

TOWNSHIP COMMITTEE WORKSHOP MEETING – MAY 13, 2019 – 6:00 P.M.

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

ROLL CALL

PRESENT/ABSENT

Dr. Michael Brantley  
Robert Lane, Jr.  
Kevin B. McMillan  
Nicholas Williams  
Carol Rizzo

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Mayor Rizzo announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 3, 2019, 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. Presentation – Police Department Annual Report.
2. Business Administrator's report.
3. Review Committee calendars.

Res. # 19-195 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Williams, \_\_\_\_\_; Rizzo, \_\_\_\_\_.

RESOLUTION #19-195 – 5/13/19

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:

Real Estate negotiations – West Lake Avenue Redevelopment Plan  
Potential Litigation – Drainage easement encroachment  
Real Estate negotiations – Offer to donate landlocked parcel to the Township  
Personnel – Part-time seasonal DPW recommendations

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.

**TOWNSHIP COMMITTEE MEETING – MAY 13, 2019 – 7:00 P.M.**

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

ROLL CALL

PRESENT/ABSENT

Dr. Michael Brantley  
Robert Lane, Jr.  
Kevin B. McMillan  
Nicholas Williams  
Carol Rizzo

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Also present at the dais: Gene Anthony, Township Attorney; Vito D. Gadaleta, Business Administrator; 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 Rizzo announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 3, 2019 posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at [www.neptunetownship.org](http://www.neptunetownship.org).

**APPROVAL OF MINUTES** – Motion offered by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve the minutes of the meeting held on April 22nd.

**PROCLAMATION** – The Mayor will proclaim May 24, 2019 as "Poppy Day" in the Township of Neptune in tribute to those who made the ultimate sacrifice in the name of freedom.

**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. 19-11** – An ordinance to further amend and supplement the Land Development Ordinance of the Township of Neptune by amending Section 416.04 – "Exempt Signs" to define "Public Access Signs" – Final Reading

*Explanatory Statement: This ordinance amends the Township's Land Use Ordinance to define "Public Access Signs" as required NJ Department of Environmental Protection and the Township's Municipal Public Access Plan.*

Public Hearing:

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

**ORDINANCE NO. 19-12** – 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 Benson Avenue, converting an existing handicapped zone to a resident only zone on Embury Avenue and removing a handicapped parking zone on Lawrence Avenue – Final Reading

*Explanatory Statement: This ordinance authorizes a resident only handicapped parking stall in front of 37 Benson Avenue, converts an existing handicapped parking zone in front of 34 Embury Avenue to a resident only handicapped zone and removes a resident only handicapped parking zone adjacent to 148 Broadway.*

Public Hearing:

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

**ORDINANCE NO. 19-13** – An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding resident only handicapped parking zones on Seaview Avenue and Ocean Avenue – First Reading

*Explanatory Statement: This ordinance authorizes resident only handicapped parking stalls in front of 27 Seaview Avenue and 1 Ocean Avenue.*

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

**ORDINANCE NO. 19-14** – An ordinance to amend Volume I, Chapter VII, Section 7-13 of the Code of the Township of Neptune by adding left turn prohibitions from Stanley Avenue to Route 33 and from Davis Avenue to Route 33 – First Reading

*Explanatory Statement: This ordinance codifies, at the request of the New Jersey Department of Transportation, the existing no left turn prohibitions from Stanley Avenue on to Route 33 and from Davis Avenue on to Route 33.*

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

The Public Hearings on Ordinances 19-13 and 19-14 will be held on Thursday, May 23, 2019.

### **CONSENT AGENDA**

Res. #19-196 – Approve the removal of Environmental/Shade Tree Commission members due to absenteeism pursuant to N.J.S.A. 40A:9-12.1.

Res. #19-197 – Extend a Shared Service Agreement for the purchase of liability, property, and workers compensation insurance by Neptune Township Fire Districts #1 and #2.

Res. #19-198 – Authorize execution of Second Amendment to original Contract of Sale of March 13, 2017 authorizing purchase property located at 101 South Riverside Drive, known as Block 5305, Lot 1, from Shark River Hills Estates.

Res. #19-199 – Accept a maintenance guarantee and release a performance bond filed by Jersey Shore University Medical Center for Washington Avenue sanitary sewer improvements.

Res. #19-200 – Accept the resignation of Andrew Todd as a Special Law Enforcement Officer in the Police Department.

Res. #19-201 – Place lien on 400 Overlook Drive.

Res. #19-202 – Authorize payment to Robert O'Hagan for serving as Hearing Officer in matter involving former Police Officer Shaun Hubbard.

