

TOWNSHIP COMMITTEE MEETING – APRIL 26, 2021

Mayor Brantley called the meeting to order at 6:00 p.m. In addition to live attendance, the Mayor announced that video and audio access to the meeting is available via townhallstreams.com/towns/neptune_nj.

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

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

Mayor Brantley announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on April 22, 2021, which indicated the ability to attend the meeting in person and included instructions on accessing and participating in the meeting virtually through townhallstreams.com. The Notice was filed with the Municipal Clerk and posted on the Township web site (www.neptunetownship.org), along with the meeting agenda, ordinances and resolutions.

The following items were discussed in open session:

The Committee reviewed proposed amendments to the property maintenance ordinance as submitted by Bill Doolittle, Director of Code. Mr. Anthony reviewed the amendments and advised that they are upgrades to comply with state regulations and he advised moving forward with adoption. The ordinance will be on the next regular meeting for introduction.

Mr. Gadaleta made a presentation on possible locations for a community center. He stated that the Mayor initiated discussion on this project. Initially, the former Welsh Farms property was looked at but it was thought this location is not easily accessible by walking or biking. The following locations have been examined:

1. Loffredo Fields on West Bangs Avenue – would have to take some of the existing parking for football so would look to add parking, possibly acquiring a portion of the adjacent land owned by JCP&L
2. Monmouth County owned property at northwest corner of Heck Avenue and Neptune Blvd. – the Township does not own this property and the cost would likely be in excess of \$1 million.
3. Former Senior Center site at Neptune Blvd and Highway 33 – location too small
4. Land between Division Street and Highway 33 – land is too narrow and Township does not own all the property
5. Liberty Park on Monroe Avenue – location too small
6. Former Whitesville School Redevelopment Zone at West Bangs and Neptune Blvd – Redeveloper is approved to construct two additional office buildings, but with high vacancies in commercial office space, the Redevelopment will not be building. The Redeveloper is willing to negotiate with the Township to sell part of the land and possibly share parking. Location is good so should be considered.
7. Vacant lot at corner of Heck and Taylor Avenues – owned by a Builder who is considering a site plan. The Township would have to acquire...likely in excess of \$1 million. Location is good so should be considered.

The Mayor favors the options for which the Township does not have to pay acquisition costs, but would also consider options 6 and 7 given their locations. The Township's capital position is very good and cost would be spread over 20 years. Mr. Cafferty stated that the practice field at Loffredo fields is very large and part of it could be used for parking. Ms. York added that she would like to see a playground added as well. The Mayor asked Mr. Gadaleta to focus on Options 1, 6, and 7 and to contact the property owners of Options 6 and 7 to determine their desire to negotiate a sale.

Mr. Lane stated the Jersey Shore Dream Center will be holding a community outreach event on June 6th at their new location at the former Hamilton First Aid Squad building.

The Mayor asked Mr. Cuttrell to prepare a proclamation recognizing the 50th anniversary of the Continental Societies, Inc. North Jersey Shore Chapter.

The Mayor stated that the Township received a County Open Space Grant for the Sunshine Village fields pump track

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

Mr. Cafferty offered the following resolution, moved and seconded by Mr. Lane, 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 – Recommendation for third citizen member to the Police Committee

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

4. This Resolution shall take effect immediately.

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

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

The Committee discussed applicants for the third citizen member to the Police Committee. Mr. Lane stated that the Police Committee narrowed the applicants down to two and conducted interviews. The Township Committee discussed the two finalists and indicated their choice. The Committee considered a resolution during the regular business portion of the meeting.

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

Mayor Brantley called the regular meeting to order at 7:00 p.m. by announcing that in person attendance is permitted. In addition, video and audio access to the meeting is via townhallstreams.com/towns/neptune_nj. Questions and comments may also be submitted via townhallstreams.com/towns/neptune_nj.

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

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

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

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

Mayor Brantley announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on April 22, 2021, which indicated the ability to attend the meeting in person and included instructions on accessing and participating in the meeting virtually through townhallstreams.com. The Notice was filed with the Municipal Clerk and posted on the Township web site (www.neptunetownship.org), along with the meeting agenda, ordinances and resolutions.

APPROVAL OF MINUTES

Mr. Lane offered a motion, seconded by Mr. Cafferty, to approve the minutes of the meeting held on April 12, 2021. All were in favor.

COMMENTS FROM THE DAIS

Mr. Lane stated that the Board of Education has renamed the High School in honor of Ajee Wilson. He went on a tour of the new Zen Leaf medical marijuana dispensary on the day prior to the Grand Opening. Zen Leaf provides youth programs which he would like to pursue. The Senior Center has created an Emergency Preparedness Guide which will be distributed at the Center. May is Older Americans Month and theme is Community of Strength. The Senior Center staff is coordinating a Drive by Food Drive on May 26th. The annual Hooked on Fishing, Not on Drugs event will be held on June 5th. There is information on the Township web site regarding the virtual Memorial Day Parade. The cost is \$10 to honor a Veteran with a slide.

Mr. Cafferty attended the Wesley Lake clean-up on April 24th and it was very successful. The holes have been laid out for the new disk golf course at the former Welsh Farms site and building out the course will begin shortly. He continues to work with Mr. Anthony on the ordinance to renew the Green Team and with Mr. Lane on the tree removal ordinance.

