

TOWNSHIP COMMITTEE MEETING – JULY 24, 2017

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: Robert Lane, Jr., Kevin B. McMillan, Carol Rizzo, Nicholas Williams and Mayor Michael Brantley.

Also present at the dais were Richard J. Cuttrell, Municipal Clerk; Vito D. Gadaleta, Business Administrator; Michael J. Bascom, Chief Financial Officer; 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 Asbury Park Press on January 5, 2017 and The Coaster on January 12, 2017, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

The following items were discussed in open session:

Mr. Gadaleta and Leanne Hoffman, Township Engineer, presented the South Riverside Drive Flood Mitigation Project. Mr. Gadaleta stated that in May, the ordinance to appropriate funds for the project was tabled and staff was instructed to look at alternatives such as a combination of living shoreline and bulkhead. A coastal engineer was consulted and a new project is being proposed. This will also be presented at a meeting of the Shark River Hills Property Owners Association on July 25<sup>th</sup>. Mr. Gadaleta displayed visuals showing an armored dune project. He stated that the project would still need approval from FEMA for the mitigation requirements of the grant. Ms. Hoffmann stated that the FEMA grant is for a flood mitigation project to protect the infrastructure. She showed slides of the proposed armored dune using a geotube core and a marine mattress with accessibility at the street ends.

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

Mr. Williams offered the following resolution, moved and seconded by Ms. Rizzo, 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 – Representation of Public Defender at NJ Superior Court detention hearings

Real Estate negotiations – Reverter clauses on Corlies Avenue property

Contract negotiations – Interlocal services agreement with Bradley Beach

Personnel – Recommendation for Customer Service Representative in the Construction Department

Potential Litigation – Municipal Services Agreement on private road

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: Lane, aye; McMillan, aye; Rizzo, aye; Williams, aye; and Brantley, aye.

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

The Committee reviewed bills from the Municipal Public Defender for his appearance at NJ Superior Court detention hearings as part of the bail reform requirements. The Committee agreed to payment at the Township Attorney rate of \$130 per hour for the 18.7 hours of billing. In the future,

the County Prosecutor will handle this responsibility.

Mr. Gadalata met with representatives from the Borough of Bradley Beach regarding an interlocal services agreement for repairs to the Fletcher Lake wall. A proposal on cost sharing will be forthcoming after Bradley Beach officials meet to discuss.

The Committee reviewed the recommendation for hiring a Customer Service Representative in the Construction Department and took action by resolution during the regular meeting.

Mr. Anthony stated that the Township needs to notify residents of Fabio Court that the Township will cease providing maintenance of the roadway since it is a private road. Fire and first aid services will be provided but there will be no maintenance to the road and residents must bring refuse and recycling to the public roadway (Wayside Road) for collection.

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

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

Also present at the dais were Richard J. Cuttrell, Municipal Clerk; Vito D. Gadaleta, Business Administrator; Michael J. Bascom, Chief Financial Officer; 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 Asbury Park Press on January 5, 2017 and The Coaster on January 12, 2017, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at [www.neptunetownship.org](http://www.neptunetownship.org).

#### REPORT OF THE CLERK

The Clerk stated that the following reports and communications are on file in his office:

Tax Collector monthly statements for April, May, and June.

#### COMMENTS FROM THE DAIS

Mr. McMillan stated that he attended the Jersey Mikes Grand Opening on July 12<sup>th</sup>. The Summer High School employee program has been very positive for the kids. He walked through the West Lake Avenue streetscape and received positive feedback from the residents.

Mr. Lane attended the World Changers closing ceremony, Veterans Memorial Day Parade Committee meeting, Recreation Committee meeting, Senior Volunteer luncheon, and Ocean Grove Homeowners Association meeting. He announced that he Hooked on Fishing Event will be held next year in June. He attended services for William "Bruiser" VanMeter and presented a proclamation to this family. Finally, he attended a meeting for the pancreatic cancer 5km run which will be held on October 7<sup>th</sup>.

Ms. Rizzon stated that the annual property tax statements were mailed. This year, the Township raised the rate by 2/10 of one cent. Municipal services represent less than 37% of the bill, with 48% going to the schools and 12.5% to the County. She stated that the Township is lucky to have Mr. Bascom as its Chief Financial Officer. She thanked the volunteers at the Senior Center luncheon. She reviewed the procedures for the senior citizen property tax freeze. Ms. Rizzo thanked Roberta Grace and the administrative staff for a great week with the World Changers. She announced a young adult was hired as a result of the Jersey Shore University Medical Center Job Program. Finally, she is waiting for final word on the deal to close the Winding Ridge sale to keep the complex affordable.

Mr. Williams stated that he met with Schools Superintendent Tami Crader regarding the closing of the East End Avenue bridge. He met with MURC and gave a status on the

redevelopment plan. He attended the wake of William "Bruiser" VanMeter. He met with Harbor Master Ed Finlay and advised that the marina is 98% full and the camera installation is nearing completion. Finally, he read a letter from Bernie Haney, Land Use Administrator, which stated that a meeting was held with the State Historic Preservation Office regarding Certified Local Government. Once a Historic Architect is hired, the Township will begin a review of the HPC guidelines.

The Mayor attended the ribbon cutting for Jersey Mikes Grand Opening on July 12<sup>th</sup> and noted that the Store Manager is from Neptune. He met with MURC regarding redevelopment and will be having a second interview with the two firms that are finalists for appointment as Township Redevelopment Attorney.

#### PUBLIC COMMENTS ON RESOLUTIONS

Dorothy Argyros, 2100 Rutherford Avenue, stated that the Township is hiring a law firm to represent the Township in a lawsuit filed by the Asbury Park Press. She asked why should she pay for the Township cover up. She said she needs to know how this officer kept his job and his gun. She asked that the documents be released.

Gail Oliver, Neptune City, asked why the Alpha Liquor License was being renewed because there have been a lot of police calls at that location. Mr. Cuttrell stated that the Licensee has complied with the restrictions and an objection to renew the license was not received. She asked for an update on violations that have occurred at Alpha's. Mr. Gadaleta stated that he provided a list of police department reports for that location. Ms. Oliver asked for an updated list.

Teretha Jones, stated that it needs to be clear that police calls for outside the walls of an establishment are no necessarily the responsibility of the establishment.

Nancy Clarke, 47 Embury Avenue, asked for more information on the bond resolution. Mr. Bascom stated that it is combining previous ordinance from short term to long term financing. She asked about the inclusion of the Ocean Grove boardwalk in the list of ordinances being financed. Mr. Bascom stated that FEMA money is being repaid as it is received. The balance of the funds are being repaid by the Ocean Grove Camp Meeting Association plus interest.