Res. #19-203 – Authorize execution of a Shared Service Agreement with the Neptune Township Board of Education for School Resource Officers.

Res. #19-204 – Reappoint Redevelopment Attorney.

Res. #19-205 – Employ temporary seasonal personnel in the Department of Public Works.

Res. #19-206 – Accept resignation of Darrell Furman as a Supervising Special Law Enforcement Officer in the Police Department.

Res. #19-207 – Authorize the cancellation of sewer rent (108 Ivins Road).

Res. #19-208 – Appoint Township LGBTQ Liaisons.

Res. #19-209 – Authorize execution of a Treatment Works Application for proposed Hilton Hotel at Route 66 and McNamara Way.

Res. #19-210 – Authorize the purchase and installation of sewer pump and accessories through the North Jersey Wastewater Cooperative Purchasing System.

Res. #19-211 – Authorize Stipulation of Settlement in the matter of Reshat O. Suboyu v. Carrie C. Bartlett, Township of Neptune, Township of Neptune Police Department, Docket No. MON-L-4545-18, Superior Court of New Jersey, Law Division, Monmouth County.

Res. #19-212 – Authorize Developer's Agreement with Saker Shoprites, Inc., Block 802, Lot 1 (2200-2250 Route 66)

**CONSENT AGENDA** Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Williams, \_\_\_\_\_; Rizzo, \_\_\_\_\_.

**The Mayor announces the following appointments to the Environmental/Shade Tree Commission:**

**Jon Stocum to an unexpired three year term**

**Gregory Sharin to an unexpired three year term**

**Diane Allen as the Alternate #1 member to an unexpired two year term**

Res. #19-213 – Confirm Mayor's appointments to the Environmental/Shade Tree Commission.

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Williams, \_\_\_\_\_; Rizzo, \_\_\_\_\_.

Res. #19-214 – Award bid for improvements to Neptune Boulevard.

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

Res. #19-215 – Authorize the payment of bills.

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Williams, \_\_\_\_\_; Rizzo, \_\_\_\_\_.

Res. #19-216 – Authorize mediation in the matter of Elena Gonzalez v. Township of Neptune, et als., in the Superior Court of New Jersey, Monmouth County, Docket No. MON-L-367-16 and in the matter of Christine Savage v. Township of Neptune, et als., in the Superior Court of New Jersey, Monmouth County, Docket No. MON-L-1528-16

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Williams, \_\_\_\_\_; Rizzo, \_\_\_\_\_.

**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**



# Neptune

Township - NJ

*Where Community, Business & Tourism Prosper*

## Proclamation

WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers; and,

WHEREAS, millions who have answered the call to arms have died in the field of battle; and,

WHEREAS, a nation at peace must be reminded of the price of war and the debt owed to those who have died in war; and,

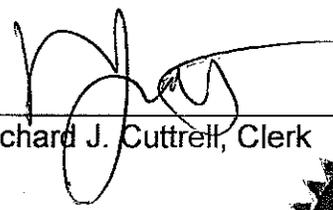
WHEREAS, the red poppy has been designated as a symbol of sacrifice of lives in all wars; and,

WHEREAS, the American Legion Auxiliary has pledged to remind America annually of this debt through the distribution of the memorial flower,

NOW THEREFORE, I, Carol Rizzo, Mayor of the Township of Neptune, in recognition of National Poppy Day, do hereby proclaim the 24<sup>th</sup> day of May in the year 2019 as POPPY DAY in the Township of Neptune and ask all citizens to pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy on this day.

DATED: May 13, 2019

  
\_\_\_\_\_  
Carol Rizzo, Mayor

ATTEST:   
\_\_\_\_\_  
Richard J. Cuttrell, Clerk

Robert Lane, Jr.  
Nicholas Williams



Kevin B. McMillan  
Dr. Michael Brantley

ORDINANCE NO. 19-11

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT  
THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP  
OF NEPTUNE BY AMENDING SECTION 416.04 – EXEMPT  
SIGNS TO DEFINE “PUBLIC ACCESS SIGNS”

WHEREAS, the New Jersey Department of Environmental Protection requires all communities that contain tidal waters to provide for public access; and

WHEREAS, existing and future signage for public access is required at all public access locations identified in the Municipal Public Access Plan; and

WHEREAS, installation and maintenance of signage is a requirement of N.J.A.C. 7:7E-8.11(t),

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey that the Land Development Ordinance of the Township of Neptune be and is hereby amended and supplemented to read as follows:

SECTION 1.

