

TOWNSHIP COMMITTEE WORKSHOP MEETING – AUGUST 26, 2013 – 6:00 P.M.

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

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
J. Randy Bishop	_____
Dr. Michael Brantley	_____
Mary Beth Jahn	_____
Kevin B. McMillan	_____
Eric J. Houghtaling	_____

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

Mayor Houghtaling announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster on January 3, 2013 and the Asbury Park Press on January 4, 2013, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Discussion/Presentation – School District representatives present to discuss Race to the Top grant application.
2. Discussion – September 9th meeting.
3. Discussion – Rooming & Boarding Site Licensure Board.
4. Review Committee calendars/update on outstanding issues and parking lot items.

Res. # 13-380 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____

Vote: Bishop, _____; Brantley, _____; Jahn, _____; McMillan, _____; Houghtaling, _____.

TOWNSHIP COMMITTEE MEETING – AUGUST 26, 2013 – 7:00 P.M.

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

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>	<u>PRESS REPRESENTATIVES</u>
J. Randy Bishop	_____	Don Stine The Coaster
Dr. Michael Brantley	_____	
Mary Beth Jahn	_____	Anthony Panissidi Asbury Park Press
Kevin B. McMillan	_____	
Eric J. Houghtaling	_____	

Also present at the dais: Gene Anthony, Township Attorney; Vito D. Gadaleta, Business Administrator; Michael J. Bascom, Chief Financial Officer; and Richard J. Cuttrell, 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 Houghtaling announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster on January 3, 2013 and the Asbury Park Press on January 4, 2013, 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.

PROCLAMATION

The Mayor will present a proclamation designating the month of September as Childhood Cancer Awareness Month in the Township of Neptune.

PRESENTATION

Representatives of the Neptune Soccer Association will present a check to the Township for Hurricane Sandy relief.

APPROVAL OF MINUTES

Motion offered by _____, seconded by, _____, to approve the minutes of the meeting held on May 23rd and June 20th.

REPORT OF THE CLERK

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

Copies of thank you notes from Michelle D'Amato and Rita Munn to the Senior Center staff.

Senior Center monthly statistics for July.

COMMENTS FROM THE DAIS

The Mayor will now request 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 will be permitted one visit to the microphone with a limit of five minutes.

ORDINANCE NO. 13-32 - An ordinance to amend salary range Ordinance No. 11-48 by creating and setting the salary ranges for new job titles and eliminating or amending salary ranges for certain existing job titles – First Reading

Explanatory Statement: This ordinance creates the new job titles of Investigator (hourly), Rent Leveling Board Secretary and Assistant Engineer. The ordinance also renames two existing job titles and amends the salary range of two other existing job titles.

Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Jahn, _____; McMillan, _____; Houghtaling, _____.

ORDINANCE NO. 13-33 - An ordinance to amend Chapter IV of the general ordinances of the Township of Neptune creating rent control, protective tenancy and Rent Leveling Board – First Reading

Explanatory Statement: This amendment amends the definition of housing space, dwelling, mobile home or apartment to clarify and amend that the ordinance does not apply to single family structures and housing structures in general with four rental units or less.

Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Jahn, _____; McMillan, _____; Houghtaling, _____.

PUBLIC HEARING – APPLICATION TO MONMOUTH COUNTY MUNICIPAL OPEN SPACE PROGRAM

Public Hearing regarding the Township’s proposed application to the Monmouth County Municipal Open Space Program for “Neptune Skate Park” on Stratford Avenue.

Res. # 13-381 – Authorize application to the Monmouth County Municipal Open Space Program.

Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Jahn, _____; McMillan, _____; Houghtaling, _____.

CONSENT AGENDA

Res. # 13-382 – Accept the resignation of Annette Crozier as Assistant Zoning Officer and Environmental/ Shade Tree Commission Secretary.

Res. # 13-383 – Appoint Assistant Zoning Officer.

Res. # 13-384 – Appoint Environmental/Shade Tree Commission Secretary.