Michael Golub, 305 Cliffwood Drive, stated that he believes that the Seidle internal affairs information is not being released because it does not exonerate the Township. Eventually this information will come out so the Committee should spare the taxpayer the cost and release the documents. In regards to the Alpha Liquor License renewal, a business owner has limited ability to control what happens outside his door, but the Township has an obligation to observe what is occurring.

#### ORDINANCE NO. 17-26 - ADOPTED

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

#### ORDINANCE NO. 17-26

AN ORDINANCE TO AMEND VOLUME I, SECTION 3-21 OF THE CODE OF THE TOWNSHIP OF NEPTUNE TO PROHIBIT THE SALE OF TOBACCO TO PERSONS UNDER THE AGE OF TWENTY ONE

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

Hank Coakley, Valley Road, stated that the Governor has signed a bill raising the age for tobacco products to 21 statewide. He said that if someone is old enough to join the military, they should be able to smoke.

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

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

#### ORDINANCE NO. 17-27 - ADOPTED

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

ORDINANCE NO. 17-27

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING RESIDENT ONLY HANDICAPPED PARKING ZONES ON COOKMAN AVENUE, ABBOTT AVENUE AND HECK AVENUE

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

Joan Venezia, 107 Mt. Hermon Way, stated that sometimes the handicapped parking ordinances include the removal of spots. She asked how the Township tracks this. Mr. Cuttrell stated that they are notified by the new property owner or the landlord that the handicapped resident has either moved or passed away.

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

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

ORDINANCE NO. 17-28 - ADOPTED

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

ORDINANCE NO. 17-28

AUTHORIZE GRANT OF DEED OF OPEN SPACE EASEMENT TO THE COUNTY OF MONMOUTH ON BLOCK 1807, LOT 2 (FORMERLY KNOWN AS BLOCK 307.26, LOT 5) OWNED BY THE TOWNSHIP OF NEPTUNE

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

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

ORDINANCE NO. 17-29 - ADOPTED

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

ORDINANCE NO. 17-29

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

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

Dorothy Argyros, 2100 Rutherford Avenue, stated that this ordinance leaves the same people in charge who gave us all of the scandals and lawsuits. The Township still refuses to release the Turner Report. The taxpayers pay the cost of all of the malfeasance in the Police Department and the Township's insurer can drop coverage if they label us a moral risk. The Mayor stated that many of Ms. Argyros' comments are inaccurate.

Jack Bredin, 94 ½ Heck Avenue, stated that he purchased his house 16 years ago and would be proud to say that our police officers are his children or grandchildren. Mr. Bascom and Chief Hunt do an excellent job at giving reports on the Police Department. This ordinance replaces Mr. Bascom and also requires the Committee to rehire Chief Hunt. He does not know why the Committee would want to embarrass Mr. Bascom who is a dedicated public official. If the Committee wants to make a change, they should wait until the annual Reorganization Meeting.

Michael Golub, 305 Cliffwood Drive, stated that this decision is good, but long overdue. It is not uncommon for a business to ask an official to step aside. He questioned why there is resistance to step aside and to release documents. This ordinance results in most of the same people

remaining in place and does not address the wound. The Turner Report needs to be released. Department leadership was about politics before the current Chief of Police. Discrimination is rampant and we need to come together to confront this. More changes are needed. The Mayor stated that Mr. Golub was an elected official and did not make changes, but now attacks and makes it personal which hurts his credibility. This ordinance is about giving the Township Committee oversight.

Teretha Jones, stated that she agrees with this ordinance. Right now, the lawsuits and allegations are reminiscent of Ferguson, MO. This is a first step change to fix the culture. The culture must change, the organization in the Police Department must change, and a change in Police Chief needs to be made. She stated that Mr. Bascom is a great Chief Financial Officer, but changes need to be made. The Mayor stated that this is not about the Police Department because they do a great job. This is also not about the Police Director. The Director position was established because the Township was between Police Chiefs and had retirements in the Command Staff. Policy changes were made so now the Township needs to go back to a Police Chief with the Committee providing oversight.

Joan Venezia, 107 Mt. Hermon Way, asked who the third person is on the Police Committee. The Mayor stated that it will be a civilian to be determined and it will be a citizen.

Michael Fornino, 120 Fulham Place, stated that the ordinance to removing responsibility from a quasi-military organization. This pulls the legs out from Chief Hunt and Mr. Bascom. The Police Chief is in charge and this Township Committee does not know how to manage. Mr. Bascom is a great manager and this is a system of finger pointing. Mr. Williams stated that the Police Chief will now answer to the Committee as the Appropriate Authority. The Chief will run the day-to-day operations and the ordinance gives these duties to the Chief and the Department Command Staff.

Ed Kirschenbaum, Neptune City Police Director, stated that he has been doing police work since 1976 and has worked with Mr. Bascom through first responding since the September 11, 2001 terror attacks. He has known Chief Hunt since the early 1990s. In Neptune City, he deals with the Mayor and not a Committee. He asked if Mr. Williams spoke to Mr. Bascom and Chief Hunt about this ordinance and the future of the Police Department. He stated that the Township Committee should listen to what your professionals are saying and he hopes this is not a knee jerk reaction. He hears personal vendettas in this audience. The Committee received no input from the Police Department on this ordinance and the three people on the Police Committee will not be as well versed with first responders. The integrity of Mike Bascom and Chief Hunt are above reproach. The Mayor stated that the Police Director position was created to end with certain goals in mind and those goals have been met.

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

The ordinance was adopted on the following vote: Lane, aye, adding that he did his due diligence on this ordinance by reviewing policies; McMillan, no, adding that this is not well thought out and a lot of questions remain unanswered. He does not think an extra layer of management helps; Rizzo, aye, adding that Mr. Bascom got the Department through the accreditation process and Mr. Bascom is a man of high integrity; Williams, aye; and Brantley, aye, adding that this is not about Mr. Bascom. The Chief runs the Police Department and the Police Committee will not be involved in day-to-day operations.

Mr. Bascom stated that while he feels that the ordinance being considered by the governing body this evening is poorly timed and has been rushed through without any input from our Police Department leadership, I recognize that it is the will of the governing body and that my displeasure with this ordinance will not change that. To that end, I would like to take a moment to enlighten some as to the progress and accomplishments of this Police Department over the past four years. I would also like to mention that I have always recognized that my position as Police Director was not a permanent position, but was transitional and meant to assist the Police Department during a time of unprecedented transformation within the Police Department. But it was never intended to be replaced with the structure proposed by this ordinance, one that creates a cumbersome structure for the Chief of Police to work under. If you want to end the Police Director part of the structure, that is fine, but creating a Police Commissioner and Police Committee will hamper police operations.