Section 416.04 – “Exempt Signs” is here amended to add “Public Access Signs” as follows:

**416.04.O. – Public Access Signs. Defined as those signs which are posted at public access locations as identified in the Municipal Public Access Plan to notify the public of accessibility.**

1. **Such signs shall be clear of obstruction and visible to the public.**
2. **Such signs shall be installed and maintained by the Department of Public Works.**

SECTION 2.

All Ordinance, or parts thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency.

SECTION 3.

Should any section, paragraph, clause or any other portion of this Ordinance be adjusted by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

SECTION 4.

This Ordinance shall take effect upon its passage and publication according to law and upon the filing of a certified copy thereof with the Monmouth County Planning Board.

APPROVED ON FIRST READING:

APPROVED, PASSED AND ADOPTED:

ATTEST:

---

Richard J. Cuttrell,  
Municipal Clerk

---

Carol Rizzo,  
Mayor

ORDINANCE NO. 19-12

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 BENSON AVENUE, CONVERTING AN EXISTING HANDICAPPED ZONE TO A RESIDENT ONLY ZONE ON EMBURY AVENUE AND REMOVING A HANDICAPPED PARKING ZONE ON LAWRENCE AVENUE

BE IT ORDAINED, by the Township Committee of the Township of Neptune that the Code of the Township of Neptune is hereby amended as follows:

SECTION 1

Volume I, Chapter VII, Section 7-21.7 – Resident Handicapped On-Street Parking, is hereby amended by adding the following:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Benson Avenue	1	East side of Benson Avenue beginning 48 feet north of the northeast intersection of Benson Avenue and Mt. Hermon Way
Embury Avenue	1	South side of Embury Avenue beginning 78 feet east of the southeast intersection of Embury Avenue and Central Avenue

SECTION 2

Volume I, Chapter VII, Section 7-21.7 – Resident Handicapped On-Street Parking, is hereby amended by *removing* the following:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Lawrence Avenue	1	East side of Lawrence Avenue beginning 25 feet south of the southeast intersection of Lawrence Avenue and Broadway

SECTION 3

Volume I, Chapter VII, Section 7-21.1 – Handicapped Parking on Street, is hereby amended by deleting the Embury Avenue location described in Section 1.

SECTION 4

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

---

Richard J. Cuttrell,  
Municipal Clerk

---

Carol Rizzo,  
Mayor

ORDINANCE NO. 19-13

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

BE IT ORDAINED, by the Township Committee of the Township of Neptune that the Code of the Township of Neptune is hereby amended as follows:

SECTION 1

Volume I, Chapter VII, Section 7-21.7 – Resident Handicapped On-Street Parking, is hereby amended by adding the following:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Seaview Avenue	1	North side of Seaview Avenue beginning 160 feet east of the northeast intersection of Seaview Avenue and Central Avenue
Ocean Avenue	1	West side of Ocean Avenue beginning 25 feet north of the northwest intersection of Ocean Avenue and Seaview Avenue

SECTION 2

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

\_\_\_\_\_  
Richard J. Cuttrell,  
Municipal Clerk

\_\_\_\_\_  
Carol Rizzo,  
Mayor

ORDINANCE NO. 19-14

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-13 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING LEFT TURN PROHIBITIONS FROM STANLEY AVENUE TO ROUTE 33 AND FROM DAVIS AVENUE TO ROUTE 33

BE IT ORDAINED, by the Township Committee of the Township of Neptune that Volume I, Chapter VII, Section 7-13 of the Code of the Township of Neptune is hereby amended as follows:

SECTION 1

Volume I, Chapter VII, Section 7-13 – Turn Prohibitions - is hereby amended to add the following:

<u>Intersection</u>	<u>Turn Prohibited</u>	<u>Movement Prohibited</u>
Route NJ 33 (Corlies Avenue) and Stanley Avenue	Left Turns	Northbound Stanley Avenue Route NJ 33 westbound
Route NJ 33 (Corlies Avenue) and Davis Avenue	Left Turns	Southbound Davis Avenue Route NJ 33 eastbound

SECTION 2

All ordinances or parts of ordinances in conflict with or inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

SECTION 3

This ordinance shall become effective immediately upon its adoption and publication according to law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

---

Richard J. Cuttrell,  
Municipal Clerk

---

Carol Rizzo,  
Mayor

RESOLUTION #19-196 – 5/13/19

APPROVE REMOVAL OF ENVIRONMENTAL/SHADE TREE COMMISSION MEMBERS  
DUE TO ABSENTEEISM PURSUANT TO N.J.S.A. 40A:9-12.1

WHEREAS, N.J.S.A. 40A:9-12.1 establishes the basis for an office of any person appointed as being deemed vacant; and