Res. # 13-385 – Authorize temporary street closures in connection with the Jersey Shore Arts Center 5km run.

Res. # 13-386 – Authorize submission of a FY13 Emergency Management Assistance/Emergency Management Performance Grant application.

Res. # 13-387 – Authorize the cancellation of 2nd half 2013 sewer rent for properties deemed uninhabitable due to hurricane damage.

Res. # 13-388 – Renew liquor license held by ROS Associates, LLC.

Res. # 13-389 – Renew liquor license held by Tanks Hospitality, LLC.

Res. # 13-390 – Authorize an amendment to the 2013 Municipal Budget to realize monies from the Department of Law and Public Safety Division of Highway Traffic Safety.

Res. # 13-391 – Accept performance guarantee filed by Sperry Tents for site improvements at 1208 5th Avenue.

Res. # 13-392 – Reject all bids for replacement of a portion of the Wesley Lake retaining wall.

Res. # 13-393 – Release developers escrow for improvements to McDonalds on Route 35.

Res. # 13-394 – Release all surety bonds and developers escrow for improvements at United Stor-All Centers on Route 66.

Res. # 13-395 – Appoint School Crossing Guards for the 2013-2014 school year.

Res. # 13-396 – Place lien on various properties.

Res. # 13-397 – Authorize the execution of an Interlocal Service Agreement with the Borough of Avon-By-The-Sea to provide a Telephonic Community Notification System.

Res. # 13-398 – Employ Special Law Enforcement Officers in the Police Department on a part-time basis.

Res. # 13-399 – Authorize the execution of an Interlocal Service Agreement with the Neptune Township Board of Education for residency and truancy verification.

Res. # 13-400 – Accept the resignation of Christopher Anderson as Deputy Court Administrator.

Res. # 13-401 – Change the name of Riverside Park to Volunteer Park.

Res. # 13-402 – Authorize the transfer of Taxi Medallion License No. 049.

CONSENT AGENDA Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Jahn, _____; McMillan, _____; Houghtaling, _____.

Res. # 13-403 – Employ Accountant in the Finance Department on a probationary basis.

Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Jahn, _____; McMillan, _____; Houghtaling, _____.

Res. # 13-404 – Authorize the payment of bills.

Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Jahn, _____; McMillan, _____; Houghtaling, _____.

Res. # 13-405 – Authorize termination of contract for electrical services with Midcoast Electric Corporation.

Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Jahn, _____; McMillan, _____; Houghtaling, _____.

Res. # 13-406 – Adopt a Memorandum of Understanding between the Ocean Grove Camp Meeting Association and the Township of Neptune in respect to the use of the Ocean Grove Public Right-of-Way.

Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Jahn, _____; McMillan, _____; Houghtaling, _____.

Res. # 13-407 – Declare the month of September as Hunger Action Month.

Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Jahn, _____; McMillan, _____; Houghtaling, _____.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

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

ADJOURNMENT

ORDINANCE NO. 13-32

AN ORDINANCE TO AMEND SALARY RANGE ORDINANCE NO. 11-48 BY CREATING AND SETTING THE SALARY RANGES FOR NEW JOB TITLES AND ELIMINATING OR AMENDING SALARY RANGES FOR CERTAIN EXISTING JOB TITLES

BE IT ORDAINED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, as follows:

SECTION 1. The job titles of Investigator, Rent Leveling Board Secretary, Assistant Engineer, Customer Service Representative and Senior Program Representative are hereby created.

