

TOWNSHIP COMMITTEE MEETING – JUNE 14, 2021

Mayor Brantley called the meeting to order at 6:00 p.m. and requested the Clerk to call the roll. The following members were present: 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 May 27, 2021, 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 is posted on the Township web site (www.neptunetownship.org) and the meeting is being streamed live via townhallstreams.com.

The following items were discussed in open session:

Mr. Lane reminded the Committee that Neptune High School graduation is June 23rd. The ceremony will be held outside on the football field.

The Mayor stated that MURC will be holding a Juneteenth celebration in conjunction with Asbury Park on June 19th. A movie at Midtown Commons Park will also be offered on June 18th.

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

Mr. Lane offered the following resolution, moved and seconded by Mr. Cafferty, 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 – Update on AFSCME negotiations
Personnel – Police promotion to rank of Lieutenant
Personnel – Recommendations to fill two DPW Driver vacancies
Personnel – Police Department Promotional Policy

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 reviewed recommendations for promotion of a Police Officer to Lieutenant and for offers of employment to two individuals for the position of Driver. The Committee considered resolutions during the regular business portion of the meeting.

The Committee indicated that the Police Promotional Policy is still under review. The Committee took action at the regular business portion of the meeting to table the resolution.

The Committee discussed the results of interviews conducted by the Personnel Committee for the position of Director of Engineering and Planning. Given that only three individuals applied for the position, the Committee directed Mr. Gadaleta to repost the job for additional applicants. In addition, Mr. Gadaleta was instructed assign the immediate projects, such as grant applications, to firms in the Engineering Pool. He was also asked to prepare a RFQ to solicit firms for furnishing an

in-house Engineer.

The draft version of the cannabis ordinance will be furnished to the Committee members. The draft will be sent to the Planning Board for Master Plan consistency approval at their June 23rd meeting so that the Committee can consider the ordinance for adoption at the June 28th meeting.

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

Mayor Brantley called the regular meeting to order and 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 May 27, 2021, 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, ordinances, and resolutions are posted on the Township web site (www.neptunetownship.org) and the meeting is being streamed live via townhallstreams.com.

APPROVAL OF MINUTES

Mr. Williams offered a motion, seconded by Mr. Lane, to approve the minutes of the meeting held on May 24, 2021. All were in favor.

PROCLAMATION

Mayor Brantley issued a proclamation recognizing June 19th as Juneteenth Day in the Township of Neptune.

RESOLUTION TO PROMOTE POLICE OFFICER TO THE RANK OF LIEUTENANT

Police Chief James Hunt provided the qualifications of Det. Sgt. Paul Monahan and recommended his promotion to the rank of Lieutenant.

The Mayor requested public comments regarding this resolution. There were no comments.

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

WHEREAS, due to the retirement of Lt. Christopher Schembri, there is a vacancy in the rank of Lieutenant; and,

WHEREAS, the formal promotional process was followed and on December 9, 2020, an Eligibility List for the position of Lieutenant was issued; and,

WHEREAS, the Chief of Police has submitted a recommendation to promote a Sergeant to the rank of Lieutenant in a process consistent with the Department's Standard Operating Procedure for promotions pursuant to Police Accreditation Standard 2.3.1; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Sgt. Paul Monahan be and is hereby promoted to the rank of Lieutenant in the Police Department, at an annual salary as indicated in the F.O.P. Local #19 bargaining agreement, effective June 15, 2021; and,

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

Resources Director.

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

The Oath of Office was administered by Mayor Brantley.

COMMENTS FROM THE DAIS

Ms. York attended the Dream Center community event, the pasta dinner for Mayor Brantley and Mr. Williams, two other Democratic functions, the 50th anniversary dinner of the Shark River Hills First Aid Squad, and the Juneteenth ceremony and flag raising held on July 12th. She also helped to sort food drive donations at the Senior Center.

Mr. Cafferty attended the Hooked on Fishing, Not on Drugs annual event and the Juneteenth ceremony which was a great event.

Mr. Lane attended Memorial Day events. He recognized the two NJROTC scholarship winners: Nathan Edwards and Garrett Eastin. He also attended the Hooked on Fishing, Not on Drugs event and the Grand Opening of the Dream Center. He thanked Ms. York for organizing the Juneteenth celebration and flag raising. Mr. Lane announced the Pound the Pavement 5km run will be held on September 25th. He thanked the Senior Center staff for the recent food drive and stated full indoor activities will resume at the Center on July 1st with a bar-be-que held on that day. He announced that Emily Sonessa passed away. She, along with her wife, Jan Moore, was the subject of the 2016 "Love Wins" documentary.

Mr. Williams congratulated Ms. York for a fabulous job on the Juneteenth celebration event. The Municipal Court is still holding court via Zoom. The Public Works Department is doing summer season activities. The marina is buzzing with activity although there has been a lot of rain and wind so far. The Library Board of Trustees is meeting on June 15th and may review the status of the library opening.

Mayor Brantley attended the Shark River Hills Memorial Day Parade and the memorial service at Veterans Park. He attended the Dream Center opening and the LGBTQ flag raising at Town Hall on June 1st. He also attended the Juneteenth celebration and flag raising. He sat on a panel on African-American wealth via Zoom to discuss how the Black community can wealth build. He shared the perspective from the professional sector.