Ms. York was introduced to the Township staff. She attended the Zen Leaf grand opening. There are over 30 employees at the facility. She attended a meeting of the Ocean Grove Chamber of Commerce where a lot of activities are planned starting with the Spring Fling on May 1st. The May 15th vintage car show has been cancelled; however, they will have Music on Main that day. She advised anyone who desires a covid vaccine to contact Senator Gopal's office.

Mr. Williams attended the Zen Leaf grand opening. There is a lot of security at the facility. Other municipalities are looking at Neptune Township to see how the medical marijuana facility was handled and how it will operate moving forward.

Mayor Brantley stated that the Police Committee met and reviewed seven applications for the third citizen member. The resolution to appoint the third member will be considered later in the meeting. Mr. Gadaleta conducted a presentation at the workshop meeting on locations for the community center. The options have been narrowed to a few locations and discussion continues.

PUBLIC HEARING – 2021 MUNICIPAL BUDGET

Michael Bascom, C.F.O., presented the 2021 municipal budget. He thanked the staff for successfully managing spending through the pandemic. The budget will not be adopted this evening because an amendment is required to be adopted first.

Mr. Bascom reviewed the Budget/Mission Statement, American Rescue Plan and impact of the covid emergency. The 2021 budget appropriations are up 1.78% versus 2020 which is well within the cap. The tax rate is down 2.1 cents from 74.2 cents to 72.1 cents. State aid remains the same and has not increased since 2001. It is anticipated that \$63 million in state aid has been lost because the state has not adjusted its state aid figures with the rate of inflation. State aid represented 25% of total revenues in 2001, now it is only 10.8%. The budget is \$1,937,000 under the appropriations cap and \$569,403 under the tax levy cap. Net debt of total assessed value is 0.761% and debt service is 10.28% of the total budget. Average taxes per household in Neptune Township are \$6,995 versus \$9,658 for Monmouth County. The Township receives about 35% of the local property tax dollar with the remaining going to the School District, County, and fire districts. The Township is AA rated by Standard and Poors. Both the Sewer and Marina Utility are self-liquidating.

The Mayor asked for public comments on the budget.

Connie Holmes, 33 Winding Ridge Drive, stated the public did not get to see Mr. Bascom's budget presentation slides on the screen. Mr. Gadaleta replied that the presentation is on the live stream site and the Township web site.

Arthur Atkins, Tremont Drive, asked if the new Amazon facility on Route 66 is in Neptune. Mr. Cafferty responded that it is entirely in Tinton Falls.

Barbara Burns, Ocean Avenue, asked for clarification on the amount of property taxes that go to the fire districts. Mr. Bascom replied 4.2% of the overall local property tax goes to the two fire districts with about 3% going to the Neptune Fire District and about 1% going to Ocean Grove.

Mayor Brantley offered a motion, seconded by Mr. Cafferty, to close the public hearing on the 2021 municipal budget. All were in favor.

AUTHORIZE AN AMENDMENT TO APPROVED 2021 MUNICIPAL BUDGET

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

WHEREAS, the local municipal budget for the year 2021 was approved on the 22nd day of March, 2021; and,

WHEREAS, the public hearing on said budget has been held as advertised on April 26, 2021, and,

WHEREAS, it is desired to amend said approved budget as described below,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, of the County of Monmouth, that the following amendments to the approved budget of 2021 be made:

	Approved Budget	Amended Budget
GENERAL REVENUES		
1. Surplus Anticipated	\$3,300,000.00	\$3,303,000.00
3. Miscellaneous Revenues – Section B: State Aid Without Offsetting Appropriations		
Consolidated Municipal Property tax Relief Aid	\$168,897.00	116,221.00
Energy Receipts Tax	\$4,828,557.00	\$4,881,233.00
3. Miscellaneous Revenues – Section C: Dedicated Uniform Construction Code Fees		
Uniform Construction Code Fees	\$750,000.00	\$770,000.00
Total Section C: Dedicated Uniform Construction Code Fees	\$750,000.00	\$770,000.00
3. Miscellaneous Revenues – Section D: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Shared Services Agreement		
Borough of Avon – EMS Program	0.00	\$1,365.12
Total Section D: Shared Services Agreements Offset with Appropriations	\$447,473.00	\$448,838.12
3. Miscellaneous Revenues – Section D: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations		
Recycling Tonnage Grant	0.00	\$68,804.38
USDOJ Bulletproof Vest Program	0.00	\$21,252.00
Older Americans Act	\$25,000.00	\$36,000.00
Total Section D: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Public and Private Revenues	\$93,660.06	\$194,716.44
6. Amount to be Raised by Taxes for Support of Municipal Budget:		
c) Minimum Library Tax	\$1,468,003.00	\$1,468,004.29
SUMMARY OF REVENUES		
1. Surplus Anticipated	\$3,300,000.00	\$3,303,000.00
Total Section C: Dedicated Uniform Construction Code Fees	\$750,000.00	\$770,000.00
Total Section D: Shared Services Agreements Offset with Appropriations	\$447,473.00	\$448,838.12
Total Section D: Special Items of General Revenue	\$93,660.06	\$194,716.44