SECTION 2. Ordinance No. 11-48 is hereby amended by adding salary ranges for the job titles created in Section 1 as follows:

<u>TITLE</u>	<u>MINIMUM SALARY</u>	<u>MAXIMUM SALARY</u>
Investigator (hourly)	\$ 20.00	\$ 30.00
Rent Leveling Board Secretary	\$ 2,500.00	\$ 3,500.00
Assistant Engineer	\$ 40,000.00	\$ 60,000.00
Customer Service Representative	\$ 23,000.00	\$ 35,000.00
Senior Programs Representative	\$ 27,000.00	\$ 45,000.00

SECTION 3. Ordinance No. 11-48 is further amended by eliminating the salary of existing job titles as follows:

<u>TITLE</u>	<u>MINIMUM SALARY</u>	<u>MAXIMUM SALARY</u>
Clerk/Typist	\$ 18,500.00	\$ 35,000.00
Cashier/Bookkeeper	\$ 19,000.00	\$ 48,000.00

SECTION 4. Ordinance No. 11-48 is further amended by amending the salary of existing job titles as follows:

<u>TITLE</u>	<u>MINIMUM SALARY</u>	<u>MAXIMUM SALARY</u>
Public Safety Officer (hourly)	\$ 14.00	\$ 21.00
Technical Asst. to the Construct Official	\$ 5,000.00	\$ 38,000.00

SECTION 5. The salary for each position named above shall be established within the aforesaid ranges by adoption of a resolution by the Township Committee.

SECTION 6. That all ordinances or parts of ordinances of the Township of Neptune in conflict or inconsistent with this ordinance are hereby repealed.

SECTION 7. This ordinance shall become effective immediately.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrel,
Municipal Clerk

Eric J. Houghtaling,
Mayor

ORDINANCE NO. 13-33

AN ORDINANCE TO AMEND CHAPTER IV OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF NEPTUNE CREATING RENT CONTROL, PROTECTIVE TENANCY AND RENT LEVELING BOARD

WHEREAS, the governing body of the Township of Neptune adopted a general Rent Control Ordinance on August 12, 2013 and feel that the definition of "housing space, dwelling, mobile home or apartment" needs to be clarified and exclusions expanded to maintain the concept of regulation of multiple dwellings,

THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that Chapter IV of the General Ordinances of the Township of Neptune creating Rent Control, Protective Tenancy and Rent Leveling Board is hereby amended as follows:

4-30 RENT CONTROL

4-30.1 Definitions. As used in this Chapter:

Housing space, dwelling, mobile home or apartment shall mean and include the portion of a structure rented or offered for rent for living and dwelling purposes to one individual or family unit together with all privileges, services, furnishings, furniture, equipment, facilities, parking and garage facilities (whether optional or mandatory), and improvements connected with the use or occupancy of such portion of the property. Included are any buildings, structures, mobile homes, or land used as a mobile home park, rented or offered for rent to one or more tenants or family units. Exempt from this Chapter are; motels, hotels and similar type buildings; bed and breakfast facilities, guesthouses; commercial buildings with regard to commercial rentals; owner-occupied with four units or less rental units; single family structures and housing structures in general with four rental units or less. Housing units newly constructed and rented for the first time are exempt, with regards to tenant's first year rental. That is the initial rent may be determined by the landlord but all subsequent rents will be subject to the provisions of this Chapter, subject further to any State Statute such as N.J.S.A. 2A:42-84.2, which may provide a temporary exemption for newly constructed multiple dwellings. Further exemption may exist by the preemption by Federal and State Statutes regulating residential rents such as, but not limited to, dwellings owned by HUD, financed under federal programs and subject to regulations promulgated by the Department of Housing and Urban Development, and housing regulated and provided under the New Jersey Housing Finance Agency Law of 1967. (N.J.S.A. 55:14J). Condominiums and Cooperative units in any particular complex where there are five units or more owned by the same owner, those five units or more shall not be exempt from Rent Control.

All Ordinances or parts of Ordinances, which are inconsistent herewith, are repealed, but only to the extent of such inconsistency.

The amended Ordinance shall become effective immediately upon its final passage and publication as required by law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Eric J. Houghtaling,
Mayor

RESOLUTION #13-380 – 8/26/13

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:

Litigation – Cook v. Neptune Township
Personnel – Vacant position in Finance Department
3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.
4. This Resolution shall take effect immediately.