BUSINESS ADMINISTRATOR'S REPORT

Mr. Gadaleta provided an update on Township projects as follows:

- Seaview Island Living Shoreline Project to begin on July 6,
- Awaiting Army Corp of Engineers Permit for South Riverside Drive Living Shoreline Project
- Receiving grant for Bicycle Pump Track at Sunshine Village Park. Engineering will solicit quotes for design in anticipation of bidding
- Bikeway/Vista Project in Shark River Hills will be resubmitted to NJDEP for re-permitting after faulty notice
- Route 66 at Green Grove Road Redevelopment Plan currently being prepared. Public comment period will follow
- Gateway Redevelopment Area in Need (Routes 33 & 35) to be considered by the Township Committee this evening
- M&M Properties, former Coca Cola Site, at Asbury Circle, will be before the Planning Board in July for a new Aldi Supermarket and three commercial pad sites
- Redevelopment Committee has received a Preliminary Redeveloper Package for consideration to undertake the West Lake Avenue Redevelopment
- First three of the remaining 20 townhouses at Schoolhouse Square have been sold. Construction on the remaining 17 is in various stages of completion.

ADOPT STANDARD OPERATING PROCEDURE FOR PROMOTION IN THE POLICE DEPARTMENT - TABLED

Mr. Williams offered a motion, seconded by Ms. York, to table a resolution to "Adopt Standard Operating Procedure for promotion in the Police Department". All were in favor.

PUBLIC COMMENTS ON RESOLUTIONS

Mayor Brantley asked for public comments regarding resolutions presented on this agenda only and they were as follows:

Hank Coakley, Valley Road, asked for the scope of the dredging at the Municipal Marina. Mr. Gadaleta replied that permits are being obtained and the project covers the area at and around the boat slips to a depth as approved for the previous dredging.

ORDINANCE NO. 21-22 - ADOPTED

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

ORDINANCE NO. 21-22

AN ORDINANCE REPEALING ORDINANCE NO. 08-33 ADOPTING A REDEVELOPMENT PLAN FOR THE ROUTE 35 AND WEST BANGS AVENUE AREA (CURRENTLY DESIGNATED ON THE TAX MAP AS BLOCK 808, LOTS 5, 6, 7 and 8 AND FORMERLY DESIGNATED ON THE TAX MAP AS BLOCK 249, LOTS 1, 4, 5, 6, AND 10.1; AND BLOCK 250, LOTS 1.01 AND 3) LOCATED IN THE TOWNSHIP OF NEPTUNE, COUNTY OF MONMOUTH, NEW JERSEY

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

Dianna Harris, Willow Drive asked for clarification of the ordinance. Mr. Gadaleta replied that this is the former Dente Fence site. At the time, a redevelopment zone was an idea to move the used car dealerships further north on Route 35. Since that time, new zoning was approved for this area so the underlying zoning will replace the redevelopment zone which will be repealed by this ordinance. The owner of the property would have to appear before the Planning or Zoning Board with any site plan application.

There being no further comments, the Mayor 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. 21-25- ADOPTED

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

ORDINANCE NO. 21-25

AN ORDINANCE TO AMEND VOLUME I, CHAPTER II, OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING SECTION 2-49 TO CREATE THE NEPTUNE TOWNSHIP ADVISORY COMMITTEE ON SUSTAINABLE PRACTICES ALSO KNOWN AS THE "GREEN TEAM"

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. 21-26 - ADOPTED

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

ORDINANCE NO. 21-26

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A PUMP TRACK BICYCLE AND SKATEBOARD RECREATIONAL FACILITY WITHIN SUNSHINE VILLAGE PARK, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$380,000 (INCLUDING A MONMOUTH COUNTY OPEN SPACE TRUST FUND GRANT EXPECTED TO BE RECEIVED IN THE AMOUNT OF \$250,000) THEREFOR AND AUTHORIZING THE ISSUANCE OF \$123,500

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. 21-27 - ADOPTED

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

ORDINANCE NO. 21-27

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE
CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A MULTI-
WAY STOP INTERSECTION AT THE INTERSECTION OF
STOCKTON AVENUE AND PENNSYLVANIA 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. 21-28 - APPROVED

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

ORDINANCE NO. 21-28

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 CLARK
AVENUE

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

ORDINANCE NO. 21-29 - APPROVED

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

ORDINANCE NO. 21-29

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A
TELEPHONE SYSTEM, VIDEO SURVEILLANCE SYSTEMS,
COMPUTERS, SERVERS, AND OTHER TECHNOLOGY
IMPROVEMENTS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN
THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY;
APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$95,000 BONDS OR NOTES OF THE TOWNSHIP
TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 21-30 - APPROVED

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

ORDINANCE NO. 21-30

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS AND MUNICIPAL FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

The ordinance was approved on the following vote: Cafferty, aye; Lane, aye, adding that the Broadway memorial needs repair work; Williams, aye; York, aye; and Brantley, aye, adding the front steps of the Municipal Building are in poor condition.

ORDINANCE NO. 21-31 - APPROVED

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

ORDINANCE NO. 21-31

BOND ORDINANCE PROVIDING FOR PHASE II (GENERAL) OF THE PUBLIC WORKS FACILITY IMPROVEMENT PROGRAM, INCLUDING THE CONSTRUCTION AND RECONSTRUCTION OF MUNICIPAL FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,520,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 21-32 - APPROVED

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

ORDINANCE NO. 21-32

BOND ORDINANCE PROVIDING FOR PHASE II (SEWER UTILITY) OF THE PUBLIC WORKS FACILITY IMPROVEMENT PROGRAM, INCLUDING THE CONSTRUCTION AND RECONSTRUCTION OF MUNICIPAL FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$570,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 21-33 - APPROVED

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

ORDINANCE NO. 21-33

BOND ORDINANCE PROVIDING FOR VARIOUS SANITARY SEWER INFRASTRUCTURE IMPROVEMENTS, INCLUDING TO THE CLINTON AVENUE FORCE MAIN, SEAVIEW ISLAND PUMP STATION, AND NEW YORK ROAD PUMP STATION, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$760,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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 21-28 through 21-33 will be held on Monday, June 28, 2021.