That being said, I would like to say that I have always worked closely with the Police Department and will continue to do so in my roles as Chief Financial Officer and Emergency Management Coordinator. I will look back at my time as Police Director with great pride. Neptune Township is blessed to have an excellent Police Department with a knowledgeable, committed, and dynamic leadership team led by Chief James A. Hunt, Jr., I am confident that Chief Hunt, Captain Fisher, Captain Gualario, Captain McGhee and the rest of our Police Department leadership will

continue to keep our agency on a path of continual evaluation and improvement. It is this type of analysis and reform that allows us to maintain what I feel is the best Police Department in Monmouth County.

I have had the opportunity to work side by side with the Command Staff to develop some of the most successful programs in the history of our department, which have resulted in attaining the lowest crime rate in the history of Neptune Township. And in the end, that is what it is all about, keeping our community safe and assuring that our officers are noble, trustworthy, professional and diverse, the core values adopted by our department.

Chief Hunt and I have implemented significant change within the department over the last four years, changes that have resulted in less crime, increased awareness, a stronger relationship with our public schools, increased community outreach, transparent reporting, a sustainable structure, more police officers on the road than ever before, a fair and transparent hiring and promotion process, higher standards for our officers, a comprehensive policy of holding all officers responsible for their actions, open dialogue with all of our community groups, a highly interactive and quite popular social media presence, open dialogue with both the PBA and the FOP (Police Unions), many grant funded initiatives to reduce crime, alcohol abuse, drunk driving and enhance pedestrian safety and a program by which our officers receive recognition for their outstanding performance.

I am also very proud of the Annual Report that Chief Hunt and I have developed which provides great detail regarding our annual operations and can be found on our township website, and on our soon to be rolled out police website [www.neptunepolice.org](http://www.neptunepolice.org)

During my time as Police Director, we have attained accreditation for the first time in the history of this police department and have developed and appointed the most dynamic and diverse group of leaders and future leaders this department has ever experienced. It started with the promotion of James A. Hunt, Jr. to Chief of Police, a position left vacant upon the retirement of Chief Robert Adams, and continued with promotions and new hires that leave this department with a very bright future and a strong foundation to build upon.

Unfortunately, Chief Hunt and I were left to handle the fall-out from several lawsuits, although we were never involved in the allegations that led to the suits and the subsequent settlements. Regardless of these highly publicized and politicized situations, I am proud of our accomplishments and feel strongly that the performance of the great majority of our police officers speaks volumes as to the integrity and values of our department.

To that end, I would like to close by thanking the Police Department leadership and every employee in the department for their cooperation, dedication and selfless work.

Mr. Anthony then reviewed the legal and enabling background regarding the language and structure of the ordinance. The Police Committee will take on the same duties as the Police Director.

**ORDINANCE NO. 17-30 - APPROVED**

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

**ORDINANCE NO. 17-30**

**AN ORDINANCE AUTHORIZING THE GUARANTY BY THE TOWNSHIP OF NEPTUNE, NEW JERSEY FOR PAYMENT OF PRINCIPAL AND INTEREST ON THE CAPITAL EQUIPMENT LEASE REVENUE BONDS, SERIES 2017 (NEPTUNE TOWNSHIP PROJECT) OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY**

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

**ORDINANCE NO. 17-31 - APPROVED**

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

**ORDINANCE NO. 17-31**

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: Lane, aye; McMillan, aye; Rizzo, aye; Williams, aye; and Brantley, aye.

ORDINANCE NO. 17-32 - APPROVED

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

ORDINANCE NO. 17-32

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 (POLICE VEHICLES)

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

Mr. Cuttrell stated that the public hearings on Ordinances 17-30, 17-31, and 17-32 will be held on Monday, August 14th.

CONSENT AGENDA

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

AUTHORIZE THE TOWNSHIP ENGINEERING CONSULTANT TO PERFORM ENGINEERING SERVICES FOR FLETCHER LAKE BULKHEAD PROJECT

WHEREAS, the Township of Neptune desires to undertake a project to replace approximately 100 linear feet of bulkhead along Fletcher Lake and adjacent to Pennsylvania Avenue; and,

WHEREAS, it is necessary for a Township Engineer Consultant from the approved list of 2017 Engineering Consultants appointed via Request for Proposals to perform professional engineering services including preparation of design, plans, specifications, permitting, and construction administration in connection with this project; and,

WHEREAS, CME Associates has submitted a proposal for this work to the Township Engineer; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 17-20, 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 at an amount not to exceed \$70,000.00; and,

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

AUTHORIZE TEMPORARY STREET CLOSING IN CONNECTION WITH NATIONAL NIGHT OUT

WHEREAS, the National Night Out event will be held on Tuesday, August 1, 2017; and,

WHEREAS, the Police Department has recommended the temporary closure of a portion of Atkins Avenue for the safety of the participants; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Atkins Avenue between Heck Avenue and Highway 33 shall be closed to vehicular traffic and

designated as no parking on Tuesday, August 1, 2017 between the hours of 4:00 PM to 9:00 PM; and,

BE IT FURTHER RESOLVED, that the Department of Public Works is hereby requested to supply the necessary barricades to close said street; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Chief of Police, Director of Public Works, and Fire Inspector.

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

WHEREAS, the Code Enforcement Supervisor 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 Code Enforcement Supervisor 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>
617/20	425 Drummond Avenue	285.00
4804/7	108 Ivins Road	447.50
2601/54	208 Iris Drive	585.00
5203/3	316 Woodmere Avenue	713.50

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 A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY NEPTUNE CIRCLE HOLDINGS I, LLC FOR SITE IMPROVEMENTS IN CONNECTION WITH A CAR/TRUCK STORAGE LOT ON ROUTE 66

WHEREAS, on May 23, 2013, Neptune Circle Holdings I, LLC filed performance bond S0014425, written by First Indemnity of America Insurance Company in the amount of \$194,400.00, guaranteeing site improvements at the car/truck storage lot on Route 66 (Block 1007, Lots 6.01 & 67); and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of May 23, 2017 and said performance bond can be released contingent upon posting a two year maintenance bond in the amount of \$27,700.00; and,

WHEREAS, Neptune Circle Holdings I, LLC has filed Maintenance Bond #S0014425M in the amount of \$27,700.00 written by First Indemnity of America 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 \$21,677.29 and inspection fee escrow deposited with the Township be and is hereby authorized to be refunded (\$500.00 being retained for final inspection at the end of the maintenance period); and,