Anticipated with Prior Written Consent of the Director of Local Government Services – Public and Private Revenues		
3. Total Miscellaneous Revenues	\$9,545,370.84	\$9,667,792.34
5. Total General Revenues (Items 1,2,3 and 4)	\$13,819,629.32	\$13,945,050.82
6. c) Minimum Library Tax	\$1,468,003.00	\$1,468,004.29
7. Total General Revenues	\$47,072,641.56	\$47,198,064.35
8. GENERAL APPROPRIATIONS (A) Operations – within “CAPS”		
Police Department – Other Expenses	\$340,000.00	\$328,700.00
Police Department – Homeland Security	\$10,000.00	\$5,000.00
Total Operations {Item 8(A)} within “CAPS”	\$32,125,000.00	\$32,108,700.00
Detail: Other Expenses	\$13,533,000.00	\$13,272,755.00
(H-1) Total General Appropriations for Municipal Purposes within “CAPS”	\$36,842,150.00	\$36,825,850.00
(A) Operations Excluded from “CAPS”		
Aid to Free Public Library	\$1,468,003.00	\$1,468,004.29
Total Other Operations – Excluded from “CAPS”	\$1,533,003.00	\$1,533,04.29
(A) Operations Excluded from “CAPS” – Shared Service Agreements		
City of Asbury Park – Shot Spotter Program	\$0.00	\$36,300.00
Borough of Avon – EMS Program	\$0.00	\$1,365.12
Total Interlocal Municipal Service Agreements	\$919,373.00	\$957,038.12
(A) Operations Excluded from “CAPS” – Public and Private Programs Offset by Revenues		
Senior Citizens Program – Title III Salaries and Wages	\$213,000.00	\$224,000.00
Recycling Tonnage Grant	\$0.00	\$68,804.38
USDOJ Bulletproof Vest Program	\$0.00	\$21,252.00
Total Public and Private Programs Offset by Revenues	\$402,615.56	\$503,671.94
Total Operations – Excluded from “CAPS”	\$2,854,991.56	\$2,993,713.06
Detail: Salaries and Wages	\$453,288.00	\$465,653.12
Detail: Other Expenses	\$2,401,703.56	\$2,528,059.94
(D) Municipal Debt Service – Excluded from “CAPS”		
Capital Lease Obligations – Principal	\$858,000.00	\$861,000.00
Total Municipal Debt Service Excluded from “CAPS”	\$4,675,500.00	\$4,678,500.00
(H-2) Total General Appropriations for Municipal Purposes Excluded from “CAPS”	\$7,830,491.56	\$7,972,214.35
(O) Total General Appropriations – Excluded from “CAPS”	\$7,830,491.56	\$7,972,214.35
(L) Subtotal General Appropriations {Items (H-1) and (O)}	\$44,672,641.56	\$44,798,064.35
9. Total General Appropriations	\$47,072,641.56	\$47,198,064.35
SUMMARY OF APPROPRIATIONS		
(H-1) Total General Appropriations for Municipal Purposes within “CAPS”	\$36,842,150.00	\$36,825,850.00
(A) Operations Excluded from “CAPS”		
Other Operations	\$1,533,003.00	\$1,533,04.29
Interlocal Municipal Service Agreements	\$919,373.00	\$957,038.12
Public and Private Programs Offset by Revenues	\$402,615.56	\$503,671.94
(D) Municipal Debt Service	\$4,675,500.00	\$4,678,500.00
Total Operations Excluded from “CAPS”	\$2,854,991.56	\$2,993,713.06
Total General Appropriations	\$47,072,641.56	\$47,198,064.35

10. DEDICATED SEWER UTILITY BUDGET		
Operating Surplus Anticipated	\$952,400.00	\$970,614.00
Total Operating Surplus	\$952,400.00	\$970,614.00
Total Sewer Utility Revenues	\$7,628,400.00	\$7,646,614.52
11. APPROPRIATIONS FOR SEWER UTILITY		
Deferred Charges and Statutory Expenditures:		
Deferred Charges: Overexpenditure	\$0.00	\$18,214.52
TOTAL SEWER UTILITY APPROPRIATIONS	\$7,628,400.00	\$7,646,614.52
10. DEDICATED MARINA UTILITY BUDGET		
Operating Surplus Anticipated	\$49,000.00	\$51,260.74
Total Operating Surplus	\$49,000.00	\$51,260.74
Total Marina Utility Revenues	\$549,000.00	\$551,260.74
11. APPROPRIATIONS FOR MARINA UTILITY		
Deferred Charges and Statutory Expenditures:		
Deferred Charges: Overexpenditure	\$0.00	\$2,260.74
TOTAL MARINA UTILITY APPROPRIATIONS	\$549,000.00	\$551,260.74

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized to advertise this amendment to the 2021 introduced Municipal Budget in the April 29, 2021 edition of The Coaster reflecting a public hearing on said amendments on Monday, May 10, 2021 at 7:00 p.m. at the Neptune Township Municipal Complex, 25 Neptune Blvd., Neptune, NJ

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for her certification of the local municipal budget so amended and that a copy be forwarded to the Chief Financial Officer and the Township Auditor.

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

Mr. Cuttrell announced that the public hearing on the budget amendment will be held at the May 10th meeting and a resolution to adopt the municipal budget will be considered.

