

TOWNSHIP COMMITTEE MEETING – JANUARY 13, 2020

Mayor Lane called the meeting to order at 6:00 p.m. and requested the Clerk to call the roll. The following members were present: Dr. Michael Brantley, Kevin B. McMillan, Carol Rizzo, and Mayor Robert Lane. Absent: Nicholas Williams

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

Mayor Lane 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 and The Coaster on January 3, 2020, 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:

The Committee discussed the September 19<sup>th</sup> scheduled date for Neptune Day. Ms. Rizzo stated that this date falls during the Jewish Holiday of Rosh Hashanah and should be changed. Mr. Gadaleta expressed concern about losing vendors if the date is changed. The Committee discussed other options and asked Mr. Gadaleta to coordinate with Dawn Thompson, Recreation Director about changing the date to either Saturday, October 3<sup>rd</sup> or Sunday, September 13<sup>th</sup>. Ms. Rizzo stressed that this cannot be allowed to happen again and if the date cannot be changed, a letter of apology should be sent to the Jewish community advising that the Township will be more cognizant of Jewish holidays in the future.

The Committee reviewed a proposed table of recreation field and lighting use fees. Mr. Gadaleta stated that the youth sports organizations are looking for an allotment of 350 hours per year of field lighting. If that amount is exceeded, then the organization would pay the going rate. The Committee agreed and asked that a resolution to adopt the fee schedule be placed on the next regular meeting.

Mayor Lane announced a blood drive in honor of Baby Charlotte on January 31<sup>st</sup> at the Senior Center.

Mr. Gadaleta stated that the Township employees Jeans Friday donation will be supporting the Socks for the Homeless Program during the month of January.

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

Mr. McMillan offered the following resolution, moved and seconded by Dr. Brantley, 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:

Personnel – Personnel matter  
Litigation – Township v. Raval  
Personnel – Recommendation for Records Clerk

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

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

The Committee reviewed a recommendation for hiring a Records Clerk and took action by resolution during the regular business portion of the meeting.

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

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

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

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

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

Mayor Lane 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 and The Coaster on January 3, 2020, 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).

#### APPROVAL OF MINUTES

Mr. McMillan offered a motion, seconded by Ms. Rizzo, to approve the minutes of the meetings held on December 19, 2019 and January 1, 2020. All were in favor.

#### COMMENTS FROM THE DAIS

Ms. Rizzo wished everyone a happy new year. She is still receiving inquires on tax appeals and stated that the deadline for filing an appeal is January 15<sup>th</sup>. The Assessing Department has information available. She attended the Ocean Grove United dinner and Mr. Gadaleta is addressing an issue with a dumpster.

Dr. Brantley had no report.

Mr. McMillan attended an Economic Development Corporation meeting. An update on redevelopment was the main topic. He attended an event at the Governor's Mansion and engaged in discussion on the recent Jersey City shooting and hate crimes.

Mayor Lane stated that there will be a blood drive in honor of Baby Charlotte, in conjunction with Senator Vin Gopal and Assemblyman Eric Houghtaling, will be held at the Senior Center on January 31<sup>st</sup>. Charlotte is battling cancer and has required 100 pints of blood.

#### BUSINESS ADMINISTRATOR'S REPORT

Mr. Gadaleta provided the following report:

Schoolhouse Square Redevelopment: Third amendment to the redevelopment agreement was approved by the Township Committee in December. The amendment has been executed. The closing took place. The new redeveloper will be meeting with our construction department to discuss submission of plans and specifications submittal.

West Lake Avenue Redevelopment: Future meetings with Weiss Realty and CHA Partners are scheduled for later this to discuss their proposed joint venture to develop within the West Lake Avenue Redevelopment Area. CHA Partners has extensive development history. We are awaiting a Pre-Submission Form for consideration by the Redevelopment Committee.

Skateboard Park: Project is complete with the exception of some site work clean-up. Mr. Gadaleta will be discussing with the Township Committee a date and time to hold a formal dedication of the park sometime in the spring.