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

AUTHORIZE TOPOGRAPHIC AND BOUNDARY SURVEY FOR THE PUBLIC WORKS FACILITY ON HECK AVENUE

WHEREAS, the Township Engineer solicited quotes for the a topographic and boundary survey for the Public Works facility on Heck Avenue in anticipation of major renovations to the facility; and,

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

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

WHEREAS, funds for this purpose will be provided in Ordinance No. 16-27, 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 prepare and provide a full topographic and boundary survey for the Township Public Works facility on Heck Avenue pursuant to their quote of \$14,627.50; and,

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

AUTHORIZE AN AMENDMENT TO THE 2017 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE DIVISION OF HIGHWAY TRAFFIC SAFETY

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2017 in the sum of \$6,500.00 which is now available from a NJDL&PS Division of Highway Traffic Safety Grant in the amount of \$6,500.00; and,

BE IT FURTHER RESOLVED that the like sum of \$6,500.00 is hereby appropriated under the caption of 2018 Pedestrian Safety Enforcement; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Law & Public Safety – Division of Highway Traffic Safety Pedestrian Safety Education and Enforcement Fund in the amount of \$6,500.00; and,

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

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT (22 ALBANY ROAD)

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,

<b>BLOCK</b>	<b>LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
5602	17	Carusi	22 Albany Rd	2017	1,959.53

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

AUTHORIZE THE CANCELLATION OF TAXES ON PROPERTY TRASFERRED TO THE TOWNSHIP (100 HIGHWAY 35 SOUTH)

WHEREAS, the property known as Block 417, Lot 16, with an address of 100 Highway 35 South, was acquired by the Township of Neptune as of April 29, 2017 and should be tax exempt; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against the above property for 2017 as of April 29, 2017; and,

WHEREAS, the amounts to be canceled are as follow;

<b>Tax Year</b>	<b>Amount to Cancel</b>
2017	\$1,181.53

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

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

ACCEPT THE RESIGNATION OF MICHAEL PERNO AS A DRIVER IN THE PUBLIC WORKS DEPARTMENT

WHEREAS, the Human Resources Director has received a letter from Michael Perno resigning as a Driver in the Public Works Department effective July 28, 2017,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Michael Perno as a Driver in the Public Works Department is hereby accepted effective July 28, 2017; and,

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

AUTHORIZE REVOCABLE LICENSE AGREEMENT WITH HILARY KAVTARADZE OF 114 HIGHLAND AVENUE, BLOCK 5412, LOT 1

WHEREAS, Hilary Kavtaradze with property located at 114 Highland Avenue, Neptune, New Jersey, and more specifically identified as Block 5412, Lot 1, on the tax map of the Township of Neptune has requested a Revocable License Agreement be entered into between Neptune Township, and Hilary Kavtaradze in Neptune Township concerning an encroachment upon a municipal right-of way; and

WHEREAS, Hilary Kavtaradze is seeking a license to provide and to maintain a wooden stockade fence, vinyl fence and bushes, which may or may not in the future become a connecting fence, presently encroaching on the municipal right-of-way, which the property owner intends to continue use of, subject to removal should the controlling authority have reasonable cause to believe that such encroachment needs to be removed from the aforesaid municipal right-of-way, and subject to a Revocable License Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes a Revocable License Agreement with Hilary Kavtaradze, with property located at 114 Highland Avenue, Neptune Township, New Jersey, and more specifically identified as Block 5412, Lot 1, Neptune Township, New Jersey a true copy of such proposed Agreement on file in the Office of the Municipal Clerk, subject to the conditions of the Agreement and prior review of the Township Engineer and approval of this Agreement as a minor encroachment, with a one-time payment to the Township of Neptune of \$150.00 for preparation of the Revocable License Agreement for a minor encroachment, plus costs of recording of said Revocable License Agreement in the Clerk's Office of Monmouth County, paid to the Law Office of Gene J. Anthony, Esq., and subject to all other requirements in the aforesaid Revocable License Agreement.

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

EXTEND OFFERS OF EMPLOYMENT FOR THE POSITION OF SCHOOL CROSSING GUARD

WHEREAS, there is a need for additional School Crossing Guards; and,

WHEREAS, the position was posted and applicants interviewed, and the Chief of Police and Human Resources Director have made their recommendations; and,

WHEREAS, funds for this purpose are available in the 2017 municipal budget in the appropriation entitled Police S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT FURTHER RESOLVED, that the Township Committee of the Township of Neptune hereby extends conditional offers of employment to Felice Weedon, Lisa Brown, Franklin Carson, and Chester Moreski to serve as School Crossing Guards contingent upon favorable results of required pre-employment screening and background check, at an hourly rate as established by prior Resolution of the Township Committee; and,

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

AUTHORIZE PURCHASE OF AUTOMATED EXTERNAL DEFIBRILLATORS AND SUPPLIES

WHEREAS, the Purchasing Agent solicited quotes for the purchase of sixteen (16) automated external defibrillators and supplies; and,

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

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

WHEREAS, funds for this purpose will be provided in Ordinance No. 16-27, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of sixteen (16) automated external defibrillators and supplies be and is hereby authorized through Team Life, Inc. pursuant to their quote of \$24,847.00; and,

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

RENEW LIQUOR LICENSE HELD BY VPK, INC. T/A ALPHA LIQUORS

WHEREAS, VPK, Inc. is the holder of a retail consumption liquor license 1334-44-022-002; and filed the required application for license renewal for the 2017-2018 licensing term; however, a tax clearance certificate was not provided; and,

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

WHEREAS, the Division of Taxation issued a Tax Clearance Certificate for VPK, Inc. dated July 21, 2017,

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 2017-2018 licensing year under the following condition (continued from the prior licensing period):

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

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

AUTHORIZE THE PLOSIA COHEN LAW FIRM TO REPRESENT NEPTUNE TOWNSHIP IN THE CASE OF ASBURY PARK PRESS VS. NEPTUNE TOWNSHIP

WHEREAS, Gannett Satellite Information Network, LLC, a/b/a Asbury Park Press, filed a Verified Complaint before the Superior Court of New Jersey, Monmouth County, Law Division, on Wednesday, July 19, 2017 against Neptune Township, seeking copies of Internal Affairs files on Sergeant Philip Seidle; previously subject to a request under the Open Public Records Act, and denied under the exemption to OPRA as Internal Affairs Reports; and

