on November 26, 2018, the Township (a) designated OGNED as the redeveloper of the Project Site conditioned upon the successful negotiation of a Redevelopment Agreement setting forth all the terms and conditions of the implementation of a redevelopment project upon the Project Site, and (b) approved the execution of a Conditional Designation and Interim Cost Agreement (the **“Conditional Designation Agreement”**); and

WHEREAS, on or about December 7, 2018, the Township and OGNED entered into a Conditional Designation Agreement which, *inter alia*, required OGNED to reimburse all of the costs and fees incurred and to be incurred by the Township in connection with the review of the Proposal and the preparation and negotiation of the terms of a Redevelopment Agreement, among other such expenses; and

WHEREAS, as authorized by Resolution No. 19-186 adopted by the Township Committee on April 22, 2019, the Township authorized an extension of the term of the Conditional Designation Agreement; and

WHEREAS, the Township and the Redeveloper engaged in negotiations and the Township ultimately determined that in furtherance of the Township’s goals and objectives to implement the redevelopment contemplated in the Redevelopment Plan, it would be in the Township’s best interests to enter into a Redevelopment Agreement with OGNED being designated as the exclusive Redeveloper of the Project Site; and

WHEREAS, as authorized by Resolution No. 19-335 adopted by the Township Committee on September 9, 2019, the Township and OGNED entered into, *inter alia*, that certain Redevelopment Agreement by and between the Township of Neptune and OG North End Development, LLC dated on or about October 4, 2019 (the **“Original Redevelopment Agreement”**), a full and complete copy of which is on file in the Township Clerk’s office; and

WHEREAS, pursuant to the Original Redevelopment Agreement, OGNED was specifically required to obtain a Certificate of Appropriateness (“**COA**”) from the HPC for the Proposal; and

WHEREAS, following the execution of the Original Redevelopment Agreement, OGNED commenced its pursuit of Governmental Approvals for the implementation of the Proposal and first sought an approval from the Planning Board of the Township of Neptune (“**Planning Board**”); and

WHEREAS, the application submitted to the Planning Board included detailed project plans (“**Original Plans**”) which reflected a redevelopment project generally consistent with the Proposal and contained the components described in the Original Redevelopment Agreement; and

WHEREAS, the Original Plans also included a deck on the roof of the Hotel (“**Hotel Roof Deck**”) as well as, *inter alia*, a common space deck on the roof of the Large Condominium Building (“**Large Condo Building Roof Deck**”); and

WHEREAS, after two (2) public hearings, and by Resolution No. 20-06 adopted by the Planning Board on February 26, 2020, OGNED obtained preliminary and final major site plan approval for the implementation of the Original Plans (“**Original Planning Board Approval**”) subject to the conditions that, *inter alia*, (a) all approvals by other governmental agencies having regulatory jurisdiction over the redevelopment of the Project Site be obtained and (b) OGNED would resubmit its application/reapply to the Planning Board in the event that a material deviation from the Original Plans would be required; and

WHEREAS, by Resolution No. 20-09 adopted by the Planning Board on March 23, 2022, the Original Planning Board Approval was extended; and

WHEREAS, OGNED also obtained a Coastal Area Facility Review Act (CAFRA) Permit and Flood Hazard Area (FHA) Verification from the New Jersey Department of Environmental Protection for the construction of the Original Plans, a full and complete copy of which is on file at the Township Clerk’s office; and

WHEREAS, in its pursuit of a COA, as required by the Redevelopment Plan and the Original Redevelopment Agreement, OGNED submitted an application to the HPC which included the Original Plans as approved by the Planning Board; and

WHEREAS, after several public hearings of the HPC, with the final hearing having been held on June 8, 2022, the HPC denied OGNED’s application for a COA on the record for, *inter alia*, the failure of the Original Project to comply with the Design Guidelines, including with regard to the Hotel Roof Deck and the Large Condo Building Roof Deck; and

WHEREAS, HPC’s thorough technical comments regarding its consideration of the Original Project and the design components were incorporated into the formal Resolution denying OGNED’s application which was adopted by the HPC on October 25, 2022, a full and complete copy of which is on file at the Township Clerk’s office (“**HPC Resolution**”); and