Green Acres Acquisition: The Township finally closed on the acquisition of the open space parcel on South Riverside Drive. It will be permanently retained as open space and developed into a park. A park naming contest will be held in cooperation with the school district and through SRHES as part of their environmental program.

PUBLIC COMMENTS ON RESOLUTIONS

There were no public comments on resolutions.

ORDINANCE NO. 20-01 - APPROVED

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

ORDINANCE NO. 20-01

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND ESTABLISH A CAP BANK FOR PURPOSES OF INTRODUCING THE 2020 MUNICIPAL BUDGET

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

Mr. Cuttrell stated that the Public Hearing on Ordinance No. 20-01 will be held on Monday, January 27, 2020.

CONSENT AGENDA

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

GRANT UNPAID LEAVE OF ABSENCE UNDER THE FAMILY MEDICAL LEAVE ACT

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

WHEREAS, the Human Resources Director has approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that Enrique DeJesus, Driver in the Department of Public Works, is hereby granted an unpaid leave of absence under the provisions of the Family Medical Leave Act from December 17, 2019 to March 10, 2020; and,

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

AUTHORIZE A PERSON TO PERSON/PLACE TO PLACE TRANSFER OF THE PLENARY RETAIL CONSUMPTION LICENSE PRESENTLY ISSUED TO ATLANTIC COAST FOOD SYSTEMS, LLC TO FERRINELLA, LLC D/B/A DELVETTO'S LOCATED AT 3705 ROUTE 33, NEPTUNE, NJ

WHEREAS, Ferrinella, LLC has applied for a person-to-person/place-to-place transfer of Plenary Retail Consumption License #1334-32-025-010 which is presently issued to Atlantic Coast Food Systems, LLC and held "in-pocket"; and,

WHEREAS, the application is complete in all respects; and,

WHEREAS, the required Affidavit of the source of funds of said liquor license has been filed by the applicant for the transfer and examined by the members of the Township Committee; and,

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey statutes, the regulations promulgated thereunder as well as the pertinent local ordinances and conditions imposed consistent with Title 33; and,

WHEREAS, all transfer procedures as outlined by state statute and local ordinances have been completed satisfactorily,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the person-to-person/place-to-place transfer of Plenary Retail Consumption License #1334-32-025-010 as stated herein to Ferrinella, LLC d/b/a Delvetto's located at 3705 Route 33, Neptune, NJ, effective December 20, 2019; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the New Jersey Division of ABC.

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY SAKER SHOPRITES, INC. FOR SITE IMPROVEMENTS AT THE SHOP-RITE PARKING LOT AT ROUTE 66 AND NEPTUNE BOULEVARD

WHEREAS, on May 13, 2019, Saker ShopRites, Inc. filed performance bond B1215731, written by Selective Insurance Company of America in the amount of \$24,303.00, guaranteeing site improvements at the Shop-Rite located at Route 66 and Neptune Boulevard (Block 802, Lot 1); and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of December 12, 2019 and said performance bond can be released contingent upon posting a two year maintenance bond in the amount of \$4,075.00; and,

WHEREAS, Saker ShopRites, Inc. has filed a cash maintenance bond in the amount of \$4,075.00 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 \$2,700.30 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.

ACCEPT THE RESIGNATION OF WILLIAM S. TARTIS AS A SPECIAL LAW ENFORCEMENT OFFICER IN THE POLICE DEPARTMENT

WHEREAS, the Chief of Police has received a letter from William S. Tartis resigning as a Special Law Enforcement Officer - Class II in the Police Department effective January 2, 2020,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of William S. Tartis as a Special Law Enforcement Officer – Class II in the Police Department is hereby accepted effective January 2, 2020; and,

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

EMPLOY PART-TIME TEMPORARY TOURISM REPRESENTATIVES FOR THE 2020 SUMMER SEASON

WHEREAS, there is a need to employ four part-time temporary Tourism Representatives to operate the Tourism Bureau for the 2020 Summer Season; and,

WHEREAS, the four representatives who worked in 2019 have expressed an interest to return to work in this capacity; and,