Mr. Cuttrell announced that the individual being appointed as the third member of the Police Committee is Bryan Acciani.

AWARD BID FOR SOUTH RIVERSIDE DRIVE BICYCLE AND PEDESTRIAN PATH - TABLED

Mr. Anthony stated that he needs to review correspondence from the Shark River Clean-Up Coalition regarding the award of a bid for this project.

Ms. York offered a motion, seconded by Mr. Williams, to table a resolution to "Award bid for South Riverside Drive Bicycle and Pedestrian Path". All were in favor.

PUBLIC COMMENTS ON RESOLUTIONS

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

Harriet Bernstein, 82 Broadway, thanked the Committee for the resolution to recognize the LGBTQ community and its supporters. She noted that US embassies will also be able to fly the rainbow flag in June.

Hank Coakley, Valley Road, asked for information on the resolution to appoint legal counsel in a litigation matter. Mr. Anthony replied that this is in reference to a lawsuit brought against Township officials. The insurance carrier does not cover the claim for punitive damages. Punitive damages are considered as a separate trial, if the matter even goes to trial. The Attorney needs to follow the trial from state to finish. The Township does not pay if punitive damages are awarded.

Rosemary Wright, 66 Whitefield Avenue, Unit #200, supports the Pride Month resolution because it is important to show support for the LGBTQ community.

Arthur Atkins, Tremont Drive, asked why the bidders in the South Riverside bike trail resolution were all rejected originally. Mr. Gadaleta replied that the project is receiving a federal grant and the bidders did not meet the federal standard of percentage of woman owned business.

ORDINANCE NO. 21-12 - ADOPTED

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

ORDINANCE NO. 21-12

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

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

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

ORDINANCE NO. 21-13 - ADOPTED

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

ORDINANCE NO. 21-13

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF BODY WORN CAMERAS, VEHICLE MOUNTED CAMERAS, AND RELATED COMPUTER HARDWARE AND SOFTWARE FOR USE BY THE POLICE DEPARTMENT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$380,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$361,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

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

ORDINANCE NO. 21-14 - ADOPTED

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

ORDINANCE NO. 21-14

BOND ORDINANCE AMENDING AND RESTATING BOND ORDINANCE NUMBER 18-06 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON MARCH 12, 2018 IN ITS ENTIRETY TO INCREASE THE TOTAL DEBT APPROPRIATION THEREIN FROM \$1,200,000 TO \$1,400,000, TO INCREASE THE AMOUNT OF THE NJDOT TRANSPORTATION TRUST FUND GRANT, TO INCREASE SECTION 20 COSTS, AND TO AMEND AND RESTATE OTHER PROVISIONS THEREIN

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

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

ORDINANCE NO. 21-15 - APPROVED

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

ORDINANCE NO. 21-15

AN ORDINANCE TO AMEND CHAPTER IV, SECTION 4-4 OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED "SOLICITOR, CANVASSER, PEDDLER, HAWKER, ITINERANT MERCHANT OR TRANSIENT VENDOR" SO AS TO ADD AND ESTABLISH A NO KNOCK REGISTRY

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

ORDINANCE NO. 21-16 - APPROVED

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

ORDINANCE NO. 21-16

AN ORDINANCE TO AMEND CHAPTER IV, SECTION 4-4 OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED "SOLICITOR, CANVASSER, PEDDLER, HAWKER, ITINERANT MERCHANT OR TRANSIENT VENDOR"

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

ORDINANCE NO. 21-17 - APPROVED

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

ORDINANCE NO. 21-17

AN ORDINANCE PROVIDING FOR THE SALE OF PROPERTY, KNOWN AS BLOCK 402, LOT 7, WITH AN ADDRESS OF 1324 10TH AVENUE OWNED BY THE TOWNSHIP OF NEPTUNE, NO LONGER NEEDED FOR THE PUBLIC USE, BEING LESS THAN THE MINIMUM SIZE REQUIRED FOR DEVELOPMENT UNDER THE MUNICIPAL ZONING ORDINANCE TO OWNERS OF CONTIGUOUS LAND

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

ORDINANCE NO. 21-18 - APPROVED

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

ORDINANCE NO. 21-18

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A RESIDENT ONLY HANDICAPPED PARKING ZONE ON MT. TABOR WAY AND REMOVING A RESIDENT ONLY HANDICAPPED PARKING ZONE ON HECK AVENUE

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

ORDINANCE NO. 21-19 - APPROVED

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

ORDINANCE NO. 21-19

AN ORDINANCE AUTHORIZING A COOPERATION AGREEMENT AND CONTINUANCE BETWEEN THE TOWNSHIP OF NEPTUNE AND THE HOUSING AUTHORITY OF THE TOWNSHIP OF NEPTUNE AND PAYMENT IN LIEU OF TAXES FOR THE CONTINUED OWNERSHIP, OPERATION AND MANAGEMENT

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

Mr. Cuttrell stated that the public hearings on Ordinances 21-15 through 21-19 will be held on Monday, May 10, 2021.