WHEREAS, N.J.S.A. 40A:9-12.1(g) establishes that in any case where a member of a board fails to attend and participate at meetings of a public body for a period of eight consecutive weeks, or for four consecutive regular meetings, whichever shall be of a longer duration, the appointing authority may officially remove said member, construe the position as vacant, and fill the position or office for the unexpired term of said member, pursuant to N.J.S.A. 40A:9-12.1(h); and

WHEREAS, Jessica Ford and Virginia Lally have missed four consecutive Environmental/Shade Tree Commission meetings between January, 2019 and April, 2019,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the governing body hereby finds the positions held by Jessica Ford and Virginia Lally on the Neptune Township Environmental/Shade Tree Commission to be vacant pursuant to N.J.S.A. 40A:9-12.1, as a result of the Township Committee's official action in removing Jessica Ford and Virginia Lally from the Environmental/Shade Tree Commission for failure to attend four or more consecutive meetings in the year 2019 in accordance with N.J.S.A. 40A:9-12.1(g), effective with the adoption of this resolution, and shall separately, after the adoption of this resolution, fill the aforesaid positions for the unexpired terms in the manner prescribed by law; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Environmental/Shade Tree Commission Secretary.

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-197 – 5/13/19

EXTEND A SHARED SERVICE AGREEMENT FOR THE PURCHASE OF LIABILITY,  
PROPERTY, AND WORKERS COMPENSATION INSURANCE  
BY NEPTUNE TOWNSHIP FIRE DISTRICTS #1 AND #2

WHEREAS, the Township of Neptune and the two Neptune Township Fire Districts coordinate the purchase of liability, property and workers compensation insurance to achieve economies of scale for the taxpayers of the Township; and,

WHEREAS, the Township of Neptune, Neptune Township Fire District #1 and Neptune Township Fire District #2 have entered into a Shared Service Agreement pursuant to N.J.S.A. 40A:65-1 et seq. for the purchase of liability, property and workers compensation insurance; and,

WHEREAS, the respective governing bodies desire to extend this Agreement for an additional five (5) year term,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Shared Service Agreement with Neptune Township Fire District #1 and Neptune Township Fire District #2, a copy of which is on file in the Office of the Municipal Clerk, for a period of five (5) years effective January 1, 2020, which provides for the purchase liability, property and workers compensation insurance for the Township and fire districts; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Grant Coordinator, Neptune Township Fire District #1 and Neptune Township Fire District #2.

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #19-198 – 5/13/19

AUTHORIZE EXECUTION OF SECOND AMENDMENT TO ORIGINAL CONTRACT OF SALE OF MARCH 13, 2017 AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT 101 SOUTH RIVERSIDE DRIVE, KNOWN AS BLOCK 5305, LOT 1, FROM SHARK RIVER HILLS ESTATES

WHEREAS, Shark River Hills Estates is currently the owner of 2.86 acres of vacant land located at 101 South Riverside Drive, also known as Block 5305, Lot 1; and

WHEREAS, the Township of Neptune has determined that it is in the public's best interest to seek acquisition of said property for the preservation of open space; and

WHEREAS, the Township Committee of the Township of Neptune adopted Resolution #17-158 authorizing the execution of the Contract of Sale for the aforesaid property; and

WHEREAS, the Mayor and Clerk executed a Contract of Sale of the aforesaid property on March 13, 2017, and adopted Ordinance No. 18-08 authorizing the transfer and acceptance of title to said property, but said property has required remediation, which is being undertaken by the Seller and is not yet complete, which required a First Amendment to the original Contract of Sale extending the original date of closing from May 8, 2017 to March 1, 2019, and now requires a Second Amendment to the original Contract of Sale extending the closing date to June 28, 2019.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the governing body hereby authorizes execution of a Second Amendment to the Contract of Sale of March 13, 2017 with Shark River Hills Estates to purchase the real property located at 101 South Riverside Drive, also known as Block 5305, Lot 1, and to extend on the original Contract of Sale for an anticipatory date of closing of June 28, 2019; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #19-199 - 5/13/19

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND  
FILED BY JERSEY SHORE UNIVERSITY MEDICAL CENTER FOR  
WASHINGTON AVENUE SANITARY SEWER IMPROVEMENTS

WHEREAS, on April 24, 2017, Jersey Shore University Medical Center filed performance bond 106711925, written by Travelers Casualty and Surety Company of America in the amount of \$432,000.00, guaranteeing sanitary sewer improvements on Washington Avenue in connection with off-site improvements for the HOPE Tower; and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of February 27, 2019 and said performance bond can be released contingent upon posting a two year maintenance bond in the amount of \$60,000.00; and,