WHEREAS, based on the amount of funds expended in the prior year for these services, it is estimated that the total 2020 appropriation for this purpose will be \$14,500.00. Funds will be provided for the first three months of 2019 in the 2019 Temporary Budget and funds for the balance of 2019 will be provided in the Budget for the year 2019 in the appropriation entitled Publicity & Tourism 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 Catherine Goslee, Carol Bernard, Danielle Daly and Jacqueline Lyon be and are hereby employed as part-time temporary Tourism Representatives in the Tourism Bureau not to exceed an average of 25 hours per week per employee or an average of 40 hours per week in total staffing beginning April 16, 2020 and ending October 1, 2020, at an hourly rate of \$16.23; and,

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

AUTHORIZE THE CLOSING OF STREETS AND TEMPORARY NO PARKING IN CONNECTION WITH THE OCEAN GROVE CHAMBER OF COMMERCE ARTS & CRAFTS FESTIVALS

WHEREAS, the Ocean Grove Chamber of Commerce has scheduled a Spring Fling Arts & Crafts Festival on May 2, 2020 and a Fall Harvest Festival and Craft Show on October 10, 2020; and,

WHEREAS, it is necessary to designate temporary no parking and close two blocks of Main Avenue and a portion of Pilgrim Pathway prior to and during the events; and,

WHEREAS, the Police Department has reviewed and approved these closures,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates the temporary closure and posting of temporary no parking on Main Avenue between New York Avenue and Central Avenue and Pilgrim Pathway between Heck Avenue and Mt. Tabor Way from 7:00 A.M. to 6:00 P.M. on Saturday May 2, 2020 and Saturday October 10, 2020; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Lt. Zarro, Director of Public Works, Ocean Grove Fire Inspector, and Ocean Grove Chamber of Commerce.

AUTHORIZE THE CLOSING OF STREETS AND TEMPORARY NO PARKING IN CONNECTION WITH THE OCEAN GROVE CHAMBER OF COMMERCE VINTAGE AUTO DISPLAYS

WHEREAS, the Ocean Grove Chamber of Commerce has scheduled two vintage auto displays for Saturday, May 16, 2020 and Saturday, September 26, 2020, on Main Avenue in Ocean Grove; and,

WHEREAS, it is necessary to designate temporary no parking and close two blocks of Main Avenue and a portion of Pilgrim Pathway prior to and during the events; and,

WHEREAS, the Police Department has reviewed and approved these closures,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates the temporary closure and posting of temporary no parking on Main Avenue between New York Avenue and Central Avenue and Pilgrim Pathway between Heck Avenue and Mt. Tabor Way from 7:00 A.M. to 6:00 P.M. on Saturday, May 16, 2020 and Saturday, September 26, 2020; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Lt. Zarro, Director of Public Works, Ocean Grove Fire Inspector, and Ocean Grove Chamber of Commerce.

AUTHORIZE THE CLOSING OF STREETS AND TEMPORARY NO PARKING IN CONNECTION WITH THE OCEAN GROVE CHAMBER OF COMMERCE FLEA MARKETS

WHEREAS, the Ocean Grove Chamber of Commerce has scheduled two annual flea markets for Saturday, May 30, 2020 and Saturday, September 12, 2020, on Ocean Pathway in Ocean Grove; and,

WHEREAS, it is necessary to designate no parking areas and close certain streets prior to and during the events; and,

WHEREAS, the Police Department has reviewed and approved these closures,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates temporary no parking on the following streets:

1) Both sides of west bound and east bound Ocean Pathway from 9:00 P.M. on Friday, May 29, 2020 until 6:00 P.M. on Saturday, May 30, 2020 and from 9:00 P.M. on Friday, September 11, 2020 until 6:00 P.M. on Saturday, September 12, 2020.

2) Both sides of Beach Avenue between east bound and west bound Ocean Pathway from 9:00 P.M. on Friday, May 29, 2020 until 6:00 P.M. on Saturday, May 30, 2020 and from 9:00 P.M. on Friday, September 11, 2020 until 6:00 P.M. on Saturday, September 12, 2020.