CONSENT AGENDA

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

PLACE LIEN ON PROPERTY (425 SOUTH RIVERSIDE 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 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>
5408/17	425 South Riverside Drive	\$1,265.00

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, on April 12, 2021, the Township Committee adopted Resolution #21-159 which authorized an offer of employment to Cristian Sevilla for the position of full-time Emergency Medical Technician in the EMS Department; and,

WHEREAS, Cristian Sevilla has since declined the full-time position but desires to work in a part-time capacity in the same position; and,

WHEREAS, the EMS Director and Human Resources Director have recommended that he be employed in a part-time capacity; 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 Cristian Sevilla be and is hereby employed as a part-time Emergency Medical Technician, effective immediately, contingent upon successful completion of a 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 Director, Chief Financial Officer, Assistant C.F.O, Human Resources Director.

AUTHORIZE AN AMENDMENT TO THE 2021 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or

municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2021 in the sum of \$5,287.86 which is now available from a State Body Armor Replacement Fund Program Grant in the amount of \$5,287.86; and,

BE IT FURTHER RESOLVED that the like sum of \$5,287.86 is hereby appropriated under the caption of 2020 Body Armor Replacement Fund Grant; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Law & Public Safety – FY2020 State Body Armor Replacement Fund (BARF) Program in the amount of \$5,287.86; and,

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

AUTHORIZE TEMPORARY STREET CLOSURE IN CONNECTION WITH THE JUNETEENTH YOUTH PARADE

WHEREAS, the Black History Month Committee is holding a Youth Parade on June 19, 2021 as part of its Juneteenth Celebration; and,

WHEREAS, it is necessary to temporarily close West Lake Avenue between Route 35 and the Asbury Park border; and,

WHEREAS, the Police Department has reviewed and approved this street closure,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the temporary closure of West Lake Avenue between 12:45 p.m. and 1:45 p.m. on Saturday, June 19, 2021; and,

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

AUTHORIZE TEMPORARY STREET CLOSURE IN CONNECTION WITH THE ART FAIR AT THE MUNICIPAL MARINA

WHEREAS, an Art Fair has been scheduled at the Municipal Marina patio space on August 7, 2021; and,

WHEREAS, it is necessary to temporarily close Melrose Avenue between Valley Road and South Riverside Drive; and,

WHEREAS, the Police Department has reviewed and approved this street closure,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the temporary closure of Melrose Avenue between 10:00 a.m. and 3:00 p.m. on Saturday, August 7, 2021; and,

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

AUTHORIZE TEMPORARY STREET CLOSURES IN CONNECTION WITH THE JERSEY SHORE ARTS CENTER 5KM RUN

WHEREAS, the Jersey Shore Arts Center is holding its annual Run for the Arts 5km run on Saturday, September 18, 2021; and,

WHEREAS, it is necessary to temporarily close portions of Main Avenue, Ocean Avenue and Broadway for the safety of the runners; and,

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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates temporary street closures on the following streets between 8:00 A.M. and 9:00 A.M. (or until such time as the last runner passes) on Saturday, September 18, 2021:

- 1) Eastbound Main Avenue – entire length
- 2) Northbound Ocean Avenue between Main Avenue and Ocean Pathway
- 3) Pilgrim Pathway between Surf Avenue and McClintock Street
- 4) Eastbound Broadway between Central Avenue and Ocean Avenue
- 5) Central Avenue between Broadway and Pilgrim Pathway
- 6) Fletcher Lake Drive – entire length

(Entry points into Ocean Grove at Stockton Avenue, Pennsylvania Avenue and Broadway will be subject to temporary closure as runners pass)

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

AUTHORIZE TOWNSHIP ENGINEERING CONSULTANT TO PROVIDE PERMITTING SERVICES FOR MAINTENANCE DREDGING AT THE MUNICIPAL MARINA

WHEREAS, the Township of Neptune desires to initiate the process to obtain a permit from the NJDEP to allow for maintenance dredging at the Shark River Municipal Marina; and,

WHEREAS, it is necessary for a Township Engineer Consultant to perform professional engineering services including a bathymetric survey, sediment sampling and analysis, and fish habitat assessment in connection with this project; and,

WHEREAS, the Township Engineer solicited proposals for said services from each engineering firm in the 2021 engineering pool; and,

WHEREAS, Leon S. Avakian, Inc. submitted the lowest quote and has experienced in this type of work; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 20-22, 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 Leon S. Avakian, Inc. to perform the services as stated herein as Township Engineering Consultant, said proposal on file in the Office of the Municipal Clerk, at an amount not to exceed \$39,550.00 for the permitting phase of a maintenance dredging project at the Shark River Municipal Marina; and,

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

AUTHORIZE EXECUTION OF A GRANT AWARD FROM THE ASSOCIATION OF NJ ENVIRONMENTAL COMMISSIONS

WHEREAS, the Environmental/Shade Tree Commission has received notification of a 2021 Open Space Stewardship Project grant award from the Association of NJ Environmental Commissions in the amount of \$1,000.00 for costs associated with the creation of a rain garden on Township acquired property on South Riverside Drive; and,

WHEREAS, the Environmental/Shade Tree Commission has recommended that the grant be accepted,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a 2021 Open Space Stewardship Project Grant Award Offer from the Association of NJ Environmental Commissions in the amount of \$1,000.00 to create a rain garden on Township acquired property on South Riverside Drive; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Grant Coordinator and Environmental/Shade Tree Commission Secretary.