WHEREAS, the Township of Neptune needs to be represented in the aforesaid lawsuit, and had previously received legal counsel when the OPRA Request was originally made from Plosia Cohen, LLC.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the law firm of Plosia Cohen, LLC, and in particular Jonathan F. Cohen, Esq., with offices located at Chester Woods Complex, 385 Route 24, Ste. 3G, Chester, New Jersey 07930, is hereby appointed to represent Neptune Township in the aforesaid lawsuit, subject to review by the Township's insurance carrier, who in its discretion, may appoint an alternative legal counsel if covered by the Township's insurance policy; and,

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

PROVIDE FOR THE COMBINATION OF CERTAIN ISSUES OF NOT EXCEEDING \$14,694,666 GENERAL OBLIGATION BONDS, SERIES 2017 OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF SUCH BONDS, AND PROVIDING FOR THE SALE OF SUCH BONDS TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY PURSUANT TO THE AUTHORITY'S 2017 POOLED GOVERNMENTAL LOAN PROGRAM

WHEREAS, the Township of Neptune (the "Township"), in the County of Monmouth, State of New Jersey, has determined that there exists a need within the Township to finance the costs of various general improvement and sewer capital improvements throughout the Township (the "General Improvement/Sewer Capital Project"); and

WHEREAS, the Township Committee has duly adopted various bond ordinances (the "Ordinances") to appropriate moneys and authorize the issuance of bonds or bond anticipation notes to undertake the General Improvement/Sewer Capital Project; and

WHEREAS, the Township has determined to finance the General Improvement/Sewer Capital Project with the proceeds of a loan (the "Loan") to be made to the Township by the Monmouth County Improvement Authority (the "MCIA") in connection with an MCIA 2017 Pooled Governmental Loan Program currently scheduled to close on September 10, 2017 (the "2017 MCIA Bond Program"); and

WHEREAS, in order for the Township to receive the Loan from the MCIA, it is necessary to combine the bonds authorized under said Ordinances into one consolidated issue of general obligation bonds in the aggregate principal amount of \$14,694,666 (to be issued in two separate series, namely a general improvement bond series in the principal amount of \$11,464,666, and a sewer utility bond series in the principal amount of \$3,230,000, aggregating said amount and to memorialize the applicable obligations of the general improvement and sewer utility funds of the Township), pursuant to the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"); and

WHEREAS, to evidence the Loan, the MCIA also requires the Township to authorize, execute, attest and deliver the Township's \$14,694,666 General Obligation Bonds, Series 2017 (the "Bonds") in accordance with the provisions hereof and pursuant to the terms of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law") and other applicable law; and

WHEREAS, section 27(a)(2) of the Local Bond Law allows for the sale of the Bonds to the MCIA without any public offering, all under the terms and conditions set forth herein and in a Bond Purchase Agreement by and between the Township and the MCIA to be dated as of the date of the sale of such Bonds; and

NOW THEREFORE, BE IT RESOLVED BY A TWO-THIRDS VOTE OF THE FULL MEMBERSHIP OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the bonds of the Township, authorized pursuant to the bond ordinances of the Township heretofore adopted and

described in Section 2 hereof, shall be combined into a single issue of General Obligation Bonds, Series 2017 in the aggregate principal amount of not exceeding \$14,694,666, to be issued in two separate series, namely a general improvement bond series in the principal amount of \$11,464,666, and a sewer utility bond series in the principal amount of \$3,230,000, aggregating said amount and to memorialize the applicable obligations of the general improvement and sewer utility funds of the Township.

Section 2. The principal amount of bonds authorized by each Ordinance to be combined into a single issue as above provided, the Ordinances authorizing the Bonds described by reference to the ordinance number, description and date of final adoption, amount of issue and average period of usefulness determined in each of the Ordinances are respectively as set forth in Exhibit A hereto:

Section 3. The following matters are hereby determined with respect to the combined issue of Bonds:

(a) The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the Ordinances and the respective periods or average periods of usefulness therein determined, is 17.8 years for the general improvement bonds, and 39.2 years for the sewer utility bonds.

(b) The Bonds of the combined issue shall be designated "General Obligation Bonds, Series 2017", consisting of two separate series, General Improvement Bonds and Sewer Utility Bonds, each of which series shall mature within the average period of usefulness applicable thereto.

(c) The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law that are applicable to the sale and issuance of bonds to a public entity under section 27(a)(2) of the Local Bond Law.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the Bonds described in Section 2 hereof have been sold or issued heretofore, and the several Ordinances described in Section 2 have not been rescinded heretofore and now remain in full force and effect as authorizations for the respective amounts of bonds set opposite the descriptions of the Ordinances set forth in Exhibit A hereto.

(b) The several purposes or improvements authorized by the respective Ordinances set forth in Exhibit A hereto are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and some of such improvements or purposes, if applicable and permitted by law, a deduction may be taken in any annual or supplemental debt statement.

Section 5. In accordance with the provisions of N.J.S.A. 40A:2-27(a)(2), the Township hereby sells and awards the Township's \$14,694,666 General Obligation Bonds, Series 2017 (collectively, the "Bonds") to the MCIA in accordance with the provisions hereof and in accordance with the terms of a Bond Purchase Agreement by and between the Township and the MCIA (the "Bond Purchase Agreement"). The Mayor of the Township (the "Mayor") and Chief Financial Officer of the Township (the "Chief Financial Officer") are each hereby authorized and directed on behalf of the Township, in consultation with Bond Counsel (as hereinafter defined), to negotiate the terms of such Bond Purchase Agreement, to be dated the date of sale of the Bonds, to approve the terms of aforesaid Bond Purchase Agreement and to execute and deliver said Bond Purchase Agreement to the MCIA. The Bonds have been referred to and described in the Ordinances being finally adopted at duly called and held meetings of the Township Committee and published as required by law and which Ordinances were combined for purposes of sale pursuant to this resolution, all pursuant to terms of the Local Bond Law and other applicable law.

Section 6. The Chief Financial Officer is hereby authorized and directed to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the MCIA and the terms and conditions hereof and set forth in the Bond Purchase Agreement, the following items with respect to the Bonds, except those terms and conditions which are set forth in the Bond Purchase Agreement:

(a) The aggregate principal amount of the Bonds to be issued, provided that the total amount of Bonds issued shall not exceed the aggregate principal amount of \$14,694,666;

- (b) The maturity and principal installments of the Bonds, which maturity shall not exceed 17 years;
- (c) The date of the Bonds;
- (d) The interest rates of the Bonds;
- (e) The purchase price of the Bonds; and
- (f) The terms and conditions under which the Bonds shall be subject to redemption prior to their stated maturities.

Section 7. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Bonds by the parties authorized under Section 8(c) hereof.