RESOLUTION #13-381 - 8/26/13

AUTHORIZE APPLICATION TO THE MONMOUTH COUNTY
MUNICIPAL OPEN SPACE PROGRAM

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and,

WHEREAS, the Governing Body of the Township of Neptune desires to obtain County Open Space Trust Funds in the amount of \$250,000.00 to fund the project known as "Neptune Skate Park" located at Stratford Avenue, also known as Block 255, Lot 1; and,

WHEREAS, the total cost of the project including all matching funds is \$333,000.00; and,

WHEREAS, the Township of Neptune is the owner of and controls the project site,

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

1. Michael J. Bascom, Chief Financial Officer, is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the principal contact person and correspondent of the above named municipality; and
2. The Township of Neptune is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Michael J. Bascom, Chief Financial Officer, is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

CERTIFICATION

I, Richard J. Cuttrell, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Township of Neptune at a meeting held on the 26th day of August, 2013. In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 26th day of August, 2013.

Richard J. Cuttrell,
Municipal Clerk

RESOLUTION #13-382 - 8/26/13

ACCEPT THE RESIGNATION OF ANNETTE CROZIER AS ASSISTANT ZONING OFFICER
AND ENVIRONMENTAL/SHADE TREE COMMISSION SECRETARY

WHEREAS, the Township Committee has received a letter from Annette Crozier resigning as Assistant Zoning Officer and Environmental/Shade Tree Commission Secretary effective August 1, 2013,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Annette Crozier as Assistant Zoning Officer and Environmental/Shade Tree Commission Secretary is hereby accepted effective August 1, 2013; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., Land Use Administrator, Township Engineer, and Mandy To.

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 08/26/13

A handwritten signature in black ink, appearing to read "Richard J. Cuttrell". The signature is stylized and cursive.

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-383 - 8/26/13

APPOINT ASSISTANT ZONING OFFICER

WHEREAS, due to the resignation of Annette Crozier, there is a vacancy in the position of Assistant Zoning Officer; and,

WHEREAS, the position was posted and interviews conducted; and,

WHEREAS, the Township Engineer and Land Use Administrator have made their recommendation,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Carina Santos be and is hereby appointed to the position of Assistant Zoning Officer for a probationary period of six months at an annual salary of \$3,000.00 effective September 1, 2013; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., Land Use Administrator, Township Engineer, and Mandy To.

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 08/26/13

A handwritten signature in black ink, appearing to read "Richard J. Cuttrell", written in a cursive style.

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-384 - 8/26/13

APPOINT ENVIRONMENTAL/SHADE TREE COMMISSION SECRETARY

WHEREAS, due to the resignation of Annette Crozier, there is a vacancy in the position of Environmental/Shade Tree Commission Secretary; and,

WHEREAS, the position was posted and interviews conducted; and,

WHEREAS, the Business Administrator has made his recommendation,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Pamela Howard be and is hereby appointed to the position of Environmental/Shade Tree Commission Secretary at an annual salary of \$1,900.00 effective September 1, 2013; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., Land Use Administrator, Township Engineer, and Mandy To.

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 08/26/13

A handwritten signature in black ink, appearing to read 'Richard J. Cuttrell', written in a cursive style.

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-385 - 8/26/13

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 14, 2013; 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 this 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 9:00 A.M. and 10:00 A.M. on Saturday, September 14, 2013:

- 1) Eastbound Main Avenue – entire length
- 2) Northbound Ocean Avenue – entire length
- 3) Eastbound Broadway between Central Avenue and Ocean Avenue

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Deputy Chief of Police, Director of Public Works, Fire Inspector, and Business Administrator.