WHEREAS, Jersey Shore University Medical Center has filed Maintenance Bond #107069011 in the amount of \$60,000.00 written by Travelers Casualty and Surety Company of America 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 \$48,047.45 deposited with the Township be and is hereby authorized to be refunded; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019.**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #19-200 - 5/13/19

ACCEPT THE RESIGNATION OF ANDREW TODD AS A  
SPECIAL LAW ENFORCEMENT OFFICER IN THE POLICE DEPARTMENT

WHEREAS, the Chief of Police has received a letter from Andrew Todd resigning as a Special Law Enforcement Officer in the Police Department effective April 30, 2019,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Andrew Todd as a Special Law Enforcement Officer in the Police Department is hereby accepted effective April 30, 2019; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-201 - 5/13/19

PLACE LIEN ON 400 OVERLOOK DRIVE

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>
4912/4	400 Overlook Drive	1,523.20

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #19-202 - 5/13/19

AUTHORIZE PAYMENT TO ROBERT O'HAGAN FOR SERVING AS HEARING OFFICER  
IN THE MATTER INVOLVING FORMER POLICE OFFICER SHAUN HUBBARD

WHEREAS, Retired Judge Robert W. O'Hagan served as the Hearing Officer in a Fit for Duty Hearing involving former Police Officer Shaun Hubbard; and,

WHEREAS, the cost of Retired Judge O'Hagan's services exceeds \$17,500.00 and therefore must be awarded by Resolution of the governing body; and,

WHEREAS, funds for this purpose will be provided in the 2019 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 payment be and is hereby approved and authorized in the amount of \$18,892.50 to Retired Judge Robert W. O'Hagan for his service as Hearing Officer in a Fit for Duty Hearing involving former Police Officer Shaun Hubbard; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #19-203 - 5/13/19

AUTHORIZE THE EXECUTION OF A SHARED SERVICE AGREEMENT  
WITH THE NEPTUNE TOWNSHIP BOARD OF EDUCATION  
FOR SCHOOL RESOURCE OFFICERS

WHEREAS, the Township of Neptune and the Neptune Township Board of Education, mindful of their duties and responsibilities to protect and maintain the public health, safety and welfare of its inhabitants, find it necessary to arrange for the placement and reimbursement of two School Resource Officers at Neptune Township Public Schools; and,

WHEREAS, the Township and Board have determined that their best interests would be served by enjoying the benefits and sharing the costs of two sworn police officers contributing to the daily activities of students; and,

WHEREAS, the Township of Neptune and the Neptune Township Board of Education desire to enter into an Shared Service agreement pursuant to N.J.S.A. 40A:65-1 et seq. for the Township and Board to cooperatively participate in this project; and,

WHEREAS, the Township will be responsible for assigning two police officers as School Resource Officers and the Board will pay the Township the sum of \$25,000.00 annually to partially defray the salary, benefits and insurance of said officers,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Shared Service Agreement with the Neptune Township Board of Education, a copy of which is on file in the Office of the Municipal Clerk, providing for the assignment of two School Resource Officers and a contribution by the Board to the Township in the amount of \$25,000.00 annually for the 2019-2020 and 2020-2021 school years; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-204 - 5/13/19

REAPPOINT REDEVELOPMENT ATTORNEY

WHEREAS, the Township of Neptune desires to appoint a Redevelopment Attorney through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

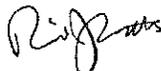
WHEREAS, the Township accepted Requests for Proposals for said position on May 7, 2019 and desires to make an appointment from the proposals received; and,

WHEREAS, based on the amount of funds expended in the prior year for these services, it is estimated that the total 2019 appropriation for this contract will be \$70,000.00. Funds will be provided in the 2019 municipal budget in the appropriation entitled Legal Services O.E. and through developers escrow funds posted by designated Redevelopers, 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 the execution of a contract to engage the services of Maraziti Falcon, LLP, 150 John F. Kennedy Blvd., Short Hills, NJ, as Township Redevelopment Attorney, for the balance of the year 2019, at the terms as indicated in the Request for Proposals on file in the Office of the Municipal Clerk; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #19-205 - 5/13/19

EMPLOY TEMPORARY SEASONAL PERSONNEL  
IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township has a need to employ seasonal workers in the Department of Public Works for the summer season; and,

WHEREAS, the Director of Public Works and Human Resources Director have forwarded their recommendations; and,

WHEREAS, funds for this purpose are available in the 2019 Municipal Budget in the appropriation entitled Solid Waste Collection 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 individuals be and are hereby employed in the Department of Public Works as temporary seasonal employees to perform various tasks within the Department, from May 15, 2019 to September 30, 2019, not to exceed forty (40) hours per week, at a salary of \$15.00 per hour with no health benefits:

Zyaire McKenzie  
Thomas Jones

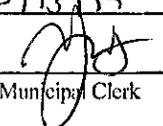
Micah Kerr  
Tyler Scorben

Elijah Dennis  
Keven Jean

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON 5/13/19

  
Richard J. Cuttrel, Municipal Clerk

RESOLUTION #19-206 - 5/13/19

ACCEPT THE RESIGNATION OF DARRELL FURMAN AS A SUPERVISING  
SPECIAL LAW ENFORCEMENT OFFICER IN THE POLICE DEPARTMENT

WHEREAS, the Chief of Police has received a letter from Darrell Furman resigning as a  
Supervising Special Law Enforcement Officer in the Police Department effective May 15, 2019,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune  
that the resignation of Darrell Furman as a Supervising Special Law Enforcement Officer in the  
Police Department is hereby accepted effective May 15, 2019; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-207 - 5/13/19

AUTHORIZE THE CANCELLATION OF SEWER RENT (108 IVINS ROAD)

WHEREAS, the Tax Collector has requested the cancellation of sewer rent to the property listed below,

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 hereby is authorized to cancel Sewer Rent as stated herein; and,

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
4804/7	11 Jackson Terrace, LLC	108 Ivins Road	2019	460.00

REASON: Building disconnected

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-208 - 5/13/19

APPOINT TOWNSHIP LGBTQ LIAISONS

BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the following individuals be and are hereby appointed as Neptune Township Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Liaisons:

Police Department – Deputy Chief Larry Fisher  
Executive Office – Mayor Carol Rizzo

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Human Resources Director.

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #19-209 - 5/13/19

AUTHORIZE EXECUTION OF A TREATMENT WORKS APPLICATION FOR  
PROPOSED HILTON HOTEL AT ROUTE 66 AND MCNAMARA WAY

WHEREAS, Hilton Home2Suites Hotel has submitted a Treatment Works Application to connect into an existing sanitary sewer line and construct an onsite pump station to service a 87 room hotel at Route 66 and McNamara Way with a proposed flow of 6,525 gallons per day; and,

WHEREAS, the Township Engineer has reviewed said application and has certified that available capacity exists,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Clerk to execute the Treatment Works Application Statement of Consent for the sanitary sewer capacity to service the Hilton Home2Suites Hotel at Route 66 and McNamara Way; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to TNSA along with the executed Treatment Works Application.

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #19-210 - 5/13/19

AUTHORIZE THE PURCHASE AND INSTALLATION OF SEWER PUMP AND ACCESSORIES THROUGH THE NORTH JERSEY WASTEWATER COOPERATIVE PURCHASING SYSTEM

WHEREAS, the Sewer Department Supervisor has recommended the purchase and installation of a sewer pump and accessories an authorized vendor under the North Jersey Wastewater Cooperative Purchasing System; and,

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

WHEREAS, Pumping Services, Inc. has been awarded Contract No. B150-2 for this equipment; and,

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

WHEREAS, the cost of the equipment shall not exceed \$48,077.60 and the labor cost for installation shall not exceed \$15,100.00; and,

WHEREAS, funds for this purpose are available in the 2019 Sewer Utility Budget in the appropriation entitled Sewer Budget Capital Outlay 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 and installation of a sewer pump and accessories through the North Jersey Wastewater Cooperative Purchasing Program Contract No. B150-2 be and is hereby authorized at an amount not to exceed \$48,077.60 for the equipment and \$15,100.00 for the labor; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #19-211 – 5/13/19

AUTHORIZE STIPULATION IN THE MATTER OF RESHAT O. SUBOYU V. CARRIE C. BARTLETT, TOWNSHIP OF NEPTUNE, TOWNSHIP OF NEPTUNE POLICE DEPARTMENT, DOCKET NO MON-L-4545-18, SUPERIOR COURT OF NEW JERSEY, LAW DIVISION, MONMOUTH COUNTY

WHEREAS, this matter was brought by the Plaintiff as a result of a motor vehicle accident between the Plaintiff and Defendant, Carrie C. Bartlett, of the Neptune Township Police Department; and

WHEREAS, the parties hereby agree by Stipulation that as a result of the subject motor vehicle accident, the Plaintiff was injured and the Defendants were responsible for damages caused to the Plaintiff in the accident; and

WHEREAS, the parties would like to enter into a Stipulation with regard to the question of liability in order to avoid additional discovery, and to allow the question of actual damages to be addressed by a mediator, or if the parties are unsuccessful in mediating this matter; by a jury.