3) Both sides of Central Avenue between McClintock Avenue and the west bound side of Ocean Pathway from 9:00 P.M. on Friday, May 29, 2020 until 6:00 P.M. on Saturday, May 30, 2020 and from 9:00 P.M. on Friday, September 11, 2020 until 6:00 P.M. on Saturday, September 12, 2020. Central Avenue between east bound Ocean Pathway and Bath Avenue will be closed to through traffic but accessible for parking.

4) South bound side of Ocean Avenue between west bound Ocean Pathway and east bound Ocean Pathway from 9:00 P.M. on Friday, May 29, 2020 until 6:00 P.M. on Saturday, May 30, 2020 and from 9:00 P.M. on Friday, September 11, 2020 until 6:00 P.M. on Saturday, September 12, 2020.

BE IT FURTHER RESOLVED, that both sides of Ocean Pathway as stated in Section 1 and Beach Avenue as stated in Section 2 will also be closed to vehicular traffic from 5:00 A.M. to 6:00 P.M. on Saturday, May 30, 2020 and Saturday, September 12, 2020; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Lt. Zarro, Director of Public Works, Ocean Grove Fire Official and Ocean Grove Chamber of Commerce.

ACCEPT A FY19 EMERGENCY MANAGEMENT ASSISTANCE/EMERGENCY MANAGEMENT PERFORMANCE GRANT FROM THE NJ DEPARTMENT OF LAW & PUBLIC SAFETY

WHEREAS, the Township received notification from the New Jersey Department of Law & Public Safety of a FY19 Emergency Management Performance Grant/EMAA sub-award; and,

WHEREAS, the FY19 Emergency Management Performance Grant/EMAA, sub-award #FY19-EMPG-EMAA-1335, CFDA#: 97.042 is for the performance period from July 1, 2019 to June 30, 2020; and,

WHEREAS, the sub-grant, consisting of a total amount of up to \$24,830.00, including up to \$10,000.00 Federal Award and up to \$14,830.00 local matching funds is for the purpose of enhancing Neptune Township's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and;

WHEREAS, the funds will be used for salary, wages, and fringe benefits, and the funds for the local match will be provided for in the 2020 municipal budget, when adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune does hereby accept the FY19 Emergency Management Performance Grant/EMAA sub-award; and,

BE IT FURTHER RESOLVED, that the Township of Neptune is accepting the specific grant of funds for the purpose described in the application; and,

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

AUTHORIZE THE SALE OF VETERANS POPPIES

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Neptune Township American Legion Auxiliary Unit No. 346 be and is hereby authorized to sell Veterans Poppies in the Township of Neptune for the month of May at various locations throughout the Township; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Neptune Township American Legion Auxiliary Unit No. 346 and the Chief of Police.

AUTHORIZE THE FILING OF A RECYCLING TONNAGE GRANT APPLICATION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and,

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and,

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and,

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and,

WHEREAS, a resolution authorizing this municipality to apply for the 2019 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and indicate the assent of the Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and,

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby endorses the submission of a recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Mark Balzarano, Recycling Coordinator, to ensure that the said Application is properly filed; and,

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of Public Works, Recycling Coordinator (electronically), Business Administrator, Chief Financial Officer and Assistant C.F.O.

ACCEPT THE RESIGNATION OF LOUIS ROCHELLE, JR. AS A DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Public Works Director has received a letter from Louis Rochelle, Jr. resigning as a Driver in the Public Works Department effective January 23, 2020,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Louis Rochelle, Jr. as a Driver in the Public Works Department is hereby accepted effective January 23, 2020; and,

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

ACCEPT THE RESIGNATION OF SCOTT LIDDICK AS A DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Public Works Director has received a letter from Scott Liddick resigning as a Driver in the Public Works Department effective January 24, 2020,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Scott Liddick as a Driver in the Public Works Department is hereby accepted effective January 24, 2020; and,