WHEREAS, on or about October 21, 2022, OGNED filed a Verified Complaint in Lieu of Prerogative Writ and Writ for Mandamus against the Township of Neptune and the Zoning Officer of the Township of Neptune in the Law Division of the Superior Court of New Jersey (Docket No. MON-L-2916-22) (the “**Complaint**” or the “**Litigation**”) seeking a Writ of Mandamus to compel the issuance of a COA permitting the construction of the Project as reflected in the Original Plans and as approved by the Planning Board; and

WHEREAS, simultaneously, OGNED filed a Motion for Summary Judgment seeking a Writ of Mandamus to compel the Zoning Officer to issue a COA to permit the implementation of the Original Plans (the “**Motion**”); and

WHEREAS, OGNED alleged in its Complaint that the HPC failed to act on its application in a timely fashion and that as such, the issuance of a permit to implement the Original Plans is merely ministerial in nature and should be issued immediately; and

WHEREAS, on November 8, 2022, the Township filed a Cross-Motion to dismiss the Complaint (“**Cross-Motion**”); and

WHEREAS, the Township and OGNED agreed to temporarily hold the Complaint and Motion in abeyance in order to allow for an opportunity to resolve the matter and to discuss the Redevelopment Plan, the terms and conditions of the Original Redevelopment Agreement, and the specific components and design elements set forth in the Original Plans and the comments regarding the Original Plans set forth in the HPC Resolution, including with regard to the operation of the Hotel Roof Deck and the utilization of the Large Condo Building Roof Deck; and

WHEREAS, the Redevelopment Committee and OGNED have undertaken extensive additional negotiations regarding the redevelopment project to be implemented and both parties recognize that protracted and expensive litigation would render the future of the Project Site uncertain, thereby frustrating the Redevelopment Plan and the vision of the Township; and

WHEREAS, therefore, the Parties now desire to enter into a Settlement Agreement and Amended and Restated Redevelopment Agreement By and Between The Township of Neptune and OGNED (the “**Amended Redevelopment Agreement**”), in substantially the form provided to the Township Committee, in order to settle the pending Complaint without further delay and expense and to further the implementation of the Redevelopment Plan, as amended, and the overall redevelopment of the Project Site which is being stymied by the Litigation, subject to the terms and conditions herein; and

WHEREAS, the Parties agree that upon the satisfaction of certain conditions in the Amended Redevelopment Agreement, including the adoption of an amendment of the Redevelopment Plan, the Amended Redevelopment Agreement shall (a) fully replace and supersede the Original Redevelopment Agreement, (b) provide for the new construction and implementation of a project, including all the project components as described in the Amended Redevelopment Agreement, and as specifically reflected in the updated, detailed project plans and drawings (“**Architectural Plans**”) in compliance with the Redevelopment Plan, as amended, and all Governmental Approvals (the “**Project**”) and (c) result in the dismissal with prejudice of the Complaint by OGNED without the need for further litigation; and

WHEREAS, the Parties acknowledge that the Architectural Plans attached to the Amended Redevelopment Agreement, which reflect the Project to now be constructed by OGNED, contain thoroughly negotiated modifications of the Original Plans and the Township Committee deems such modifications to satisfactorily address a substantial majority of the insightful and detailed comments which were set forth in the HPC Resolution; and

WHEREAS, additionally, the Township Committee deems the Architectural Plans to be materially consistent with the Victorian character of Ocean Grove as well as the Design Guidelines; and

WHEREAS, the Parties further acknowledge that while the Architectural Plans contain the (construction of the) Hotel Roof Deck and the Large Condo Building Roof Deck, the Amended Redevelopment Agreement includes specific provisions limiting the operation of said Hotel Roof Deck and the utilization of the Large Condo Building Roof Deck and expressly requires compliance with all Applicable Laws, including the Township’s Noise Ordinance, and further, that a Deed Restriction including the provisions which shall limit the operation of the Hotel Roof Deck and the utilization of the Large Condo Building Roof Deck shall be recorded against the relevant portions of the Project Site; and

WHEREAS, the Township and the Redeveloper desire to enter into the Amended Redevelopment Agreement in substantially the form attached hereto, as well as the agreements and other such documents

related thereto which are attached to the Amended Redevelopment Agreement, including the forms of Stipulations of Dismissal of the Complaint, for the purpose of setting forth in great detail their respective undertakings, rights and obligations in connection with the development and construction of the Project and to settle the Litigation without further delay and expense; and

WHEREAS, as set forth in the Amended Redevelopment Agreement, an amendment of the Redevelopment Plan is a condition of the settlement of the Litigation and as such, an ordinance authorizing same is simultaneously presented to the Township Committee with this Resolution; and