The following resolution was pulled from the Consent Agenda and acted on separately:

AUTHORIZE A REDUCTION IN THE PERFORMANCE GUARANTEES FILED BY VICTORIA ESTATES, LLC FOR SITE IMPROVEMENTS AT NEPTUNE ESTATES PHASES 1A, 1B AND 2 (3351 HIGHWAY 33)

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

WHEREAS, Victoria Estates, LLC filed the following performance bonds, written by Guarantee Company of North America, guaranteeing site improvements at Neptune Estates, 3351 Highway 33 (Blocks 3301 & 3302):

Phase 1A – Bond No. 76141110 - \$72,036.00
Phase 1B – Bond No. 76141111 - \$150,012.00
Phase 2 – Bond No. 76183686 - \$801,252.00

WHEREAS, at the request of the Developer, the Township Engineer has inspected the site improvements and has recommended a reduction in all three performance guarantees; and,

WHEREAS, the Developer will be notified to post Change Riders reducing the amount of each performance bond and the Municipal Clerk will accept said Riders when posted:

Phase 1A – Bond No. 76141110 - \$30,553.20
Phase 1B – Bond No. 76141111 - \$66,976.20
Phase 2 – Bond No. 76183686 - \$240,375.60

WHEREAS, the cash portions of the performance guarantees will also be reduced by the proportionate amounts,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that reductions in the Performance Guarantees posted for Neptune Estates, 3351 Highway 33 (Blocks 3301 & 3302) be and are hereby approved to the amounts as stated herein and the Change Riders submitted to affect said reductions are hereby accepted; and,

BE IT FURTHER RESOLVED, that the proportionate amount of the cash portion of each performance guarantee in the following amount shall be refunded to the Developer:

Phase 1A - \$4,630.16
Phase 1B – \$9,260.14
Phase 2 - \$62,412.35

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

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

CONSENT AGENDA

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

PLACE LIEN ON VARIOUS PROPERTIES

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

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

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

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

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
509/15	16 Fisher Avenue	\$ 150.50
1003/3	121 Highway 35	829.50
503/11	1300 Heck Avenue	290.00

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

EMPLOY EMERGENCY MEDICAL TECHNICIAN IN THE EMS DEPARTMENT ON A PART-TIME BASIS

WHEREAS, there is a need for an additional Emergency Medical Technician on a part-time hourly basis; and,

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

WHEREAS, the EMS Manager and Human Resources Director have made their recommendations; and,

WHEREAS, funds are available in the 2021 Municipal Budget in the appropriation entitled Emergency Medical Services 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 Katherine Scott be and is hereby employed as a part-time Emergency Medical Technician, effective April 27, 2021, contingent upon successful completion of the required background investigation and medical evaluation, at an hourly rate of \$21.22; and,

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

APPOINT MEMBER TO THE FLETCHER LAKE COMMISSION

BE IT RESOLVED, by the Township Committee of the Township of Neptune that Robert Lane, Jr. be and is hereby appointed as the Township Committee member to the Fletcher Lake Commission for the balance of the year 2021; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Fletcher Lake Commission.

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 2020 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 David Milmoie, 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 FRED KERN AS A SCHOOL CROSSING GUARD

WHEREAS, the Chief of Police has received a letter from Fred Kern resigning as a School Crossing Guard effective April 19, 2021,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Fred Kern as a School Crossing Guard is hereby accepted effective April 19, 2021; and,

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

AUTHORIZE SUBMISSION OF A STRATEGIC PLAN FOR THE NEPTUNE TOWNSHIP MUNICIPAL ALLIANCE GRANT

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and,

WHEREAS, the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Neptune Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Neptune Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth; and,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Neptune Township Committee does hereby authorize submission of a strategic plan for the Neptune Township Municipal Alliance grant for fiscal year 2022 in the amount of:

DEDR	\$ 17,170.00
Cash Match	\$ 4,292.50
In-Kind	\$ 12,877.50

2. The Neptune Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

AUTHORIZE THE MAYOR AND CLERK TO EXECUTE A PROJECT AGREEMENT WITH MONMOUTH COUNTY FOR PERFORMANCE AND DELIVERY OF FISCAL YEAR 2018 COMMUNITY DEVELOPMENT PROJECTS

WHEREAS, certain Federal funds are potentially available to Monmouth County under the Housing and Urban-Rural Recovery Act of 1974, as amended; and,

WHEREAS, the County of Monmouth expects to receive an allocation for Fiscal Year 2018 from the United States Department of Housing and Urban Development; and,

WHEREAS, the County of Monmouth has submitted its Annual Plan for Fiscal Year 2018 to the U.S Department of Housing and Urban Development, which included a project hereinafter referred to as Upgrades and Modernization of Hydraulic Elevator with a grant allocation of \$75,868.00; and,

WHEREAS, the Township of Neptune hereby met all requirements for the release of funds to begin incurring costs for this project; and,

WHEREAS, the Township of Neptune has filed with the Monmouth County Community Development Program an acceptable timetable for completion and expenditure of grant funds, which is included as an Appendix to the Project Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk of the Township of Neptune are hereby authorized to execute with the County of Monmouth the attached Project Agreement on behalf of the Township of Neptune.