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

AMEND 2020 TEMPORARY BUDGET

WHEREAS, on January 1, 2020, the Township Committee adopted a Temporary Budget for the year 2020; and,

WHEREAS, there is a need to amend said Temporary Budget to add appropriations in the Marina Utility and Sewer Utility Budgets for Payment of Principal and Interest on Notes,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the 2020 Temporary Budget, adopted January 1, 2020 be and is hereby amended to add the following appropriations:

Marina Utility - Payment of Principal on Notes	\$ 46,050.00
Marina Utility - Payment of Interest on Notes	\$ 15,444.64
Sewer Utility - Payment of Principal on Notes	\$130,000.00

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

AUTHORIZE THE CHIEF FINANCIAL OFFICER AND OTHER TOWNSHIP OFFICIALS TO UNDERTAKE CERTAIN ACTIONS IN CONNECTION WITH THE ISSUANCE OF A NOT TO EXCEED \$1,200,000 SEWER UTILITY BOND ANTICIPATION NOTE

WHEREAS, the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township") is seeking to issue a not to exceed \$1,200,000 Sewer Utility Bond Anticipation Note (the "Note") to currently refund a \$1,200,000 principal portion of a prior Sewer Utility Bond Anticipation Note of the Township issued in the aggregate principal amount of \$1,330,000 on April 9, 2019 and maturing on January 15, 2020 (the "Prior Note"), which Prior Note was originally issued to temporarily finance the costs of various sewer capital improvements to Heck Avenue and the Tremont Pump Station in the Township (the remaining portion of such Prior Note is being paid by a 2020 budgetary appropriation of the Township in the amount of \$130,000); and

WHEREAS, the Township desires to issue the Note to the Sewer Operating Fund of the Township; and

WHEREAS, such Note shall bear interest at a rate of zero and zero hundredths percentum (0.00%) per annum and shall mature on January 13, 2021; and

WHEREAS, the Township seeks to authorize the issuance of the Note to the Sewer Operating Fund of the Township.

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY as follows:

Section 1. Pursuant to and in accordance with Bond Ordinance Number 18-07 duly adopted by the Township on March 12, 2018 (the "Bond Ordinance"), a Sewer Utility Bond Anticipation Note of the Township in an aggregate principal amount not to exceed \$1,200,000 (the "Note") shall be issued for the purpose of currently refunding a \$1,200,000 principal portion of a prior Sewer Utility Bond Anticipation Note of the Township issued in the aggregate principal amount of \$1,330,000 on April 9, 2019 and maturing on January 15, 2020 (the "Prior Note"), which Prior Note was originally issued to temporarily finance the costs of various sewer capital improvements to Heck Avenue and the Tremont Pump Station in the Township (the remaining portion of such Prior Note is being paid by a 2020 budgetary appropriation of the Township in the amount of \$130,000).

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

Section 3. The Note shall be dated January 14, 2020 and shall mature on January 13, 2021 and shall bear interest from its date, which interest shall be at a rate of zero and zero hundredths percentum (0.00%) per annum, and shall be in the form attached hereto as Exhibit A.

Section 4. The Note shall be subject to prepayment by the Township at any time prior to its stated date of maturity.

Section 5. The Note shall be executed by the Mayor and the Chief Financial Officer of the Township and the official seal shall be thereunto affixed and attested to by the Clerk of the Township. To the extent not otherwise determined by this resolution, it is hereby delegated to the Chief Financial Officer of the Township the authority to determine all matters in connection with the Note issued, and the signature of the Chief Financial Officer upon the Note shall be conclusive evidence as to all such determinations. The Chief Financial Officer is also hereby authorized to sell part or all of the Note from time to time at a public or private sale and to deliver it to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from its date to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Committee at the meeting next succeeding the date when any sale or delivery of the Note pursuant to this resolution is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the Note so sold, the price obtained and the name of the purchaser. The Chief Financial Officer is hereby authorized and directed to deliver any certificates necessary in connection with the issuance of the Note.

Section 6. This resolution shall take effect immediately.