WHEREAS, finally, the Township Committee recognizes that Ordinance No. 19-34 which was previously adopted by the Township Committee on October 19, 2019 in connection with its consideration of the Original Redevelopment Agreement and the Public Access Easement Agreement provided for therein (and also in the Amended Redevelopment Agreement), remains effective and that said Public Access Easement Agreement has already been executed and placed into an escrow pursuant to an Escrow Agreement, as authorized by Ordinance No. 19-34; and

WHEREAS, accordingly, the Township Committee is not simultaneously considering another Ordinance authorizing the execution of the Public Access Easement Agreement but wishes to reiterate that said Public Access Easement Agreement shall provide the public with access to the Public Access Areas upon completion of the construction of the Project, as set forth in the Original Redevelopment Agreement and also in the Amended Redevelopment Agreement; and

WHEREAS, any capitalized terms not defined herein shall have the meaning ascribed in the Amended Redevelopment Agreement.

NOW, THEREFORE, it is hereby resolved by the Township Committee of Neptune as follows:

1. The Mayor or his designee is hereby authorized and directed to execute the Amended Redevelopment Agreement between the Township of Neptune and OG North End Development, LLC (“**OGNED**”) in substantially the form attached hereto as **Attachment A**, the execution of which and the authority to do so is expressly conditioned upon OGNED’s payment of all Township Costs, including but not limited to, all legal and other professional fees incurred by the Township that may be due and owing.
2. The Mayor or his designee is hereby authorized and directed to execute the Stipulations of Dismissal, as same are referenced in the Amended Redevelopment Agreement and subject to the conditions set forth in the Amended Redevelopment Agreement, in substantially the forms attached to the Amended Redevelopment Agreement, which legal counsel for the Township has deemed satisfactory, thereby settling and resolving the Complaint (and Motion) and withdrawing or rendering the Cross-Motion moot.
3. The Mayor, Business Administrator and Staff of the Township of Neptune are hereby authorized and directed to take all actions as shall be deemed necessary or desirable to fully implement this Resolution.
4. This Resolution shall be effective immediately.

Attachment A (to Resolution)
**Form of Settlement Agreement and Amended and Restated
Redevelopment Agreement**

TOWNSHIP OF NEPTUNE

RESOLUTION # 24-142

RESOLUTION REFERRING THE PROPOSED AMENDED REDEVELOPMENT PLAN FOR OCEAN GROVE NORTH END TO THE TOWNSHIP OF NEPTUNE PLANNING BOARD FOR REVIEW AND REPORT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-7

WHEREAS, the Township Committee of the Township of Neptune (the “Township Committee”) previously adopted a Resolution by which Block 1.01, Lots 3 and 4 and a portion of Lot 2 on the Tax Map of the Township of Neptune, that is more commonly known collectively as “North End”, were designated as a non-condemnation area in need of redevelopment; and,

WHEREAS, thereafter, a Redevelopment Plan was prepared by Leon S. Avakian Inc. Consulting Engineers entitled “Redevelopment Plan Ocean Grove North End” (the “Redevelopment Plan” or the “Plan”); and,

WHEREAS, thereafter, the Township Committee adopted an ordinance entitled “AN ORDINANCE ADOPTING THE AMENDED REDEVELOPMENT PLAN FOR OCEAN GROVE NORTH END LOCATED IN THE TOWNSHIP OF NEPTUNE, COUNTY OF MONMOUTH, NEW JERSEY” (the “Ordinance”), proposing the adoption of an amendment of the Redevelopment Plan (the “Amended Redevelopment Plan”); and,

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-7, the Township Committee shall refer all proposed redevelopment plans, or revisions or amendments thereto, to the Neptune Township Planning Board prior to final adoption of same for review and recommendations to be issued in a report.

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

1. A copy of the proposed ordinance entitled “AN ORDINANCE ADOPTING THE AMENDED REDEVELOPMENT PLAN FOR OCEAN GROVE NORTH END LOCATED IN THE TOWNSHIP OF NEPTUNE, COUNTY OF MONMOUTH, NEW JERSEY” shall be transmitted to the Neptune Township Planning Board for its review and recommendations to be issued in a report pursuant to N.J.S.A. 40A:12A-7.
2. Township Staff and consultants are hereby authorized and directed to take all actions to implement this Resolution as are necessary or appropriate to accomplish its goals and intent.
3. This Resolution shall be effective immediately in accordance with the law.