AUTHORIZE THE MAYOR TO SIGN A CERTIFICATE PROHIBITING THE USE OF EXCESSIVE FORCE AND A CERTIFICATION PROHIBITING THE USE OF FEDERAL FUNDS FOR LOBBYING

WHEREAS, certain Federal funds are potentially available to Monmouth County through the Housing and Community Development Act of 1974, as amended; and,

WHEREAS, the United States Department of Housing and Urban Development has allocated funding to the County of Monmouth for Fiscal Year 2018; and,

WHEREAS, the County is making some of these funds available to certain participating municipalities and non-profit agencies; and,

WHEREAS, it is required that the Township of Neptune execute a Project Agreement with Monmouth County to undertake a project known as Upgrades and Modernization to Hydraulic Elevator at the Neptune Municipal Complex; and,

WHEREAS, the U.S. Department of Housing and Urban Development is requiring that the Mayor of the Township of Neptune sign additional certifications in order to receive these funds; and,

WHEREAS, the Township of Neptune has adopted a policy prohibiting the use of excessive force by its law enforcement agency (police force) within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and,

WHEREAS, a copy of that policy is attached to and made a part of this resolution; and,

NOW, THEREFORE, BE IT RESOLVED, that the Township of Neptune has met the conditions of receiving a Fiscal Year 2018 allocation by adopting a policy prohibiting the use of excessive force and by not using federal funds for lobbying or by disclosing that funds have been

used for lobbying; and,

BE IT FURTHER RESOLVED, that the Mayor of the Township of Neptune is hereby authorized to sign the attached certifications which will become a part of the Fiscal Year 2018 Project Agreement.

EMPLOY TEMPORARY SEASONAL PERSONNEL FOR THE NEPTUNE SUMMER RECREATION PROGRAM

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

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

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

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

Camp Director \$20.00/hour May 1 – August 14 approx. 200 hours

Kaitlyn Oates

Role Models \$12.00/hour June 23 – August 9 3.5 hours/day 30 days

Arien Harris	Stephanie Hogarth	Tom Shields
Sierra Hollins	Beverly Cadet	Nahshon Harbour
Fallon Oates	Maria Seidle	Sanai Taylor
Soleil Walker	Amir Wells-Crudup	

Sub. Role Models \$11.00/hour June 23 – August 9 3.5 hours/day 30 days

David Ramirez

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

AUTHORIZE THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE NEW JERSEY BOARD OF PUBLIC UTILITIES IN CONNECTION WITH THE PHASE II TC DER MICROGRID INCENTIVE PROGRAM

WHEREAS, the BPU 2015 Energy Master Plan Update established the goal of improving energy infrastructure resiliency in extreme weather events by the increased use of microgrid technologies and applications for Distributed Energy Resources to improve the grid's resiliency and reliability in the event of a major storm; and,

WHEREAS, the BPU approved the FY17 Clean Energy Program Budget which established the Town Center Distributed Energy Resources (TC DER) Microgrid Program to provide funding for feasibility study applications; and,

WHEREAS, the Township of Neptune submitted the Neptune Township Advanced Microgrid Project for funding. The application cites the significant number of critical assets located with the municipality; and,

WHEREAS, in 2017, the BPU announced an award of \$150,000 for a Phase I feasibility study of the Neptune Township Advanced Microgrid Project; and,

WHEREAS, on July 10, 2017, the Township Committee adopted Resolution #17-304 which authorized the acceptance of a \$150,000 grant from the New Jersey Board of Public Utilities TC DER Microgrid Feasibility Study Incentive Program to perform a Phase I feasibility study of the Neptune Township Advanced Microgrid Project; and

WHEREAS, based on the submitted feasibility studies statewide, on March 3, 2021, the Board of Public Utilities approved eight applicants and awarded Phase II TC DER Microgrid funding

to the Neptune Township Advanced Microgrid Project,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the acceptance of a \$526,100 grant from the New Jersey Board of Public Utilities TC DER Microgrid Incentive Program to perform a Phase II TC DER Microgrid Design of the Neptune Township Advanced Microgrid Project; and,

BE IT FURTHER RESOLVED, that the Mayor and Clerk be and are hereby authorized to execute a Memorandum of Understanding with the New Jersey Board of Public Utilities setting forth the roles and responsibilities of the Township and the BPU in connection with the Phase II TC DER Microgrid Design; and,

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

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY ELI YENAY FOR SITE IMPROVEMENTS AT THE 7-ELEVEN AT 311 HIGHWAY 35

WHEREAS, on March 9, 2020, BSD Homes, LLC filed performance bond CT024916 written by First Indemnity of America Insurance Company in the amount of \$54,769.50, guaranteeing site improvements at the 7-Eleven located at 311 Highway 35 (Block 907 and 13); and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of April 19, 2021 and said performance bond can be released contingent upon posting a two year maintenance bond in the amount of \$9,128.25; and,

WHEREAS, Eli Yenay has submitted a maintenance guarantee in the form of cash in the amount of \$9,128.50 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 \$6,092.96 and remaining 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 TASSIE YORK AS A MEMBER OF THE RENT LEVELING BOARD

WHEREAS, the Municipal Clerk has received a letter from Tassie York resigning as a member of the Rent Leveling Board effective April 21, 2021,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Tassie York as a member of the Rent Leveling Board is hereby accepted effective April 21, 2021; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Secretary to the Rent Leveling Board.