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 08/26/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-386 - 8/26/13

AUTHORIZE SUBMISSION OF A FY13 EMERGENCY MANAGEMENT ASSISTANCE/EMERGENCY MANAGEMENT PERFORMANCE GRANT APPLICATION

WHEREAS, the State of New Jersey is offering FY13 Emergency Management Performance Grants through the New Jersey State Police; and,

WHEREAS, the Emergency Management Coordinator recommends that a grant application be submitted for funding in support of day-to-day Office of Emergency Management operations,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the submission of the above referenced grant application is hereby authorized and the Mayor and Chief Financial Officer are hereby authorized to execute grant documents, as needed, as representatives of the Township of Neptune; and,

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

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 08/26/13

A handwritten signature in black ink, appearing to read "Richard J. Cuttrell".

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-387 - 8/26/13

AUTHORIZE CANCELLATION OF 2nd HALF 2013 SEWER RENT FOR
PROPERTIES DEEMED UNINHABITABLE DUE TO HURRICANE DAMAGE

WHEREAS, as a result of damage from Hurricane Sandy, the Construction Official has compiled a list of properties that have been deemed uninhabitable; and,

WHEREAS, since these homes have been unoccupied and have not used water or sewer since October 29, 2012, the Township Committee deems it appropriate to cancel the 2013 2nd half sewer rent for these properties,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the cancellation of 2nd half 2013 sewer rent for all properties deemed uninhabitable by the Construction Official as a result of damage from Hurricane Sandy, the list of said properties being on file in the Office of the Municipal Clerk and Construction Official; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Deputy Tax Collector, Construction Official and Assistant C.F.O.

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 08/26/13

A handwritten signature in black ink, appearing to read "Richard J. Cuttrell". The signature is stylized and cursive.

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-388 - 8/26/13

RENEW LIQUOR LICENSE HELD BY ROS ASSOCIATES, LLC

WHEREAS, ROS Associates, LLC is the holder of a retail consumption liquor license that is inactive; and,

WHEREAS, in accordance with State law, ROS Associates, LLC. has petitioned the State of New Jersey Division of Alcoholic Beverage Control to permit the renewal of said inactive license; and,

WHEREAS, the Division of A.B.C. has issued a special ruling, dated August 8, 2013, to authorize the Township of Neptune to consider the application for liquor license renewal filed by ROS Associates, LLC, the holder of an inactive license #1334-32-002-005; and,

WHEREAS, ROS Associates, LLC has applied for renewal of said license for the 2013-2014 license year to continue in in-pocket status,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Liquor License #1334-32-002-005 issued to ROS Associates, LLC be and is hereby renewed for the 2013-2014 licensing year; and,

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

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 08/26/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-389 - 8/26/13

RENEW LIQUOR LICENSE HELD BY TANKS HOSPITALITY, LLC

WHEREAS, Tanks Hospitality, LLC is the holder of a retail consumption liquor license that is inactive; and,

WHEREAS, in accordance with State law, Tanks Hospitality, LLC. has petitioned the State of New Jersey Division of Alcoholic Beverage Control to permit the renewal of said inactive license; and,

WHEREAS, the Division of A.B.C. has issued a special ruling, dated August 9, 2013, to authorize the Township of Neptune to consider the application for liquor license renewal filed by Tanks Hospitality, LLC, the holder of an inactive license #1334-33-008-016; and,

WHEREAS, Tanks Hospitality, LLC has applied for renewal of said license for the 2013-2014 license year to continue in in-pocket status,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Liquor License #1334-33-008-016 issued to Tanks Hospitality, LLC be and is hereby renewed for the 2013-2014 licensing year; and,

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

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 08/26/13

A handwritten signature in black ink, appearing to read "Richard J. Cuttrell", written in a cursive style.