AUTHORIZE THE CHIEF FINANCIAL OFFICER AND OTHER TOWNSHIP OFFICIALS TO UNDERTAKE CERTAIN ACTIONS IN CONNECTION WITH THE ISSUANCE OF A NOT TO EXCEED \$1,000,000 MARINA UTILITY BOND ANTICIPATION NOTE

WHEREAS, the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township") is seeking to issue a not to exceed \$1,000,000 Marina Utility Bond Anticipation Note (the "Note") to currently refund a \$1,000,000 principal portion of a prior Bond Anticipation Note of the Township issued in the aggregate principal amount of \$1,046,050 on August 29, 2019 and maturing on January 30, 2020 (the "Prior Note"), which Prior Note was originally issued to temporarily finance the costs of various marina capital improvements in the Township (the remaining portion of such Prior Note is being paid by a 2020 budgetary appropriation of the Township in the amount of \$46,050); and

WHEREAS, the Township desires to issue the Note to the Sewer Operating Fund of the Township; and

WHEREAS, such Note shall bear interest at a rate of one and zero hundredths percentum (1.00%) per annum and shall mature on January 13, 2021; and

WHEREAS, the Township seeks to authorize the issuance of the Note to the Sewer Operating Fund of the Township.

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY as follows:

Section 1. Pursuant to and in accordance with Bond Ordinance Number 06-33, as amended by 07-19, Bond Ordinance Number 11-03, Bond Ordinance Number 12-18, Bond Ordinance Number 15-04 and Bond Ordinance Number 15-51 duly adopted by the Township (collectively, the "Marina Bond Ordinances"), a Marina Utility Bond Anticipation Note of the Township in an aggregate principal amount not to exceed \$1,000,000 (the "Note") shall be issued for the purpose of currently refunding a \$1,000,000 principal portion of a prior Bond Anticipation Note of the Township issued in the aggregate principal amount of \$1,046,050 on August 29, 2019 and maturing on January 30, 2020 (the "Prior Note"), which Prior Note was originally issued to temporarily finance the costs of various marina capital improvements in the Township (the remaining portion of such Prior Note is being paid by a 2020 budgetary appropriation of the Township in the amount of \$46,050).

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

Section 3. The Note shall be dated January 29, 2020 and shall mature on January 13, 2021 and shall bear interest from its date, which interest shall be at a rate of one and zero hundredths percentum (1.00%) per annum, and shall be in the form attached hereto as Exhibit A.

Section 4. The Note shall be subject to prepayment by the Township at any time prior to its stated date of maturity.

Section 5. The Note shall be executed by the Mayor and the Chief Financial Officer of the Township and the official seal shall be thereunto affixed and attested to by the Clerk of the Township. To the extent not otherwise determined by this resolution, it is hereby delegated to the Chief Financial Officer of the Township the authority to determine all matters in connection with the Note issued, and the signature of the Chief Financial Officer upon the Note shall be conclusive evidence as to all such determinations. The Chief Financial Officer is also hereby authorized to sell part or all of the Note from time to time at a public or private sale and to deliver it to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from its date to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Committee at the meeting next succeeding the date when any sale or delivery of the Note pursuant to this resolution is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the Note so sold, the price obtained and the name of the purchaser. The Chief Financial Officer is hereby authorized and directed to deliver any certificates necessary in connection with the issuance of the Note.

Section 6. This resolution shall take effect immediately.

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

AUTHORIZE THE PURCHASE OF AN ASPHALT/POTHOLE PATCHER THROUGH THE HOUSTON-GALVESTON AREA COUNCIL PURCHASING PROGRAM

Dr. Brantley offered the following resolution, moved and seconded by Mr. McMillan, that it be adopted:

WHEREAS, the Public Works Director wishes to authorize the purchase of an asphalt/pothole patcher utilizing pricing through the Houston-Galveston Area Council Purchasing Program; and,

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

WHEREAS, the Township of Neptune, is authorized pursuant to N.J.S.A. 52:34-6.2(b)(3) to use procurement methods by entering into a nationally recognized cooperative agreement; and;

