

TOWNSHIP COMMITTEE WORKSHOP MEETING – JULY 24, 2017 – 6:00 P.M.

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

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
Robert Lane, Jr.	_____
Kevin B. McMillan	_____
Carol Rizzo	_____
Nicholas Williams	_____
Dr. Michael Brantley	_____

Also present: Vito D. Gadaleta, Business Administrator; Michael J. Bascom, Chief Financial Officer; Gene Anthony, Township Attorney; and Richard J. Cuttrel, Municipal Clerk.

Mayor Brantley announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster on January 12, 2017, and the Asbury Park Press on January 5, 2017, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Discussion – South Riverside Drive Flood Mitigation Project.

2. Review Committee calendars/update on outstanding issues and capital items.
- Various on-going capital improvement projects.

Res. # 17-314 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____

Vote: Lane, _____; McMillan, _____; Rizzo, _____; Williams, _____; Brantley, _____.

TOWNSHIP COMMITTEE MEETING – JULY 24, 2017 – 7:00 P.M.

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

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
Robert Lane, Jr.	_____
Kevin B. McMillan	_____
Carol Rizzo	_____
Nicholas Williams	_____
Dr. Michael Brantley	_____

Also present at the dais: Vito D. Gadaleta, Business Administrator; Michael J. Bascom, Chief Financial Officer; Gene Anthony, Township Attorney; and Richard J. Cuttrel, Municipal Clerk.

Silent Prayer and Flag Salute

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

Mayor Brantley announces 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 in 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.

REPORT OF THE CLERK

The Clerk states that the following communications are on file in the Clerk's office:

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

COMMENTS FROM THE DAIS

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

PUBLIC COMMENTS ON RESOLUTIONS

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

ORDINANCES

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

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. - Final Reading

Explanatory Statement: This ordinance prohibits the sale of tobacco products to persons under the age of 21.

Public Hearing:

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

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 - Final Reading

Explanatory Statement: This ordinance authorizes a resident only handicapped parking zone in front of 116 Heck Avenue and authorizes the conversion of existing handicapped parking zones in front of 77 Cookman Avenue and 16 Abbott Avenue to a resident only handicapped parking zone.

Public Hearing:

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

ORDINANCE NO. 17-28 – An ordinance to authorize a 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 – Final Reading

Explanatory Statement: This ordinance authorizes a Deed of Open Space Easement to the County of Monmouth for Block 1807, Lot 2 (Sunshine Village Fields) in connection with a County Open Space Grant received by the Township.

Public Hearing:

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

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” – Final Reading

Explanatory Statement: This ordinance fully amends the section of the municipal code establishing the administration of the Police Department.

Public Hearing:

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

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 Project) of the Monmouth County Improvement Authority - First Reading

Explanatory Statement: This ordinance guarantees payment by the Township of principal and interest on Capital Lease Revenue Bonds through the Monmouth County Improvement Authority for the lease of police vehicles.

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

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. – First Reading

Explanatory Statement: This ordinance authorizes the capital lease of capital equipment for various departments through the Monmouth County Improvement Authority at an amount not to exceed \$2,000,000.

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

ORDINANCE NO. 17-32 - An ordinance authorizing the leasing of certain capital equipment (police vehicles) 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). - First Reading

Explanatory Statement: This ordinance authorizes the capital lease of police vehicles through the Monmouth County Improvement Authority at an amount not to exceed \$325,000.

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

The Public Hearings on Ordinances 17-30, 17-31 and 17-32 will be held on Monday, August 14th.

CONSENT AGENDA

Res. # 17-315 – Authorize the Township Engineering Consultant to perform engineering services for the Fletcher Lake Bulkhead Project.

Res. # 17-316 – Authorize temporary street closing in connection with National Night Out.

Res. # 17-317 – Place lien on various properties.

Res. # 17-318 – Accept a maintenance guarantee and release a performance bond filed by Neptune Circle Holdings I, LLC for site improvements in connection a car/truck storage lot on Route 66.

Res. # 17-319 – Authorize topographic and boundary survey for the Public Works facility on Heck Avenue.

Res. # 17-320 – Authorize an amendment to the 2017 municipal budget to realize monies from the Division of Highway Traffic Safety.

Res. # 17-321 – Authorize the refund of taxes as a result of an overpayment (22 Albany Road).

Res. # 17-322 – Authorize the cancellation of taxes on property transferred to the Township (100 Highway 35 South).