Section 8. The Township Committee hereby determines that certain terms of the Bonds shall be as follows:

- (a) The Bonds shall be issued in a single denomination and shall be numbered GI-\_\_ for the General Improvement Bonds and SU-\_\_ for the Sewer Utility Bonds (or such other designation as determined by Bond Counsel);
- (b) The Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Clerk of the Township (the "Township Clerk").

Section 9. The Bonds shall be in the form set forth in Exhibit B attached hereto with such additions, deletions and omissions as may be necessary for the Township to comply with the requirements of the 2017 MCIA Bond Program, upon the advice of Bond Counsel.

Section 10. The law firm of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Township ("Bond Counsel"), the Township Engineer, the Township Attorney and the Township Auditor are each hereby authorized and directed to perform all actions necessary to consummate the issuance of the Bonds and the General Improvements Project for which the Bonds are issued, including but not limited to, drafting and arranging for the printing and execution of the Bonds and all applicable documentation necessary to memorialize and consummate the issuance of the Bonds and the undertaking of the General Improvement/Sewer Capital Project, preparing all necessary financial information, all engineering and design work, preparation of plans and specifications and conducting all necessary studies, searches and analysis in connection with the issuance of the Bonds and the undertaking of the General Improvements Project. The Mayor, the Chief Financial Officer, the Township Clerk, the Township Attorney and any other Township representative (including Bond Counsel or the Township Auditor) are each hereby authorized and directed to execute and deliver any certificates necessary or desirable in connection with the financial and other information.

Section 11. The Mayor, the Chief Financial Officer, the Township Clerk and any other Township representative, are each hereby authorized and directed to (i) execute any certificates or documents necessary or desirable in connection with the sale of the Bonds, including the Bond Purchase Agreement, or the undertaking of the General Improvement/Sewer Capital Project, and each are hereby further authorized and directed to deliver same to the County and/or MCIA, as applicable, upon delivery of the Bonds and the applicable receipts of payment therefore, or in accordance with the 2017 MCIA Bond Program and (ii) perform such other actions as they deem necessary, desirable or convenient, in consultation with Bond Counsel, in relation to the execution and delivery thereof.

Section 12. Upon the adoption hereof, the Township Clerk shall forward certified copies of this resolution: (a) via email, to (i) John D. Draikiwicz, Esq. of Gibbons, P.C., the MCIA bond counsel, at JDraikiwicz@gibbonslaw.com, and (ii) Anthony J. Pannella, Esq., of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Township, at apannella@wilentz.com; and (b) via certified first class mail, to (i) John D. Draikiwicz, Esq., Gibbons P.C., One Gateway Center, Newark, New Jersey 07102-5310, and (ii) Anthony J. Pannella, Esq., of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey 07095.

Section 13. This resolution shall take effect immediately.

Bond Anticipation Notes			
Mar-17			
		<b>Total</b>	
<b>General Capital</b>		<b>Permanent</b>	
<b><u>Ordinance #</u></b>	<b><u>Purpose</u></b>	<b><u>Financing</u></b>	<b><u>Useful Life</u></b>
11-05/14-30	Concourse / Seaview Island Flood Mitigation	\$ 190,000.00	15.00
13-39	Boiler Replacement / Energy Efficiency	\$ 712,500.00	15.00
14-09/14-43	Ocean Grove Boardwalk	\$ -	15.00
14-12	Neptune Blvd Sidewalks	\$ 150,500.00	10.00
14-13/14-29	Development of Various Parks	\$ 950,000.00	15.00
14-20	Acquisition of Technology Equipment	\$ 380,000.00	7.00
15-06	Central Avenue Road Program	\$ 226,410.00	15.00
15-07	Alberta Basin Drainage Project	\$ 253,915.25	15.00
15-37	Various Parks Improvements	\$ 285,000.00	15.00
15-38	Facilities Improvement	\$ 570,000.00	10.00
15-40	Sunshine Village Improvments	\$ 235,600.00	15.00
15-46	Shark River Dredging	\$ 285,000.00	15.00
16-08	Loffredo Field Improvement	\$ 332,500.00	15.00
16-27	Various 2016 Improvement	\$ 1,750,000.00	15.84
16-33	Improvements to Various Roadways	\$ 235,806.00	20.00
13-40	Demolition of Welsh Farms Property	\$ 190,000.00	15.00
13-14	2013 Road Program	\$ 1,126,735.00	20.00
13-23	Emergency Watershed Protection Measures	\$ 346,800.00	30.00
13-28	Pedestrian / Bicycle Transp Enhancement	\$ 111,600.00	15.00
13-27	Acquisition of Block 173, Lot 31.01 Division St	\$ 111,000.00	40.00
13-13	Jumping Brook Ballfields	\$ 123,800.00	15.00
New Ordinance	Acquisition of Property in West Lake Ave Redevelopment Area	\$ 712,500.00	40.00
New Ordinance	Fletcher Lake Bulkhead, Bridge & Roadway Improvements	\$ 475,000.00	15.00
New Ordinance	Replacement of Muni Complex Roof & Other Facility Improvements	\$ 760,000.00	15.00
New Ordinance	2017 Road Improvements	\$ 950,000.00	20.00
		\$ 11,464,666.25	
<b>Sewer Capital</b>			
<b><u>Ordinance #</u></b>	<b><u>Purpose</u></b>		

New Ordinance	11th Ave sanitary sewer installation, replacement & upgrades and replacement of Hillside pump station force main	\$ 1,710,000.00	40.00
15-36	Reconstruction of Sanitary Sewer System	\$ 950,000.00	40.00
16-28	Reconstruction of Sanitary Sewer System	\$ 570,000.00	37.08
		\$ 3,230,000.00	
	Combined Total	\$ 14,694,666.25	