WHEREAS, the Houston-Galveston Area Council has a nationally recognized cooperative agreement and has awarded Contract No. SM10-18A to W.E. Timmerman Co., Inc. for this equipment; and,

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

WHEREAS, the cost to purchase this equipment shall not exceed \$42,000.00; and,

WHEREAS, funds for this purpose are available from Ordinance No. 19-21 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 an asphalt/pothole patcher for the Public Works Department be and is hereby authorized through the Houston-Galveston Area Council Purchasing Program Contract No. SM10-18A, W.E. Timmerman Co., at an amount not to exceed \$42,000.00; and,

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

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

AUTHORIZE THE PURCHASE OF TWO FREIGHTLINER DUMP TRUCKS THROUGH THE HOUSTON-GALVESTON AREA COUNCIL PURCHASING PROGRAM

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

WHEREAS, the Public Works Director wishes to authorize the purchase of two Freightliner dump trucks utilizing pricing through the Houston-Galveston Area Council Purchasing Program; and,

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

WHEREAS, the Township of Neptune, is authorized pursuant to N.J.S.A. 52:34-6.2(b)(3) to use procurement methods by entering into a nationally recognized cooperative agreement; and;

WHEREAS, the Houston-Galveston Area Council has a nationally recognized cooperative agreement and has awarded Contract No. HT06-18 to Houston Freightliner, Inc. for this equipment; and,

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

WHEREAS, the cost to purchase this equipment shall not exceed \$184,583.00 for a 2020 Freightliner 108SD SRA & Dump Body and not exceed \$210,720 for a 2020 Freightliner 108SD TRA & Dump Body ; and,

WHEREAS, funds for this purpose are available from Ordinance No. 19-21 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 two dump trucks for the Public Works Department be and is hereby authorized through the Houston-Galveston Area Council Purchasing Program Contract No. HT06-18, Houston Freightliner Inc., at an amount not to exceed as follows:

2020 Freightliner 108SD SRA & Dump Body - \$184,583.00  
2020 Freightliner 108SD TRA & Dump Body - \$210,720.00

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

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

AUTHORIZE THE PURCHASE OF TWO REFUSE TRUCKS THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY PURCHASING PROGRAM

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

WHEREAS, the Public Works Director wishes to authorize the purchase of two refuse trucks utilizing pricing through the Educational Services Commission of New Jersey Purchasing Program; and,

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

WHEREAS, the Educational Services Commission of New Jersey Purchasing Program has awarded Contract ESCNJ 17/18-30 to the following vendors for the truck chassis and truck body as indicated:

Gabrielli Truck Sales - Mack LR64 cab & chassis  
Detachables Containers Corp. - Loadmaster Rear Load Body  
Detachables Containers Corp. - Bridgeport Front Load Body; and,

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

WHEREAS, the cost to purchase this equipment shall not exceed \$299,394.10 for two (2) Mack LR64 cabs and chassis, not exceed \$90,790.50 for a Loadmaster Rear Load Body, and not exceed \$117,353.00 for a Bridgeport Front Load Body; and,

WHEREAS, funds for this purpose are available from Ordinance No. 19-21 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 two refuse trucks for the Public Works Department be and is hereby authorized through the Educational Services Commission of New Jersey Purchasing Program Contract ESCNJ 17/18-30 at an amount not to exceed as follows:

Gabrielli Truck Sales - \$299,394.10 for two (2) Mack LR64 cabs and chassis  
Detachables Containers Corp. - \$90,790.50 for a Loadmaster Rear Load Body  
Detachables Containers Corp. - \$117,353.00 for a Bridgeport Front Load Body

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

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

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF RECORDS CLERK IN THE POLICE DEPARTMENT

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

WHEREAS, there is a vacancy in the position of Records Clerk in the Police Department; and,

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

WHEREAS, the Human Resources Director and Police Department have made their recommendation; and,

WHEREAS, funds will be provided for the first three months of 2020 in the 2020 Temporary Budget and funds for the balance of 2020 will be provided in the Budget for the year 2020, when finally adopted, in the appropriation entitled Police S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an offer of employment be and is hereby extended to Mary Rose Edwards for the position of Records Clerk in the Police Department, on a probationary basis for a period of not less than 90 days and not exceeding one year, contingent upon favorable results of the required pre-employment testing, effective January 21, 2020, at an annual salary of \$27,300.00; 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., AFSCME Local #1844, and Human Resources Director.