Res. # 17-323 – Accept the resignation of Michael Perno as a Driver in the Department of Public Works.

Res. # 17-324 – Authorize Revocable License Agreement with Hilary Kavtaradze of 114 Highland Avenue, Block 5412, Lot 1.

Res. # 17-325 – Extend offers of employment for the position of School Crossing Guard.

Res. # 17-326 – Authorize the purchase of automated external defibrillators and supplies.

Res. # 17-327 – Renew liquor license held by VPK, Inc. t/a Alpha Liquors.

Res. # 17-328 – Authorize the Plosia Cohen Law Firm to represent Neptune Township in the case of Asbury Park Press vs. Neptune Township.

Res. # 17-329 – 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.

CONSENT AGENDA Offered by:_____ Seconded by:_____

Vote: Lane, _____; McMillan, _____; Rizzo, _____; Williams, _____; Brantley, _____.

Res. # 17-330 – Extend offer of employment for the position of Customer Service Representative in the Code/Construction Department.

Offered by:_____ Seconded by:_____

Vote: Lane, _____; McMillan, _____; Rizzo, _____; Williams, _____; Brantley, _____.

Res. # 17-331 – Authorize payment of bills.

Offered by:_____ Seconded by:_____

Vote: Lane, _____; McMillan, _____; Rizzo, _____; Williams, _____; Brantley, _____.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

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

ADJOURNMENT

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

BE IT ORDAINED by the TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. Pursuant to Section 80 of the County Improvement Authorities Law, N.J.S.A. 40:37A-44 et. seq., the Township of Neptune, New Jersey (the "Municipality") is hereby authorized to unconditionally and irrevocably guaranty the punctual payment of the principal of and the interest on the Capital Equipment Lease Revenue Bonds, Series 2017 (Neptune Township Project) (the "Bonds") of The Monmouth County Improvement Authority (the "Authority") Outstanding (as that term is defined in the following described resolution) under the resolution of the Authority entitled "Capital Equipment Lease Revenue Bond Resolution (Neptune Township Project)" (the "Bond Resolution") to be adopted in a form approved by counsel to the Municipality. The Authority plans to issue the Bonds to finance the acquisition and subsequent leasing of certain capital equipment to the Municipality pursuant to a lease and agreement to be entered into by the Authority and the Municipality (the "Lease"). Such guaranty shall be given in accordance with the guaranty agreement (the "Guaranty Agreement") between the Municipality and the Authority in substantially the form submitted to this Municipality, a copy of which is on file in the office of the Clerk of the Municipality, with such changes as may be approved by counsel to the Municipality. The Mayor is hereby authorized to execute the Guaranty Agreement on behalf of the Municipality in substantially such form as submitted hereto and with such changes as may be approved by the Mayor, and the Clerk of the Municipality is hereby authorized to attest such signature affixing the seal of the Municipality. All representatives, officials and employees of the Municipality are hereby authorized to enforce and to implement the Guaranty Agreement.

Section 2. The following additional matters are hereby determined, declared, recited and state:

- (1) The maximum principal amount of the Bonds of the Authority hereby and hereunder to be guaranteed as to payment of principal and interest shall not exceed the sum of the amount necessary to acquire the Municipality's equipment as set forth in Schedule A which will be subject to the Lease and to pay the Municipality's share of the costs of issuance, but in no event shall such principal amount exceed \$325,000.
- (2) The Bonds shall mature within eleven years of the date of issue.
- (3) The Bonds shall remain Outstanding to their respective stated maturity dates and the guaranty authorized herein shall remain effective until all Bonds shall have been paid in full in accordance with their terms notwithstanding the occurrence of any other event.

(4) The guaranty authorized herein may be made and this ordinance may be adopted notwithstanding any statutory debt or other limitations, including particularly any limitation or requirement under or pursuant to the Local Bond Law, N.J.S.A. 40A:2-1, et. seq., but the principal amount of any Outstanding Bonds shall be included after their issuance in the gross debt of the Municipality for the purpose of determining the indebtedness of the Municipality under or pursuant to the Local Bond law. The principal amount of the Bonds included in the gross debt of the Municipality shall be deducted from the gross debt of the Municipality under and all for all the purposes of the Local Bond Law (a) from and after the time of issuance of the Bonds until the end of the fiscal year beginning next after the acquisition of the equipment to be financed from the proceeds of the Bonds and (b) in any Annual Debt Statement filed pursuant to the Local Bond law as of the end of such fiscal year or any subsequent fiscal year if the revenues or other receipts or moneys of the Authority in such year are sufficient to pay its expenses of operation and maintenance in such year and all amounts payable in such year on account of the principal of and the interest on all such Bonds, all bonds of the Municipality issued as provided under N.J.S.A. 40:37A-79 and all bonds of the Authority issued under the County Improvement Authorities Law.