AUTHORIZE AN AMENDMENT TO THE 2021 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE ASSOCIATION OF NJ ENVIRONMENTAL COMMISSIONS

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government

Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2021 in the sum of \$1,000.00 which is now available from an Association of NJ Environmental Commissions 2021 Open Space Stewardship Project Grant in the amount of \$1,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$1,000.00 is hereby appropriated under the caption of 2021 Association of NJ Environmental Commissions Grant; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the Association of NJ Environmental Commissions Grant – 2021 Open Space Stewardship Project in the amount of \$1,000.00; and,

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

AUTHORIZE RETURN OF DONATED EMERGENCY MEDICAL SERVICES VEHICLE TO THE NEW JERSEY EMERGENCY MEDICAL SERVICES TASK FORCE FOR ASSIGNMENT TO THE TOWNSHIP OF BRICK

WHEREAS, the New Jersey Emergency Medical Services Task Force (NJEMSTF) donated a 2005 Freightliner truck to the Township of Neptune for use by the Township’s Emergency Medical Services; and,

WHEREAS, the NJEMSTF has provided a new vehicle to the Township to replace the 2005 Freightliner and has requested it be returned for assignment to the Township of Brick,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the return of a donated 2005 Freightliner Truck VIN#1FVACYDJ95HU12346 to the Township of Brick at no cost; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the OEM Coordinator and EMS Director.

AUTHORIZE RENEWAL OF LIQUOR LICENSES FOR THE 2021-2022 LICENSING YEAR

WHEREAS, the following liquor licensees have completed the on-line Alcoholic Beverage Control renewal application, paid the required state and local fees, been reviewed by the Neptune Township Police Department, and has been issued a New Jersey State Sales Tax Clearance Certificate by the State Division of Taxation,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses, and Club Licenses in the Township of Neptune be and are hereby renewed for the period July 1, 2021 to June 30, 2022:

<u>PLENARY RETAIL CONSUMPTION LICENSES</u>		
<u>LICENSE NUMBER</u>	<u>NAME</u>	<u>ADDRESS</u>
1334-33-004-006	Ruby Tuesday, Inc.	Inactive
1334-33-007-004	Garden Bar Liquors t/a Sprengel’s Sports Bar	2447 Route 33
1334-33-008-019	MJS Enterprises Neptune LLC t/a Simko’s Grill	1311 Route 35
1334-33-010-007	Jumping Brook Spirits, Inc. t/a Jumping Brook Spirits	3701 Route 33

1334-33-011-003	35 Brew Inc., t/a Headliner	1401 Route 35
1334-33-013-004	Mom's Kitchen, Inc. t/a Il Posto	1129 5th Avenue
1334-32-014-012	Saker Shop-Rites, Inc, t/a ShopRite Liquors and Wines of Neptune	2200 Route 66
1334-33-019-008	Brick House Acquisition NJ, LLC t/a Brick House Tavern & Tap	3655 Route 66
1334-32-020-007	Chens Group, Inc. t/a Sunsets	302 South Concourse
1334-33-021-005	Ayles Corp., t/a "Shore Lanes"	701 Route 35
1334-33-023-009	Neptune Ale House, LLC t/a MJ's	3295 Route 66
1334-33-024-005	Foxybella, LLC t/a The Grand Tavern	1105 6 th Avenue
1334-32-025-011	Ferrinella, LLC t/a Delvetto's	3705 Route 33
1334-33-026-007	Matrix/Jumping Brook, LLC t/a Jumping Brook Golf & Country Club	210 Jumping Brook Rd
1334-36-037-003	One NJ Neptune 230 Management, LLC t/a Residence Inn	230 Jumping Brook Rd
1334-36-038-001	Longwood Hospitality, LLC t/a Hampton Inn & Suites	4 McNamara Way

PLENARY RETAIL DISTRIBUTION LICENSES

<u>LICENSE NUMBER</u>	<u>NAME</u>	<u>ADDRESS</u>
1334-44-001-004	Karan NJ Inc. t/a "Rick's Wines & Liquors Store"	2832 West Bangs Ave
1334-44-006-005	Jai Durga Ma, Inc. t/a Guy's Package Store	1417 Corlies Avenue
1334-44-015-003	Prit & Prisha, Inc. t/a Discount Liquor Warehouse	1611 Asbury Avenue

CLUB LICENSES

<u>LICENSE NUMBER</u>	<u>NAME</u>	<u>ADDRESS</u>
1334-31-027-001	Frederick Dempsey Post No. 266 American Legion	240 Drummond Ave.
1334-31-029-003	Shark River Beach & Yacht Club, Inc.	360 S. Riverside Dr.
1334-31-032-001	Neptune Township American Legion Post #346	21 Gully Road
1334-31-035-001	Lodge 128 BPOE of the USA, Inc.	3409 West Bangs Ave.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed electronically with the Division of Alcoholic Beverage Control and in the file of each Licensee in the Office of the Municipal Clerk.

AUTHORIZE RENEWAL OF THE LIQUOR LICENSE HELD BY KRENKEL-LIQUORS, INC. T/A KRENKEL LIQUORS FOR THE 2021-2022 LICENSING YEAR

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Plenary Distribution Consumption License known as 1334-44-009-005 be renewed to Krenkel-Liquors, Inc. t/a Krenkel Liquors, located at 700 Highway 35 for the 2021-2022 licensing year under the following

conditions (continued from the prior licensing period):

1) There will be no ingress and egress for customers of the liquor store and the main food store within the building. The only ingress and egress of the liquor store will be from the outside of the building. Employees of Krenkel's may utilize a door, or common counter area only to be utilized by employees of Krenkel's, within the subject building for ingress and egress between the two businesses.