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

#### PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Joan Venezia, 107 Mt. Hermon Way, stated she is disappointed that James McNamara was not reappointed to the Historic Preservation Commission (HPC). She asked if OGNED has made application to the HPC for the North End project. Mr. Gadaleta stated he does not know. Ms. Venezia stated the Planning Board process ignored fire issues when approving the North End project. Access of emergency vehicles is important and there was nothing in the documents about fire. The Planning Board indicated that there would be follow-up with additional documents. Mr. Gadaleta stated that this matter is still a part of the Planning Board process. Mayor Lane stated that he would follow-up with the Board.

Rich Williams, 1 Abbott Avenue, asked if funding for the parking expert was carried over from 2019. Mr. Gadaleta stated that the funds can be carried over if the Committee desires. Mr. Williams stated that the Camp Meeting Association is hiring a firm to conduct a parking study and asked if the Township Committee would be a part of that process. Mr. Gadaleta stated that the Township has not been contacted to coordinate efforts. Mr. Williams asked about the approval to lay an electric cable across the sidewalk to charge an electric car since he does not have a driveway. Mr. Gadaleta will check with the Land Use Department.

Dianna Harris, Willow Drive, asked for a status on the property on West Lake Avenue owned by Barbergallo. Mr. Gadaleta stated that he is not interested in selling to the Township and will be submitting a proposal to redevelopment property. Ms. Harris asked if any West Lake Avenue property owner could submit a plan. Mr. Gadaleta stated that the Plan designated specific owners that could submit a Plan, but that has expired. Any owner can now submit a proposal to the Redevelopment Committee. Ms. Harris stated that the annual Black History Month celebration will be held on February 15<sup>th</sup> and will be highlighting trailblazers. Mr. Gadaleta stated that the request for funds for the event has been approved.

Barbara Burns, 4 Ocean Avenue, asked how much was designated for the parking expert. Mr. Gadaleta responded \$8,000. A proposal was received; however, the Township will be asking for a proposal on a revised scope of work including a review of the recent Better Parking Alliance proposal. Ms. Burns stated that the Township needs to get someone who knows about parking, not just count parking spaces. The Specialist should put together a plan, review economics and manage the demand. Ms. Rizzo stated that there are now over 200 AirBnBs in Ocean Grove with multiple cars. This will cause people to sell their homes and change the atmosphere of Ocean Grove.

Chris Jensen, 90 Mt. Tabor Way, asked if the Committee is doing anything about regulating AirBnBs. Ms. Rizzo is talking to Bernie Haney, Land Use Administrator, about the issue. There is a lot to review and pros and cons to any idea. Mr. Jensen asked for the longer range goal of the HPC membership in light of the removal of James McNamara. Mr. Gadaleta stated that the Land Use Team made a recommendation to change the make-up of the Commission. Issues were brought to the attention of Administration about the management of the Commission and the Guidelines are being redone. Mr. Jensen stated that the complaints are being received from violators. Mr. Gadaleta disagreed with that assessment and added that the HPC is an advisory board and not about personal opinion.

Hank Coakley, Valley Road, reiterated his concerns about the intersection of Gully Road and Brighton Avenue in Wall Township as well as the pavement on Route 33. Mr. Gadaleta stated that the Township has received no response from the NJ Department of Transportation on the Route 33 paving. Mr. Coakley asked that drivers activate their rear lights as well as front lights when driving in the rain. He condemned the banning of plastic bags in Asbury Park. These bags can be used for other purposes.

Mr. McMillan offered a motion, seconded by Dr. Brantley to adjourn. All were in favor.

Richard J. Cuttrel,  
Municipal Clerk