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT (1612 BANGS AVENUE)

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
601	1	JENNINGS	1612 BANGS AVE	2020	708.85

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

APPROVE SELECTION OF LEGAL COUNSEL TO REPRESENT VITO GADALETA IN LAWSUIT FOR PUNITIVE DAMAGES

WHEREAS, Vito Gadaleta, Business Administrator, has been named as a Defendant in the matter of Colicelli v. Neptune Township, et al. and has requested legal counsel in regards to the claim for punitive damages; and,

WHEREAS, in accordance with policy, the Township Committee must approve the selection of counsel; and,

WHEREAS, the Township will reimburse said official for legal fees incurred for personal counsel for lawsuits for punitive damages pursuant to N.J.S.A. 40A:14-155; and,

WHEREAS, the Township's reimbursement will be limited to a rate per hour not to exceed the current hourly rate of the Township Attorney, the Township reserves the right to limit the total expenditure to a reasonable cost and the Township reserves the right to not reimburse for legal fees and costs should an employee be held liable for punitive damages; and,

WHEREAS, funds will be provided in the 2021 municipal budget in the appropriation entitled Legal Services O.E. and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted to Vito Gadaleta, Business Administrator, to retain Plosia Cohen, LLC as legal counsel for the claim of punitive damages in the matter of Colicelli v. Neptune Township, et al. at an amount not to exceed \$10,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., Township Attorney and Plosia Cohen, LLC.

APPROVE SELECTION OF LEGAL COUNSEL TO REPRESENT COMMITTEEMAN ROBERT LANE, JR. AND FORMER COMMITTEEMEMBERS KEVIN MCMILLAN AND CAROL RIZZO IN LAWSUIT FOR PUNITIVE DAMAGES

WHEREAS, Committeeman Robert Lane, Jr. and former Committeemembers Kevin McMillan and Carol Rizzo has been named as Defendants in the matter of Colicelli v. Neptune Township, et al. and have requested legal counsel in regards to the claim for punitive damages; and,

WHEREAS, in accordance with policy, the Township Committee must approve the selection of counsel; and,

WHEREAS, the Township will reimburse said official for legal fees incurred for personal counsel for lawsuits for punitive damages pursuant to N.J.S.A. 40A:14-155; and,

WHEREAS, the Township's reimbursement will be limited to a rate per hour not to exceed the current hourly rate of the Township Attorney, the Township reserves the right to limit the total expenditure to a reasonable cost and the Township reserves the right to not reimburse for legal fees and costs should an employee be held liable for punitive damages; and,

WHEREAS, funds will be provided in the 2021 municipal budget in the appropriation entitled Legal Services O.E. and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted to Committeeman Robert Lane, Jr. and former Committeemembers Kevin McMillan and Carol Rizzo to retain the Law Firm of Sobel, Han & Cannon, LLP as legal counsel for the claim of punitive damages in the matter of Colicelli v. Neptune Township, et al. at an amount not to exceed \$10,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., Township Attorney and Law Firm of Sobel, Han & Cannon, LLP.

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

DESIGNATE THE MONTH OF JUNE AS LGBTQ+ PRIDE MONTH IN THE TOWNSHIP OF NEPTUNE

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

WHEREAS, Lesbian, Gay, Bisexual, Transgender, Queer (or Questioning), and Others (LGBTQ+) Pride Month is celebrated nationwide each year in the month of June; and,

WHEREAS, the month of June was chosen to commemorate the riots that took place at the Stonewall Inn in Manhattan the morning of June 28, 1969. During these riots, LGBTQ+ citizens rose up and fought against the discriminatory criminal laws that have since been declared unconstitutional; and,

WHEREAS, LGBTQ+ pride celebrations take place around the country every June to commemorate the beginning of the Stonewall Riots and it is important during this month to take time to reflect on the LGBTQ+ rights movement; and,

WHEREAS, everyone should be able to live without fear of prejudice, discrimination, violence and hatred based on race, religion, gender identity or sexual orientation; and,

WHEREAS, the Township of Neptune has a diverse and active LGBTQ+ community that includes people of all ethnicities, religions, and professions,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designate that the month of June as LGBTQ+ Pride Month in the Township of Neptune and urge all residents to respect and honor our diverse community and celebrate and build a culture of inclusiveness and acceptance; and,

BE IT FURTHER RESOLVED, in recognition of this designation, the rainbow flag shall be flown at the Neptune Township Municipal Complex for the month of June.

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

AWARD BID FOR MAINTENANCE OF TOWNSHIP GROUNDS

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

WHEREAS, on April 8, 2021, the Purchasing Agent received bids for the award of a contract for maintenance of Township grounds; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that the bid be awarded to the lowest bid submitted by OnSite Landscape Management; and,

WHEREAS, said bids were advertised, received and awarded in a "fair and open" competitive bidding process in accordance with the Open Public Contracts Law; and,

WHEREAS, funds will be provided in the 2021 municipal budget in the appropriation entitled Maintenance of Parks, O.E., and funds in subsequent years will be subsequent year's budgets, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a contract be awarded to OnSite Landscape Management on their lowest responsible bid for maintenance and fertilizer of municipal grounds for a period of three years from 2021 to 2023 as follows:

May through November, 2021 - \$99,000.00
April through November, 2022 - \$111,000.00
April through November, 2023 - \$114,000.00

Fertilizer - \$34,097.00 per year
Seeding - \$.04/sq. ft.
Core aeration - \$.04/sq. ft.