2) A surveillance camera will be installed on the outside of the building to monitor the package goods store. Alternatively, a camera installed on the inside of the store will suffice so long as it monitors the outside of the store.

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

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT (26 McCLINTOCK STREET)

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
144	9	ORR	26 MC CLINTOCK ST	2021	3646.14

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

AUTHORIZE AN AMENDMENT TO THE 2021 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION – CLEAN COMMUNITIES PROGRAM

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2021 in the sum of \$68,182.80 which is now available from the NJDEP Clean Communities Program in the amount of \$68,182.80; and,

BE IT FURTHER RESOLVED that the like sum of \$68,182.80 is hereby appropriated under the caption of NJDEP – Clean Communities Program 2020; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Environmental Protection Clean Communities Program in the amount of \$68,182.80; and,

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

GRANT UNPAID LEAVE OF ABSENCE UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, Diana Pajak, Department Secretary in the Code/Construction Department, has requested an unpaid leave of absence under the provisions of the Family Medical Leave Act; and,

WHEREAS, the Human Resources Director has approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that Diana Pajak, Department Secretary in the Code/Construction Department, is hereby granted an

unpaid leave of absence under the provisions of the Family Medical Leave Act from April 13, 2021 to July 6, 2021; and,

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

GRANT UNPAID LEAVE OF ABSENCE UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, David Stempien, Engineering Technician in the Engineering Department, has requested an unpaid leave of absence under the provisions of the Family Medical Leave Act; and,

WHEREAS, the Human Resources Director has approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that David Stempien, Engineering Technician in the Engineering Department, is hereby granted an unpaid leave of absence under the provisions of the Family Medical Leave Act from May 12, 2021 to July 19, 2021; and,

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

DESIGNATE OFFICIAL AND POINT OF CONTACT FOR THE AMERICAN RESCUE PLAN GRANT

WHEREAS, the Township will be receiving grant funding through the American Rescue Plan; and,

WHEREAS, the grant program requires the appointment of a Designated Official to execute the grant as well as a municipal Point of Contact for the program,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that Michael J. Bascom, Chief Financial Officer, is hereby designated as the "Designated Official" and Alexis Perez, Administrative Assistant to the C.F.O. as the "Point of Contact" for matters and documents relating to the American Rescue Plan grant; and,

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

AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH INTERFAITH NEIGHBORS, INC. TO PROVIDE CONGREGATE MEALS AT THE NEPTUNE SENIOR CENTER

WHEREAS, Interfaith Neighbors, Inc., provides noon-time meal services to senior citizens at the Neptune Senior Center; and,

WHEREAS, Interfaith Neighbors, Inc., wishes to continue the engagement of services of Neptune Township and Neptune Township wishes to continue to provide services to Interfaith Neighbors and to the senior citizens who participate in this program at the Neptune Senior Center; and,

WHEREAS, Interfaith Neighbors, Inc. will provide payment to the Township of Neptune in the amount of \$1,984.00 per month for kitchen staff,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk are hereby authorized to execute an agreement with Interfaith Neighbors, Inc. to provide noon-time meals to senior citizens at the Neptune Senior Center for the year 2021 and payment at the rate of \$1,984.00 per month to the Township; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Senior Center Director, Chief Financial Officer, and Grant Coordinator.

AUTHORIZE REPAIR OF STORM WATER PIPE AND HEADWALL IN VICINITY OF 8 SHOREBROOK CIRCLE

WHEREAS, there is a failure at the junction of an existing 18" storm drain pipe and the headwall to the rear of 8 Shorebrook Circle; and,

WHEREAS, the Assistant Township Engineer recommends repair be made and has obtained quotes from potential contractors; and,

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

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

WHEREAS, funds for this purpose will be provided in Ordinance No. 19-29, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Lucas Construction Group be and is hereby authorized to make the necessary repairs to the storm wall pipe and headwall to the rear of 8 Shorebrook Circle pursuant to their quote of \$28,000.00; and,

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

REJECT ALL BIDS FOR SOUTH RIVERSIDE DRIVE BICYCLE AND PEDESTRIAN PATH

WHEREAS, on October 27, 2020, the Township Engineer received bids for the award of a contract for the South Riverside Drive Bicycle and Pedestrian Path; and,

WHEREAS, funding was received for this project through a New Jersey Department of Transportation Federal Aid TAP Grant; and,

WHEREAS, on December 21, 2020, the Township Committee adopted Resolution #20-419 which awarded the bid to Albert Marine Construction, later amended by adoption of Resolution #21-59 on January 1, 2021, to reflect the correct bid amount of \$447,749.55, contingent upon approval by the New Jersey Department of Transportation; and

WHEREAS, the Township received a letter from the New Jersey Department of Transportation, dated January 8, 2021, which stated that the federally required Form CR-266 submitted by Albert Marine Construction was non-compliant, all other bidders were also non-compliant, and the Township should rebid the project; and,

WHEREAS, on March 3, 2021, the Township received bids for the award of a contract for the project; and,

WHEREAS, since that time, the NJDEP rescinded the permits for the project and are requiring that the Township repeat the permitting process; and,

WHEREAS, as a result, the Township will be unable to award a contract from the bids received on March 3, 2021 and plans to resubmit for permits and once again put the project out to bid,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that all bids received on March 3, 2021 for the award of a contract in connection for the South Riverside Drive Bicycle and Pedestrian Path be and are hereby rejection due to the rescinding of the project permits by the NJDEP; and,

BE IT FURTHER RESOLVED, that the appropriate Township Departments are hereby authorized to resubmit the project to the NJDEP for applicable permits and upon receipt of permits, rebid the project; and,

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

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 2021 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 June 15, 2021 to September 15, 2021, not to exceed forty (40) hours per week, at a salary of \$15.00 per hour with no health benefits:

Christopher Newsome
Nathaniel Parkman

Olayi Okpanachi
Erick Garrett

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.