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorizes the Stipulation concerning the subject matter with regard to the issue of liability, a true copy of said Stipulation is attached hereto and made a part hereof as Exhibit A; and,

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



**Richard J. Cuttrell, Municipal Clerk**

JONATHAN F. COHEN ID#043492006  
PLOSIA COHEN LLC  
385 Route 24, Suite 3G  
Chester, New Jersey 07930  
(908) 888-2547  
Attorneys for Defendants

RESHAT O. SUBOYU,  
  
Plaintiff,  
  
v.  
  
CARRIE C. BARTLETT, TOWNSHIP  
OF NEPTUNE, TOWNSHIP OF  
NEPTUNE POLICE DEPARTMENT,  
  
Defendants

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH COUNTY

DOCKET NO.: MON-L-4545-18

*Civil Action*

STIPULATION

This matter having been brought before this Court as a joint submission by Plosia Cohen, LLC, attorneys for Defendants Carrie C. Bartlett, Township of Neptune ("Township"), and Neptune Police Department ("Defendants"), and Hobbie Corrigan & DeCarlo, P.C., attorneys for Plaintiff Reshat O. Suboyu ("Plaintiff"), and good cause having been shown:

The parties agree and stipulate as follows:

1. Defendants admit that they are 100% liable for causing the subject motor vehicle crash with Plaintiff.
2. The parties agree that, as a result of the subject crash, Plaintiff was injured.
3. Defendants admit that they are 100% responsible for money damages for all of Plaintiff's injuries that are causally related to the subject motor vehicle crash, provided that one of Plaintiff's injuries satisfies the requirements of N.J.S.A. 59:9-2(d).

**CERTIFICATION**  
I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON MAY 13, 2019



Richard J. Cuttrell, Municipal Clerk

4. The parties have agreed that there is no need for additional discovery as to liability (since Defendants admit that they are 100% responsible for the subject crash); that said, discovery will proceed as to damages only.

5. Once sufficient discovery on the damages has been conducted, the parties agree to submit to voluntary Mediation.

6. The only issues to be addressed by the Mediator (or jury, if the parties are not successful in mediating this matter) are:

(1) the nature and extent of all injuries sustained by Plaintiff that are causally related to subject crash; and

(2) the amount of money damages that should be awarded to Plaintiff for his physical pain and suffering, emotional pain and suffering, disability, disfigurement, loss of enjoyment of life, and economic losses (e.g., any lost wages/potential loss of economic opportunity/liens/medical expenses).

IT IS on this \_\_\_\_\_ day of \_\_\_\_\_, 2019:

Norman M. Hobbie, Esq.  
Hobbie, Corrigan & DeCarlo, P.C.  
125 Wyckoff Road  
Eatontown, NJ 07724  
Attorneys for Plaintiff

Jonathan F. Cohen, Esq.  
Plasia Cohen LLC  
385 Route 24, Suite 3G  
Chester, NJ 07930  
Attorneys for Defendants

Norman M. Hobbie, Esq.

Jonathan F. Cohen, Esq.

Dated:

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #19-212 – 5/13/19

AUTHORIZE DEVELOPER'S AGREEMENT WITH SAKER SHOPRITES, INC.,  
BLOCK 802, LOT 1 (2200-2250 ROUTE 66)

WHEREAS, Saker Shoprites, Inc. is the Developer of property subject to an Amended Final Major Site Plan Approval by the Neptune Township Planning Board seeking to make certain improvements at 2200-2250 Route 66 a/k/a Block 802, Lot 1 on the Tax Map of the Township of Neptune; and

WHEREAS, Saker Shoprites, Inc., has agreed to enter into a Developer's Agreement with the Township of Neptune to guarantee the faithful performance of the obligations and representations associated with the application before the Planning Board of Neptune Township; and

WHEREAS, it is in the best interest of the citizens of the Township of Neptune to enter this Developer's Agreement with Saker Shoprites, Inc., to ensure the proper compliance and guaranteed performance of items and improvements made on said parcel,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the Mayor and Clerk are hereby authorized to execute the aforesaid Developer's Agreement with Saker Shoprites, Inc., a true copy of which is on file in the Office of the Municipal Clerk, for compliance with the Planning Board of Neptune Township's Resolutions #19-06, and representations upon submission and approval of all conditions arising from the aforesaid Resolution, and return the same to the Township Attorney for recording in the Clerk's office of Monmouth County; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Planning Board Administrative Officer and Township Engineer.