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #12-390 - 8/26/13

AUTHORIZE AN AMENDMENT TO THE 2013 MUNICIPAL BUDGET TO REALIZE
MONIES FROM THE DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF HIGHWAY TRAFFIC SAFETY

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2013 in the sum of \$4,400.00 which is now available from the NJ Department of Law & Public Safety – Division of Highway Traffic Safety in the amount of \$4,400.00; and,

BE IT FURTHER RESOLVED that the like sum of \$4,400.00 is hereby appropriated under the caption of 2013 Drive Sober or Get Pulled Over Labor Day Crackdown; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Law & Public Safety – Division of Highway Traffic Safety 2013 Drive Sober or Get Pulled Over Labor Day Crackdown grant in the amount of \$4,400.00; and,

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

Vote:

Bishop:	aye
Brantley:	absent
Jahn:	aye
McMillan:	aye
Houghtaling:	aye

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 08/26/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-391 - 8/26/13

ACCEPT PERFORMANCE GUARANTEE FILED BY SPERRY TENTS
FOR SITE IMPROVEMENTS AT 1208 FIFTH AVENUE

WHEREAS, Sperry Tents New Jersey, Inc. has filed performance bond 1089062, written by Lexon Insurance Company in the amount of \$56,160.00, guaranteeing site improvements at the proposed project at 1208 5th Avenue (Block 166, Lots 12 & 13); and,

WHEREAS, the Township Attorney has reviewed and approved said bond; and,

WHEREAS, the required 10% cash surety and inspection fee escrow have been posted; and,

WHEREAS, the acceptance of this Performance Guarantee does not authorize the issuance of any licenses or permits by the Construction Department but serves as certification to the Planning Board/Board of Adjustment that compliance with the Land Development Ordinance of the Township of Neptune has been met;

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

1. The Performance Guarantee as stated above be and is hereby accepted.
2. The Mayor and Clerk be and are hereby authorized to execute a Developer's Agreement for the above referenced project.
3. A copy of this resolution shall be forwarded to the Township Engineer, Planning Board, Construction Department, Director of Engineering and Planning, Chief Financial Officer and the Developer.

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 08/26/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-392 - 8/26/13

REJECT ALL BIDS FOR REPLACEMENT OF A PORTION OF THE
WESLEY LAKE RETAINING WALL

WHEREAS, on July 17, 2013, the Township Engineering Consultant received bids for the award of a contract for the replacement of a portion of the Wesley Lake retaining wall; and,

WHEREAS, said bids were reviewed by the Township Engineer and Chief Financial Officer who have recommended that all bids be rejected because they all exceed the cost estimate and the available appropriation for this purpose; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that all bids received on July 17, 2013 for the replacement of a portion of the Wesley Lake retaining wall are hereby rejected because they all exceed the cost estimate and the available appropriation for this purpose; and,

BE IT FURTHER RESOLVED, that the project is hereby authorized to be rebid pursuant the provisions of N.J.S.A. 40A:11-13.2(d); 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 Business Administrator.

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 08/26/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-393 - 8/26/13

RELEASE DEVELOPERS ESCROW FOR IMPROVEMENTS
TO MCDONALDS ON ROUTE 35

WHEREAS, Bohler Engineering posted the 10% cash performance guarantee and inspection fee escrow for improvements to the McDonalds on Route 35 (Block 266, Lot 28); and,

WHEREAS, on January 17, 2013, the Township Engineer certified that all site work has been completed; therefore, the cash guarantee and inspection fee escrow may be released and the performance bond may be released upon the posting of a two year maintenance guarantee,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the release of the 10% performance cash guarantee and the inspection fee escrow account for the above referenced project to Bohler Engineering; and,

BE IT FURTHER RESOLVED, that the performance bond will remain in effect until a two year maintenance bond is posted; and,

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

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 08/26/13

A handwritten signature in black ink, appearing to read "Richard J. Cuttrell". The signature is stylized and cursive.

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-394 - 8/26/13

RELEASE ALL SURETY BONDS AND DEVELOPERS ESCROW FOR
IMPROVEMENTS AT UNITED STOR-ALL CENTERS ON ROUTE 66

WHEREAS, United Stor-All Centers, LLC filed a cash maintenance guarantee in the amount of \$14,180.00, guaranteeing the maintenance of site improvements for two years at the project known as United Stor-All Centers, located on State Highway 66 (Block 1007.01, Lots 77 & 78); and,

WHEREAS, the two year maintenance period has expired and the Township Engineering Consultant has conducted an inspection; and,