AUTHORIZE DIRECT INSTALL GAS/ELECTRIC ASSESSMENT AT THE PUBLIC WORKS BUILDING

WHEREAS, the Township desires to authorize a New Jersey Clean Energy Program Direct Install Gas/Electric Assessment at the Public Works Building to realize energy efficiency and cost savings; and,

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

WHEREAS, the NJ Board of Public Utilities has approved Hutchinson Mechanical Services as the Contractor for Monmouth County; and,

WHEREAS, funds for this purpose will be provided in the 2021 municipal budget in the appropriations entitled Electric Utility O.E. and Natural Gas Utility, 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 Hutchinson Mechanical Services be and is hereby authorized to perform a New Jersey Clean Energy Program Direct Install Gas/Electric Assessment at the Public Works Building to identify and replace eligible equipment at an amount not to exceed \$23,000.00; and,

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

AUTHORIZE AN AMENDMENT TO THE 2021 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE MUNICIPAL COURT ALCOHOL EDUCATION, REHABILITATION AND ENFORCEMENT PROGRAM

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2021 in the sum of \$9,996.75 which is now available from the Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund in the amount of \$9,996.75; and,

BE IT FURTHER RESOLVED that the like sum of \$9,996.75 is hereby appropriated under the caption of Alcohol Education, Rehabilitation and Enforcement Fund; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Courts Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund in the amount of \$9,996.75; and,

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

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

DESIGNATE CERTAIN AREAS ALONG ROUTES 33 AND 35, KNOWN INFORMALLY AS THE TOWNSHIP CROSSROADS AND IDENTIFIED AS BLOCK 1106, LOTS 1-7 AND LOTS 8-17 ON THE TAX MAP OF THE TOWNSHIP OF NEPTUNE AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT

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

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., the Township Committee may direct the Planning Board to conduct an investigation and public hearing to recommend whether certain areas within the Township are in need of redevelopment pursuant to the procedures set forth at N.J.S.A. 40A:12A-6; and

WHEREAS, pursuant to the Local Redevelopment and Housing Law, the Township Committee of the Township of Neptune (the "Township Committee"), on January 11, 2021, adopted Resolution #21-68 amending previously adopted Resolution #21-361, and authorized and directed the Township of Neptune Planning Board (the "Planning Board") to undertake a preliminary investigation to determine whether certain areas along Routes 33 and 35, known informally as the Township Crossroads and identified as Block 1106, Lots 1-7 and Lots 8-17 (collectively, Lots 1-17) on the Tax Map of the Township of Neptune, qualify as an area in need of redevelopment (non-condemnation) pursuant to the Local Redevelopment and Housing Law; and

WHEREAS, Jennifer C. Beahm, PP, AICP of Leon S. Avakian Inc. Consulting Engineers conducted an investigation and prepared a report entitled "Area in Need of Redevelopment Investigation Report" dated February 2021 (the "Study") pertaining to those certain areas along Routes 33 and 35 identified collectively as Block 1106, Lots 1-17 on the Tax Map of the Township of Neptune (the "Study Area"); and

WHEREAS, the Study was prepared by analyzing the applicability of the statutory criteria under N.J.S.A. 40A:12A-5 to the Study Area, the boundaries of which are set forth on a map contained with the Study; and

WHEREAS, after public notice required by law was published and mailed in accordance with N.J.S.A. 40A:12-6, including by regular and certified mail to the owner(s) of the property within the Study Area, on February 24, 2021, the Township of Neptune Planning Board (the "Planning Board") conducted a public hearing to receive the comments of the public regarding the Study and the proposed designation of the Study Area as a non-condemnation redevelopment area (the "Planning Board Hearing"); and

WHEREAS, at the Planning Board Hearing, Ms. Beahm presented the Study and the findings thereof, concluding that the Study Area met the criteria for an area in need of redevelopment under N.J.S.A. 40A:12A-5(h) and N.J.S.A. 40A:12A-3; and

WHEREAS, at the Planning Board Hearing, members of the public, property owners and persons interested in the investigation were permitted the opportunity to present testimony and objections regarding, *inter alia*, the Study; and

WHEREAS, the Planning Board considered the Study and the presentation thereof as well as other such pertinent information pertaining to the Study Area; and

WHEREAS, on March 24, 2021, the Planning Board adopted Resolution No. 21-07 recommending that Block 1106, Lots 1-17 on the Tax Map of the Township of Neptune be designated as a non-condemnation area in need of redevelopment, which Resolution is incorporated herein by reference; and

WHEREAS, this Resolution further incorporates by reference all documents submitted into the record, including the Study, as well as the presentation thereof and any related comments or testimony provided at the Planning Board Hearing as though same were set forth at length herein; and

WHEREAS, the Township Committee has considered the Study and all documents, comments or testimony presented to the Planning Board as well as the recommendation of the Planning Board that Block 1106, Lots 1-17 on the Tax Map of the Township of Neptune be designated as a non-condemnation area in need of redevelopment.