**EXHIBIT B**

**UNITED STATES OF AMERICA**

**TOWNSHIP OF NEPTUNE  
IN THE COUNTY OF MONMOUTH  
STATE OF NEW JERSEY**

**GENERAL OBLIGATION BOND, SERIES 2017**

**(General Improvement Bond, Series 2017)**

**Sewer Utility Bond, Series 2017)**

**NUMBER GI-1 / SU-1**

**DATE OF ORIGINAL ISSUE: September 13, 2017**

**REGISTERED OWNER: Monmouth County Improvement Authority**

**PRINCIPAL SUM: \_\_\_\_\_ Dollars  
(\$\_\_\_\_\_)**

**THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH**, a body politic and corporate of the State of New Jersey (the "Township"), hereby acknowledges itself indebted and for value received promises to pay to the order of the Monmouth County Improvement Authority (the "Authority"), c/o \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ (the "Trustee"), Account Number \_\_\_\_\_, the Principal Sum specified above payable in the amounts and on the dates specified and set forth on Schedule A attached hereto and by this reference made a part hereof, and to pay interest on such sum from the Date of Original Issue of this Bond until payment in full at the interest rates per annum and in the amounts and dates specified and set forth on Schedule A attached hereto and by this reference made a part hereof. Interest is payable to the Authority at the corporate trust office of the Trustee five Business Days prior to each January 15 and July 15, commencing July 15, 2018, in an amount equal to the interest accruing to each such January 15 and July 15. This Bond as to principal will be payable five Business Days prior to the applicable July 15 due date therefor at the corporate trust office of the Trustee. Upon the occurrence of an event of default by the Authority under the bond resolution adopted by the Authority on July 14, 2017 (as the same may be supplemented and amended, the "Resolution") which event of default is directly attributable to a default hereunder or to a default by the Township under its Bond Purchase Agreement with the Authority relating to the Authority's purchase of this Bond, or in the event of default in any payments of principal of or interest on this Bond, the Trustee may by notice to the Chief Financial Officer of the Township at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, New Jersey



07753, accelerate the principal amount of this Bond all as provided in the Resolution. Amounts not paid when due hereunder shall bear interest at the Late Payment Rate until paid. This Bond shall be prepayable as set forth in Section 1303 of the Resolution.

Both principal of and interest on this Bond is payable in lawful money of the United States of America and in immediately available funds.

As used herein, "Business Day" shall mean any day that is not a Saturday, a Sunday or a legal holiday in the State of New Jersey or the State of New York or a day on which the Trustee is legally authorized to close. "Late Payment Rate" shall mean a rate per annum equal to the lower of (i) the greater of (a) three percent above the interest rate that JPMorgan Chase publicly announces from time to time as its prime lending rate, such interest rate to change on the effective date of each announced change in such rate, and (b) the rate then payable on this bond, and (ii) the maximum interest rate allowed by law.

This Bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), and is one of the General Obligation Bonds referred to in and issued pursuant to a resolution duly adopted by the Township Committee on November 24, 2014 entitled, "RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF NOT EXCEEDING \$14,694,666 GENERAL OBLIGATION BONDS, SERIES 2017 OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF SUCH BONDS, AND PROVIDING FOR THE SALE OF SUCH BONDS TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY PURSUANT TO THE AUTHORITY'S 2017 POOLED GOVERNMENTAL LOAN PROGRAM" and the various bond ordinances referred to therein, all finally adopted and published as required by law.

The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal of and the interest on, and all other amounts due under, this Bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this Bond exist, have happened and have been performed and that this Bond, together with all other indebtedness of the Township, is within every debt and other limit prescribed by such Constitution or statutes.

The Township agrees to pay (i) all costs and expenses, including legal fees, in connection with the administration and enforcement of this Bond, and (ii) its share of the amounts payable pursuant to Section 9(vi)(C) of the Bond Purchase Agreement between the Township and the Authority.

**IN WITNESS WHEREOF**, the Township of Neptune, in the County of Monmouth, State of New Jersey has caused this Bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this Bond and the seal to be attested to by the manual signature of the its Clerk, and this Bond to be dated the Date of Original Issue as specified above.

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

ATTEST:

(SEAL)

\_\_\_\_\_  
DR. MICHAEL BRANTLEY,  
Mayor

\_\_\_\_\_  
RICHARD J. CUTTRELL,  
Clerk

\_\_\_\_\_  
MICHAEL J, BASCOM,  
Chief Financial Officer

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

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF CUSTOMER SERVICE REPRESENTATIVE IN THE CODE/CONSTRUCTION DEPARTMENT

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

WHEREAS, there is a vacancy in the position of Customer Service Representative in the Code/Construction Department; and,

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

WHEREAS, the Human Resources Director and Construction Official have made their recommendation; and,

WHEREAS, funds will be provided for in the 2017 municipal budget in the appropriation entitled Construction Official 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 Jayme Narciso for the position of Customer Service Representative in the Code/Construction Department, on a probationary basis for a period of not less than 90 days and not exceeding one year, pending favorable results of the required physical, effective July 31, 2017, at an annual salary of \$27,300.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Construction Official, Assistant C.F.O., AFSCME Local #1844, and Human Resources Director.

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

AUTHORIZE THE PAYMENT OF BILLS

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

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

CURRENT FUND	\$1,908,298.06
GRANT FUND	6,803.46
TRUST FUND	48,367.16
GENERAL CAPITAL FUND	790,873.49
SEWER OPERATING FUND	59,452.87
MARINA OPERATING FUND	5,391.26
MARINA CAPITAL FUND	33,070.00
DOG TRUST	621.00
UDAG TRUST	62.25
LIBRARY TRUST	1,950.63
BILL LIST TOTAL	\$2,854,890.18

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: Lane, aye; McMillan, aye; Rizzo, aye; Williams, aye; and Brantley, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Joan Venezia 107 Mt. Hermon Way, stated she was happy to hear that members of the HPC will be involved with the guidelines and she appreciated the fact that the CLG will be meeting with SHIPPO. She stated palettes and boxes were at the North End.

Mr. Gadaletta stated the Camp Meeting was advised this morning.

Ms. Venezia questioned whether there were any updates as far as WAVE and was advised by Mr. Anthony that there weren't any. She also stated she would like to see parking permits and not a referendum. She stated she would like a pilot program. She discussed the 2012-2015 Police Statistics and stated there has been a drastic increase in complaints and that it went down slightly in 2016. Whoever is going to be on this board should look at the statistics.

Mr. McMillan stated the same issue that he raised with Mr. Thompson he raised with her and that the percentage of complaints to the number of calls are very small.

Don Metzger, 4 Ocean Avenue, stated the parking in the summer now has to be done by early Thursday and not moved until Monday. He stated Ocean Grove is the first choice for parking for Asbury Park Visitors. He stated he hoped the Township would have a tangible practical solution and no referendum.

Mayor Brantley stated he sees what is happening in Asbury Park and their employees parking in Ocean Grove. He stated Ms. Rizzo has information about permit parking and will be meeting with Gene Anthony in which the matter would be further discussed. He stated he would continue to look at it because they need a solution.

Mozzele Philpart, Brockton Estates, discussed speeding in her neighborhood and people running through stop signs. She was referred to speak to Captain Guilaro.