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

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

APPOINT THIRD NON-EMPLOYEE RESIDENT MEMBER TO THE POLICE COMMITTEE

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

WHEREAS, on March 8, 2021, the Township Committee adopted Ordinance No. 21-06, amending, revising and supplementing Volume I, Chapter II, Section 2-10 of the Code of the Township of Neptune, entitled, "Police Department" which amended the composition, terms and responsibilities of the Police Committee; and

WHEREAS, the aforesaid amended Ordinance provides for the appointment of three (3) non-employee, resident members; and

WHEREAS, one of the three non-employee resident member positions is vacant,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee of the Township of Neptune hereby appoints Bryan Acciani as a non-employee, resident member to the Police Committee for a one year term; expiring December 31, 2021.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Business Administrator, Township Attorney and Chief of Police.

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

AUTHORIZE THE PAYMENT OF BILLS

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

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

CURRENT FUND	5,189,345.17
GRANT FUND	3,952.38
TRUST FUND	15,727.50
GENERAL CAPITAL FUND	52,909.37
SEWER OPERATING FUND	31,642.39
SEWER CAPITAL FUND	6,655.20
MARINA OPERATING FUND	6,056.78
LIBRARY TRUST	1,194.97
BILL LIST TOTAL	\$5,307,483.76

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

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Joan Venezia, 107 Mt. Hermon Way, asked if the rooftop of the proposed hotel at the North End is permitted for use by guest and/or the public. Mr. Cafferty responded that he does not recall any discussion about the rooftop at the Planning Board. The Mayor stated that it was not discussed, but the matter would have part of the Planning Board review which is now complete. Ms. Venezia asked that the Committee place a notice on the live stream when they are in executive session.

Connie Holmes, asked the Committee how they would feel if they were fired and not told about it. Mr. Anthony informed Ms. Holmes that her term on the Rent Leveling Board expired and the Township Committee decided to appoint a new person. Ms. Holes stated that the Mayor told her that the Democratic Club made the appointment. Mr. Anthony stated the Township Committee makes appointments and decided to appoint someone else.

Hank Coakley, Valley Road, stated there is no center line on Neptune Blvd near Shop-Rite. The requirement to have car lights on in a rain storm needs to be enforced. He asked the Committee to notify residents to put all vehicle lights on when windshield wipers are on.

Arthur Atkins, Tremont Drive, stated that the Van Ness property on South Riverside Drive is in total disarray. He contacted Code Enforcement and they advised it is tied up in court. The grass is high and a portion of fence blew down two years ago and was never fixed. Neighborhood kids and entering the backyard. Mr. Anthony stated complaints were filed last summer and no one showed up to court. Bench warrants are not being issued by the courts because of covid. The matter was adjourned in February. The Township could take action and lien the property. Mr. Gadaleta replied that the missing fence around a pool is a safety violation. He will discuss the matter with Public Works and Code Enforcement.

Richard Williams, 1 Abbott Avenue, stated that the Ocean Grove Homeowners Association had a meeting with guest speakers on renewable energy and charging of electric vehicles. He asked what solutions are acceptable to charging cards with cables running over or under sidewalks. Mr. Anthony replied the Township does not own the sidewalks in Ocean Grove so it's a matter for the Camp Meeting Association to approve curbside charging stations. Mr. Gadaleta stated that JCP&L is discussing installation of charging stations on telephone poles that can be used via credit card swipe.

Dianna Harris, 17 Willow Drive, stated she is glad to see the Township is purchasing property at West Lake Avenue and Myrtle Avenue. She asked for an update on the West Lake Redevelopment and asked if any thought has been given to using the schools for recreation. Mr. Gadaleta stated that Mr. Lipshitz was granted approval to complete the Schoolhouse Square project and may submit a proposal for West Lake Avenue. In addition, a person visited Mr. Gadaleta earlier in the day and is setting up a proposal. Mayor Brantley stated the Board of Education has opened their properties and we may discuss this in conjunction with the community center. Mr. Cafferty added that the schools are not accessible while schools are open. There may be potential for something in the summer as long as there is no overtime incurred for janitorial staff.

Eileen Michaels, 15 Seaview Avenue, thanked the Committee for recognizing Pride Month in the community. She asked for participation data in this type of hybrid meeting format. Mr. Cuttrell replied that he has statistical data on viewers available the day after each meeting. She asked if the Township is looking at the cost of busing kids from other parts of the Township to the community center location. The Mayor responded that the Township will look at that. She recommended that a policy be established to let people know that they are not being reappointed to a board.

Joyce Klein, Mt. Hermon Way, stated there is a lot of interest and questions on electric vehicles. A standard should be developed for people to run electric under the sidewalks. Mr. Gadaleta stated the Township cannot give permission to anything under the sidewalks in Ocean Grove because that is owned by the Camp Meeting Association. Mr. Cafferty replied the he is looking into the situation.

Denis McCarthy, Broadway, asked why the Committee is not holding the meeting via Zoom. Mr. Anthony responded that the Open Public Meetings Act requires governing bodies to go back to live session at some point. In-person meetings are the default forum and the timing is up to each town. There is also a portion of the population that does not have the ability to connect via Zoom.

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

Richard J. Cuttrell,
Municipal Clerk