NOW, THEREFORE, BE RESOLVED, by the Township Committee of the Township of Neptune, as follows:

1. The Township Committee finds, consistent with the findings of the Planning Board, as follows:
 - a. The Study Area includes the southwest corner of Routes 33 and 35, also bounding 10th Avenue and Lafayette Avenue.
 - b. The Study Area is within a commercial zone and includes commercial lots, lots that are classified as vacant, a lot that is classified as public use, and certain lots that are currently used as residential parcels.
 - c. Based upon the detailed property analysis in the Study, the conclusions of which are accepted and incorporated herein as if set forth at length, the findings of the Planning Board, and the public presentation of Jennifer C. Beahm, PP, AICP of Leon S. Avakian Inc. Consulting Engineers, the parcels comprising Block 1106, Lots 1-17 meet the statutory criteria set forth in N.J.S.A. 40A:12A-5(h) for the designation of a non-condemnation area in need of redevelopment, including the following: *“the designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation,”* N.J.S.A. 40A:12A-5(h).
2. The Township Committee hereby determines that Block 1106, Lots 1-17 on the Tax Map of the Township of Neptune should be and hereby are designated as a non-condemnation area in need of redevelopment, as provided in N.J.S.A. 40A:12A-5(h) (setting forth the criteria) and N.J.S.A. 40A:12A-3 (defining “area in need of redevelopment”).
3. The Township Clerk shall forthwith transmit a copy of this Resolution to the Commissioner of Community Affairs for review, in accordance with N.J.S.A. 40A:12A-6.
4. Within ten (10) days of the adoption of this Resolution, the Township Clerk shall further serve a notice of the determination of the Township Committee to designate the Study Area (Block 1106, Lots 1-17 on the Tax Map of the Township of Neptune) as a non-condemnation area in need of redevelopment upon all record owners of property located within the delineated area, those whose names are listed on the tax assessor’s records, and upon each person, if any, who filed a written objection thereto and supplied an address to which notice can be sent.

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

EXTEND OFFERS OF EMPLOYMENT FOR THE POSITION OF DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, there are vacancies in the position of Driver in the Public Works Department; and,

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

WHEREAS, the Human Resources Director and Public Works Director have made their recommendation; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an offer of employment be and is hereby extended to Kavon McMillon and Qua’dry Lyons for the position of Class A Driver in the Department of Public Works at an annual salary of \$32,200.00, on a probationary basis for a period of not less than 90 days and not exceeding one year, contingent upon favorable results of the required pre-employment testing, effective June 21, 2021; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Public Works Director, Chief Financial Officer, Assistant C.F.O., AFSCME Local #2792, and Human Resources Director.

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

AUTHORIZE SETTLEMENT IN THE MATTER OF ALEXANDER MOSS, JR. v. NEPTUNE TOWNSHIP IN THE UNITED STATES BANKRUPTCY COURT, DISTRICT OF NEW JERSEY

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

WHEREAS, Plaintiff, as part of the Chapter 13 Bankruptcy matter, obtained an Order on February 27, 2013, directing that Plaintiff's driving privileges be restored to the extent that any suspension was based on a pre-petition charge; and

WHEREAS, a discharge was entered in Plaintiff's bankruptcy matter on November 29, 2016 and Neptune Township Municipal Court was notified of the same; and

WHEREAS, in August, 2017, the Neptune Township Municipal Court entered an Order directing the motor vehicle commission to suspend the debtor's driving privileges due to breach of pre-payment agreements stemming from violations subject to the aforesaid Bankruptcy Order; and

WHEREAS, Plaintiff brought a claim for damages due to the continuing suspension of his driver's license in alleged violation of debtor's rights under the Bankruptcy Code and applicable State Law; and

WHEREAS, Special Counsel assigned to the aforesaid case, Michael Celli, Jr., Esq., has recommended a settlement of all damage claims brought by the Plaintiff in the amount of \$24,900.00, and believes that it is in the best interest of the Township of Neptune to settle the aforesaid claims for the aforesaid amount.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, that the governing body hereby authorizes a settlement of the case of Alexander Moss, Jr. v. Township of Neptune, US Bankruptcy No. 12-38448 in the amount of \$24,900.00; and,

BE IT FURTHER RESOLVED, that this settlement authorization is made without prejudice with regard to any changes or actions taken by the Plaintiff prior to agreement to this settlement, and Neptune Township does not admit any guilt or liability with regard to the claims made by the Plaintiff; and,

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

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

AUTHORIZE SETTLEMENT IN THE MATTER OF SWAIN TIRRELL NORFLETT v. NEPTUNE TOWNSHIP IN THE UNITED STATES BANKRUPTCY COURT, DISTRICT OF NEW JERSEY

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

WHEREAS, Plaintiff filed a Chapter 13 Petition in Bankruptcy on June 17, 2015, and on August 21, 2015 the Bankruptcy Court issued an Order voiding all prior Orders of Suspension of Plaintiff's driver's license for non-payment of pre-petition fines, with notice being sent to the Neptune Municipal Court on September 1, 2015; and

WHEREAS, notwithstanding the Bankruptcy Court's Order, the Neptune Township Municipal Court continued their collection efforts through suspensions, traffic stops and arrest of the Plaintiff, leading to Plaintiff's present claims of damages as a result of the Municipal Court's actions in violation of the U.S. Bankruptcy Court's Stay; and

WHEREAS, Special Counsel assigned to the aforesaid case, Michael Celli, Jr., Esq., has recommended a settlement in this matter in the amount of \$24,900.00, and believes that it is in the best interest of the Township of Neptune to settle the aforesaid claims for the aforesaid amount.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, that the governing body hereby authorizes a settlement of the case of Swain Tirrell Norflett v. Township of Neptune, US Bankruptcy No. 15-21386 in the amount of \$24,900.00; and,