Section 3. Upon payment of the principal of and the interest due on the Bonds by the Authority or by the defeasance of the Bonds pursuant to the Bond Resolution, the guaranty authorized herein will cease to exist and the gross debt of the Municipality shall be reduced to the extent that such Bonds cease to be Outstanding under the Bond Resolution.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption in accordance with the County Improvement Authorities Law and the Local Bond Law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrel,
Municipal Clerk

Dr. Michael Brantley,
Mayor

SCHEDULE A - EQUIPMENT LIST
Township of Neptune

<u>Equipment</u>	<u>Useful Life (Years)</u>	<u>Lease Term (Years)</u>	<u>Estimated Cost</u>
Police Vehicles & Equipment	3	3	\$280,000

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

BE IT ORDAINED by the Township Committee of the Township of Neptune, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. Pursuant to Section 78 of the County Improvement Authorities Law, N.J.S.A. 40:37A-44, et seq., the Township of Neptune (the "Municipality") is hereby authorized to unconditionally and irrevocably lease certain items of capital equipment from The Monmouth County Improvement Authority (the "Authority") pursuant to a Lease and Agreement, substantially in the form submitted to this meeting (the "Lease"), a copy of which is on file in the office of the Clerk to the Municipality. The Mayor is hereby authorized to execute the Lease on behalf of the Municipality in substantially such form as submitted to this meeting and with such changes as may be approved by the Mayor, which approval shall be conclusively evidenced by the execution thereof, and the Clerk to the Municipality is hereby authorized to affix and attest the seal of the Municipality.

Section 2. The following additional matters are hereby determined, declared, recited and stated:

- (a) In recognition of the fact that the lease payment of the Municipality under the Lease will be based, in part, on the amount of bonds issued by the Authority to finance the acquisition of the leased equipment and the interest thereon, the maximum amount of bonds which the Authority shall issued to finance the acquisition of the equipment to be leased to the Municipality shall not exceed \$2,000,000 and the interest rate on said bonds shall not exceed five and fifty hundredths percent (5.50%) per annum;
- (b) The items to be leased from the Authority shall be as set forth in Schedule A hereto; provided that the Mayor or any authorized municipal representative (as defined in the Lease) may substitute or add items of equipment in accordance with the provisions of the Lease; and
- (c) The lease term applicable to a particular item of leased equipment shall not exceed the useful life of such item.

Section 3. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

SCHEDULE A - EQUIPMENT LIST

Township of Neptune

<u>Equipment</u>	<u>Useful Life (Years)</u>	<u>Lease Term (Years)</u>	<u>Estimated Cost</u>
Ambulance	5	5	\$ 180,000
Communications Equipment (Trunked System)	10	10	50,000
Emergency Response Equipment	5	5	200,000
DPW Garbage Truck	15	10	320,000
DPW Dump Trucks with Plow	5	5	335,000
DPW Leaf Trailer	15	10	60,000
DPW Snow Plow Equipment	15	10	35,000
Computers/Servers Equipment	5	5	230,000
Administrative Sport Utility Vehicles	5	5	90,000
Sewer Dept. Backhoe	15	10	150,000
Sewer Dept. Utility Truck	5	5	45,000
Sewer Dept. Pickup Truck with Plow	5	5	<u>45,000</u>
			\$1,740,000

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)

BE IT ORDAINED by the Township Committee of the Township of Neptune, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. Pursuant to Section 78 of the County Improvement Authorities Law, N.J.S.A. 40:37A-44, et seq., the Township of Neptune (the "Municipality") is hereby authorized to unconditionally and irrevocably lease certain items of capital equipment from The Monmouth County Improvement Authority (the "Authority") pursuant to a Lease and Agreement, substantially in the form submitted to this meeting (the "Lease"), a copy of which is on file in the office of the Clerk to the Municipality. The Mayor is hereby authorized to execute the Lease on behalf of the Municipality in substantially such form as submitted to this meeting and with such changes as may be approved by the Mayor, which approval shall be conclusively evidenced by the execution thereof, and the Clerk to the Municipality is hereby authorized to affix and attest the seal of the Municipality.