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-213 - 5/13/19

CONFIRM MAYOR'S APPOINTMENTS TO THE  
ENVIRONMENTAL/SHADE TREE COMMISSION

BE IT RESOLVED, that the Township Committee confirms the Mayor's appointment of the following individuals to the Environmental/Shade Tree Commission:

Jon Stocum to an unexpired three year term expiring December 31, 2019.

Gregory Sharin to an unexpired three year term expiring December 31, 2021.

Diane Allen as the Alternate #1 member to an unexpired two year term expiring December 31, 2020.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Secretary to the Environmental/Shade Tree Commission.

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #19-214 - 5/13/19

AWARD BID FOR IMPROVEMENTS TO NEPTUNE BOULEVARD

WHEREAS, on May 10, 2019, the Township Engineer received bids for the award of a contract for the Improvements to Neptune Boulevard; and,

WHEREAS, said bids were reviewed by the Township Engineer and Engineering Consultant who have recommended that the bid be awarded to the lowest bid submitted by Earle Asphalt Company; 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, a Transportation Trust Fund grant has been awarded to the Township for this project and the award of this contract is contingent upon approval by the New Jersey Department of Transportation; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 18-19 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 Earle Asphalt Company on their lowest responsible bid of \$449,413.13 for Improvements to Neptune Boulevard, contingent upon approval by the New Jersey Department of Transportation; 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.

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #19-215 – 5/13/19

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	1,136,748.71
GRANT FUND	38,855.21
TRUST FUND	28,499.66
GENERAL CAPITAL FUND	329,963.77
SEWER OPERATING FUND	34,499.20
SEWER CAPITAL FUND	7,304.42
MARINA OPERATING FUND	6,971.60
DOG TRUST	400.80
BILL LIST TOTAL	\$1,583,243.37

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

**CERTIFICATION**  
**HEREBY CERTIFY THE ABOVE TO BE A TRUE**  
**COPY OF A RESOLUTION ADOPTED BY THE**  
**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**NEPTUNE ON MAY 13, 2019**



**Richard J. Cuttrell, Municipal Clerk**

RESOLUTION #19-216 – 5/13/19

AUTHORIZE MEDIATION IN THE MATTER OF ELENA GONZALEZ V. TOWNSHIP OF NEPTUNE, ET ALS., IN THE SUPERIOR COURT OF NEW JERSEY, MONMOUTH COUNTY, DOCKET NO. MON-L-367-16 AND IN THE MATTER OF CHRISTINE SAVAGE V. TOWNSHIP OF NEPTUNE, ET ALS., IN THE SUPERIOR COURT OF NEW JERSEY, MONMOUTH COUNTY, DOCKET NO. MON-L-1528-16

WHEREAS, Elena Gonzalez filed a lawsuit against Neptune Township; Neptune Township Police Department; Michael Brantley, Nicholas Williams, Carol Rizzo, Robert Lane, Jr., Kevin McMillan, Michael J. Bascom and James M. Hunt, Robert Mangold and Michael McGhee, Anthony Gualario, Kevin O'Donnell and Scott Cox in the Superior Court of New Jersey, Law Division, Monmouth County under Docket No. MON-L-367-16 claiming, among other actions, "retaliation, harassment and discrimination;" and

WHEREAS, Christine Savage has filed a lawsuit against Neptune Township, Neptune Township Police Department, Michael Bascom, James Hunt, Robert Mangold, Michael McGhee, Anthony Gualario, Vito Gadaleta, Scott Cox and Kevin O'Donnell in the Superior Court of New Jersey, Law Division, Monmouth County, under Docket No. MON-L-1528-16, making similar claims to that of Plaintiff Gonzalez; and

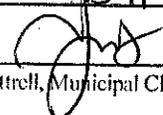
WHEREAS, it is the recommendation of the attorney for the Township and the insurance carrier representing the Township, Matthew P. Lyons, that this matter might be best addressed in a consolidated fashion through mediation, along with a companion case involving Kyheem Davis before a retired Superior Court Judge.

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, hereby authorize Matthew P. Lyons, Esq. on behalf of Neptune Township through the insurance carrier with regard to the Gonzalez and Savage case, and Thomas Kelly, Esq. on behalf of Neptune Township through the insurance carrier with regard to the Davis case, to proceed to mediation on behalf of Neptune Township in order to address all of the issues in the aforesaid cases involving Elena Gonzalez, Christine Savage and Kyheem Davis, subject to approval by the Township Committee by separate resolution of any agreed upon outcome with regard to the aforesaid mediation, if any; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Attorney, Police Committee, Chief of Police, Chief Financial Officer, Matthew P. Lyons, and Thomas Kelly.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 5/13/19

  
Richard J. Cuttrell, Municipal Clerk