Mike Pullano, 28 Albany Road, stated he was looking forward to hearing comments tomorrow on South Riverside Drive flood mitigation. He also stated that since the Oasis Night Club has opened at the Headliner it has become a nuisance because the neighborhood has declined. He stated he's received emails regarding the noise, hit and run by drunk drivers, public fornication, used condoms, urination and littering. He stated he wanted the Committee to be aware of the blight and stated they needed more police presence.

Mayor Brantley requested he speak to the police officer in the back and he would speak to him.

Tom Bartlett, 34 Main Avenue, stated he was opposed to permit parking in Ocean Grove and felt added parking would help. He stated two times he had to walk no more than three blocks to his home and he felt that a good job was done and he appreciated it. He stated on the North End it was a very different case. He stated permit parking would only help single car owners and everyone else would be losers. He felt that it would hurt businesses and visitors.

Ms. Rizzo stated over 40% of full-time residents are over the age of 60 and they may have trouble walking. They are not talking about permits potentially being in front of someone's house they would have to look for a permitted spot.

Jim Stowe, 36 Waterview Court, stated the situation has gotten worse since the pool was opened at the Headliner. He stated he had pictures of people changing their clothes in front of his home.

Mr. Gadaleta stated the Police Department would look into it.

Joyce Klein, 105 Mt. Hermon Way, thanked the Committee for taking a renewed look at permits and stated last Sunday she parked on Cookman and saw a woman park on Cookman who lives on Mt. Pisgah and she was in her late 70's and was hobbling and they were commiserating. She stated it would be a hardship for a lot of people.

James McNamera, 86 Asbury Avenue, discussed the quality of life in Ocean Grove and stated there was a fight in front of his neighbors house at 1:30am in the morning and the police response was rather quick. He stated the parking problem was expanding further south and read a message that a worker in Asbury Park had his tire slashed approximately ten times while parking in Ocean Grove. He stated he supported a pilot program for permit parking.

Teretha Jones stated the Board of Health was defunct but names are still showing up on the Township website including hers. She questioned what was going on with the Board. She suggest they tidy up the website.

Mr. Cuttrell stated they stopped appointing people to the Board of Health several years ago.

Michael Golub stated they made a very good point in characterizing him as a Monday morning quarterback. With respects to the complaints that have been filed in the suits those

officers, officers Savage and Gonzales were just coming onto the Department when he was leaving the Township Committee. However there were a number of sexual harassment complaints that were settled out of court and all of that information that was gone over in executive session has been turned over to the proper Federal, Regional and State authorities. He stated those authorities had much more on those individuals than he did. He stated he learned an awful lot about Neptune by sitting down with those individuals. He stated he had an article that was in the Asbury Park Press dated November 16, 1996 which talks about a tussle that the current Chief had with a gentleman from Matawan and it talks about three previous complaints and where a person was badly beaten that he defecated and urinated on himself during the struggle. He stated the Chief was assisted by other officers. He stated he never criticized Mr. Bascom pertaining to any of his functions while holding various positions but stated Mr. Bascom was not the right person to be the Police Director. He stated it was not personal towards the Chief or Mr. Bascom. He also discussed the parking situation and the Headliner. He discussed doing shuttles for both situations. He suggested summonses be written at the Headliner to solve the problem.

Annabelle Bissell, 87 Heck Avenue, stated that the parking situation has gotten worse and recommends strategic parking for residents only.

Hank Coakley, Valley Road, stated that the East End bridge construction will be a horror because of noise and it being closed for so long. He suggested that the County close the bridge one lane at a time to allow for access during construction.

Bishop Paul Brown, 604 Mayfair Lane, stated that Monroe Avenue from Highway 35 to Ridge Avenue now has signs for no parking. Mr. Gadaleta will research. Bishop Brown stated that Monroe Avenue on to Route 35 is right turn only, but no one is obeying the signs. He also asked if a hot spot could be considered for that area.

Cindy Stiles, 5 Seaview Avenue, stated that her husband is a builder and will build a parking garage on the North End lot. She sees Asbury Park visitors park in Ocean Grove all of the time. She suggested a three hour parking limit in the Main Avenue business district. She is not in favor of permit parking and asked for more police at the north end of Ocean Grove because there are intoxicated people coming across from Asbury Park at 2am. Ms. Rizzo stated that the Committee will look at time restricted parking along with parking permits. Ms. Stiles stated permits will affect the hotels and bed & breakfast establishments.

Nancy Clarke, 47 Embury Avenue, stated that the Ocean Grove Homeowners Association is forming a committee to look at the conservation of buildings. She further stated that 34 McClintock is going on the market, 69 Webb Avenue has windows that have fallen out and caution tape is up, and 103 Franklin Avenue has side windows that are open and there is no abandoned property sign as required by ordinance. She expressed her pleasure that a meeting has been set up with the State Historic Preservation Office regarding Certified Local Government and hopes that the CLG application can be submitted by September 1<sup>st</sup>. She thanked Mr. Gadaleta and staff for joining Preservation New Jersey. Ms. Clarke asked for a status on the Request for Proposals for Historic Architect. Mr. Gadaleta stated that he working on it.

Dean Walter, 92 Mt. Tabor Way, stated that it is impossible to park on weekends. People park in Ocean Grove, go to Asbury Park, and then come back drunk.

Kennedy Buckley, Broadway, asked the Committee to do something about the parking. He asked what recourse the Township has if a person and the Township sign a settlement agreement, but the person does not follow the agreement. Mr. Anthony stated that the Township can enforce the agreement and he will look into it further.

Jack Bredin, 94 ½ Heck Avenue, stated Mr. Williams said that he was trying to get rid of the Chief and he stated he never said that.

Mr. Williams stated he did not mention his name.

Mr. Bredin stated that he was the only one that talked about it. He stated the way the ordinance was framed they could if they wanted to but he did not suggest that they should. He also stated he attended the last Wesley Lake Meeting and they walked around the lake and during the walk around the lake the Chairwoman would allow the public to chime in on any subject they were talking about. He stated at one point he said that the Wesley Lake was protected by Green Acres Rossi list and he said that because he has a copy from both Neptune and Asbury Park. He

mentioned that at the meeting and the Vice-Chairman of the Commission said I did a little research on that myself and he told me that I was wrong and that it is not on the Rossi list. He asked the Mayor if it was still on the Rossi list.

Mayor Brantley confirmed that it was on there.

Mr. Bredin questioned whether the Township ever received the jurisdiction map.

Mayor Brantley stated not yet.

Mr. Bredin stated the members of the Wesley Lake do not know what their jurisdiction is.

A resident from Asbury Avenue who did not wish to give his name stated that he is favor of permit parking in Ocean Grove.

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

Richard J. Cuttrel,  
Municipal Clerk