BE IT FURTHER RESOLVED, that this settlement authorization is made without prejudice with regard to any changes or actions taken by the Plaintiff prior to agreement to this settlement, and Neptune Township does not admit any guilt or liability with regard to the claims made by the Plaintiff; and,

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

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. Lane, that it be adopted:

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

CURRENT FUND	1,740,311.28
GRANT FUND	36,840.86
TRUST FUND	22,763.54
GENERAL CAPITAL FUND	65,990.81
SEWER OPERATING FUND	149,311.90
SEWER CAPITAL FUND	21,380.43
MARINA OPERATING FUND	18,192.07
LIBRARY TRUST	268.74
 BILL LIST TOTAL	 \$2,055,059.63

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

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. Comments were as follows:

Kathy Bray, 1804 MacBride Avenue, thanked Mr. Gadaleta for having the burned out houses torn down. She stated that at 1825 MacBride Avenue, there are tree branches hanging on to the porch from the neighboring property. Mr. Gadaleta stated he would check to see who owns the adjoining property and then contact Code Enforcement.

A resident of Drummond Avenue stated that speed bumps were needed on that street. There is speeding and drag racing occurring. The resident spoke about a drain basin at Milton and Drummond that doesn't connect to a pipe so the rain sits at that corner. Also, lighting is needed on Drummond between West Lake and Bangs Avenues. Mr. Gadaleta stated that he will look into the drainage matter and have the Police Department conduct a lighting survey.

The Operator of Doc's Distillery on 6th Avenue asked if the special covid outdoor dining permit could continue through November. He is submitting an application for a zoning variance to get outdoor dining approved permanently but cannot get on a Board of Adjustment meeting until November. Mr. Cafferty suggested that if an application is filed, the Township should consider a temporary extension until the application can be heard. Mr. Gadaleta stated that the Committee could extend the outdoor dining permit through the end of the year consistent with the ABC license

regulations.

Hank Coakley, Valley Road, stated that the center line of Neptune Blvd still needs to be painted in the area of Shop-Rite, vehicles need to turn on all vehicle lights when it is raining, and signs are needed on overpasses to designate the name of the road. Mr. Gadaleta stated that the Township is getting quotes for a line stripper to do multiple streets in the Township.

Dianna Harris, 17 Willow Drive, asked that the new Green Team consider a beautification project on Neptune Blvd. She asked that attention be given to the following items: broken bench on West Lake Avenue, overgrown grass/weeds at Route 33 and Ridge Avenue, need for a public garbage can at George Street and Monroe Avenue. She asked that the Redevelopment Committee consider including Patricia Monroe when meeting with potential redevelopers for West Lake Avenue. She asked for the current value of the property owned by the Township on West Lake Avenue. Mr. Gadaleta answered about \$2 million. Ms. Harris asked for enforcement on the requirement for mufflers on vehicles.

Andy Levine, 98 Mt. Tabor Way, asked for the next steps in regards to the recent Ocean Grove parking study. Mr. Gadaleta stated the financials in the report were reviewed and in some cases clarified. The Committee has looked at various options. He met with the Command Staff in the Police Department regarding a three hour parking limitation in the business district. Chalking of tires has been deemed illegal by the courts so the option would be paid parking kiosks. There would need to be permission granted by the Ocean Grove Camp Meeting Association if kiosks were to be installed on the sidewalk. Mr. Levine stated the need to create a working group to come up, led by the Township administration, to come up with parking solutions. This group should include the Better Parking Alliance, Camp Meeting Association, Chamber of Commerce and Homeowners Association. Mr. Cafferty and Ms. York offered to represent the Township in such a group. The Mayor asked Mr. Gadaleta to come up with some dates for the first meeting.

Barbara Burns, stated that the Township has to take the lead in the parking group because the Township would be the entity to implement anything that will be done. The Kimley Horn report contained some speculation and a lot of variables. The report is just recommendations so the Committee has a lot of freedom in how to interpret the report.

Nancy Clarke, 47 Embury Avenue, thanked Mr. Gadaleta for his report. She asked for the status of Mr. Gadaleta's replacement. The Mayor stated that there is no search taking place as of yet. Ms. Clarke replied that is disconcerting since Mr. Gadaleta is leaving at the end of the year. She is favor of restoring the ability to allow resident participation in Committee meetings from home. There are seniors and others who cannot physically get to Town Hall to participate. Mr. Anthony replied that the Open Public Meetings Act envisions that people attend meetings. The default/preferable forum is in-person meetings. Now that the state of the pandemic is changing, the Committee is back to in person meetings/participation.

Joan Venezia, Mt. Hermon Way, asked if there is no search underway for Mr. Gadaleta's replacement. The Mayor responded that the Committee has not made any decisions as of yet. Ms. Venezia stated that the Mayor's responses are disrespectful and it would be prudent to get someone on board so Mr. Gadaleta can train them. Ms. Venezia asked when the Open Public Meetings Act was passed. Mr. Anthony replied in the 1970s and the Township Committee cannot change it. She stated that the Township must take action on the parking situation. She asked Mr. Anthony if the court date for the OGNED code violations is still June 17th. Mr. Anthony replied that he received a brief and the Judge will hear arguments on June 17th. Ms. Venezia stated that the Planning Board allowed OGNED to go forward without any fire safety review. The Mayor that stated would have to be addressed by the Planning Board.

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

Richard J. Cuttrell,
Municipal Clerk