Section 2. The following additional matters are hereby determined, declared, recited and stated:

- (a) In recognition of the fact that the lease payment of the Municipality under the Lease will be based, in part, on the amount of bonds issued by the Authority to finance the acquisition of the leased equipment and the interest thereon, the maximum amount of bonds which the Authority shall issued to finance the acquisition of the equipment to be leased to the Municipality shall not exceed \$325,000 and the interest rate on said bonds shall not exceed five and fifty hundredths percent (5.50%) per annum;
- (b) The items to be leased from the Authority shall be as set forth in Schedule A hereto; provided that the Mayor or any authorized municipal representative (as defined in the Lease) may substitute or add items of equipment in accordance with the provisions of the Lease; and
- (c) The lease term applicable to a particular item of leased equipment shall not exceed the useful life of such item.

Section 3. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

SCHEDULE A - EQUIPMENT LIST

Township of Neptune

<u>Equipment</u>	<u>Useful Life (Years)</u>	<u>Lease Term (Years)</u>	<u>Estimated Cost</u>
Police Vehicles & Equipment	3	3	\$280,000

RESOLUTION #17-314 – 7/24/17

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

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

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

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

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

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

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.

RESOLUTION #17-315 - 7/24/17

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.

RESOLUTION #17-316 - 7/24/17

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.

RESOLUTION #17-317 - 7/24/17

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.

RESOLUTION #17-318 - 7/24/17

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.

RESOLUTION #17-319 - 7/24/17

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.

RESOLUTION #17-320 - 7/24/17

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.

Vote:

Lane:

McMillan:

Rizzo:

Williams:

Brantley:

RESOLUTION #17-321 - 7/24/17

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,

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
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.

RESOLUTION #17-322 – 7/24/17

AUTHORIZE THE CANCELLATION OF TAXES ON PROPERTY
TRANSFERRED 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;

Tax Year	Amount to Cancel
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.

RESOLUTION #17-323 - 7/24/17

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.

RESOLUTION #17-324 – 7/24/17

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.

RESOLUTION #17-325 - 7/24/17

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.

RESOLUTION #17-326 - 7/24/17

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.

RESOLUTION #17-327 - 7/24/17

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.

RESOLUTION #17-328 – 7/24/17

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.

RESOLUTION #17-329 – 7/24/17

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 where 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.

EXHIBIT A

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,

MICHAEL J, BASCOM,

Clerk

Chief Financial Officer

ASSIGNMENT

FOR VALUE RECEIVED _____ hereby sells, assigns and transfers unto _____ (Please Print or Type Name and Address of Assignee) the within Bond and irrevocably appoints _____ as Attorney to transfer this Bond on the registration books of the _____ with full power of substitution and revocation.

NOTICE
The signature of this assignment must correspond with the name as it appears on the face of the within Bond in every particular.

Dated:

Signature of Guarantee:

SCHEDULE A

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

GENERAL OBLIGATION BOND, SERIES 2017

Schedule of Principal and Interest Payments

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest</u>	<u>Principal and Interest</u>
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CERTIFICATION

I, RICHARD J. CUTTRELL, Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), 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 AND NOTES TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY PURSUANT TO THE AUTHORITY'S 2017 POOLED GOVERNMENTAL LOAN PROGRAM", is a copy of a resolution which was duly adopted by the Township Committee at a meeting duly called and held on July 24, 2017 in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., at which meeting a quorum was present and acting throughout and which resolution has been compared by me with the original thereof as contained in the minutes as officially recorded in my office in the Minute Book of such governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to within and aforesaid resolution has not been repealed, amended or rescinded but remains in full force and effect on and as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Township this 25th day of July, 2017.

(SEAL)

RICHARD J. CUTTRELL,
Clerk of the Township of Neptune

Bond Anticipation Notes			
Mar-17			
		Total	
General Capital		Permanent	
Ordinance #	Purpose	Financing	Useful Life
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
		<u>\$ 11,464,666.25</u>	
Sewer Capital			
Ordinance #	Purpose		
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
		<u>\$ 3,230,000.00</u>	
	Combined Total	<u>\$ 14,694,666.25</u>	

RESOLUTION #17-330 - 7/24/17

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

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.

RESOLUTION #17-331 – 7/24/17

AUTHORIZE THE PAYMENT OF BILLS

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

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.