WHEREAS, the Township Engineer certified that all site work has been completed and said maintenance guarantee may be released,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the release of the maintenance guarantee as stated herein; and,

BE IT FURTHER RESOLVED, that all remaining balances of the cash performance guarantee account and inspection escrow account be and are hereby authorized to be refunded; and,

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

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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 08/26/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-395 - 8/26/13

APPOINT SCHOOL CROSSING GUARDS FOR THE 2013-2014 SCHOOL YEAR

WHEREAS, there is a need for School Crossing Guards for the 2013-2014 school year; and,

WHEREAS, funds are available for this purpose in the appropriation entitled Police - Salaries and Wages known as Account No. 240-010 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Sandra Acevedo, Lisa Brown, Ronald Coleman, Nancy Cole, Homer Credle, Jerry Diglio, Philip DeStaven, Carmelo Gonzalez, Clayton Harrison, Shirley Harrison, Alfred Holmes, Kenneth Hodge, Josephine Hughes, Juanita Jones, Ki Nam Kang, Russell King, Kathryn Kelly, Fred Kern, Rosalee Lane, Rita Lee, Virginia Majewski, Pam Moreski, Amelia Okpanachi, Robert Perkins, Caroline Vandervort, and Alfreda Wright be and they are hereby appointed as Crossing Guards for the 2013-2014 school year and to perform such other duties as prescribed by the Deputy Chief of Police, at an hourly rate of \$13.50; and,

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

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 08/26/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-396 - 8/26/13

PLACE LIEN ON VARIOUS PROPERTIES

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

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

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

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

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
189/4	9 George Street	\$ 380.00
217/95	203 Fisher Avenue	760.00
198/9	43 Ridge Avenue	760.00
175/518	21 Atkins Avenue	407.50
167/327	604 Ridge Avenue	2,935.00

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

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 08/26/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-397 – 8/26/13

AUTHORIZE THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT
WITH THE BOROUGH OF AVON-BY-THE-SEA TO PROVIDE A
TELEPHONIC COMMUNITY NOTIFICATION SYSTEM

WHEREAS, the Township of Neptune possesses a Telephonic Community Notification System (“System”) to alert its residents in the event of anticipated or on-going emergency within the Township of Neptune; and,

WHEREAS, the Township of Neptune and the Borough of Avon-By-The-Sea desire to enter into an Interlocal Service Agreement pursuant to N.J.S.A. 40:8A-1 et seq. to allow the Borough to utilize the System to provide emergency information to its residents; and,

WHEREAS, the Borough will agree to pay the Township an annual fee of \$5,600.00 plus billings by the community notification system vendor for any mass calls; and,

WHEREAS, this Interlocal Service Agreement shall be automatically renewed on an annual basis on the anniversary date of the signing of said Agreement for a term of three (3) years effective January 1, 2013,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Interlocal Services Agreement with the Borough of Avon-By-The-Sea, a copy of which is on file in the Office of the Municipal Clerk, which authorizes the Borough to utilize the Township’s Telephonic Community Notification System to provide emergency notifications to Borough residents; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Business Administrator, Assistant C.F.O., and the Borough of Avon-By-The-Sea.

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 08/26/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-398 - 8/26/13

EMPLOY SPECIAL LAW ENFORCEMENT OFFICERS
IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

WHEREAS, due to recent resignations, there is a need for Special Law Enforcement Officers – Class II in the Police Department on a part-time hourly basis; and,

WHEREAS, the positions were duly posted and applicants have been interviewed; and,

WHEREAS, the Deputy Chief of Police and Acting Police Director have made their recommendations; and,

WHEREAS, funds will be provided in the appropriation entitled Police S&W, known as Account No. 240-010, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Kevin McDermott, Casey Crawford and Richard Brogley be and are hereby employed as part-time Special Law Enforcement Officers - Class II, and to perform such other duties as prescribed by the Deputy Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, effective immediately, at an hourly rate as established by prior resolution of the Township Committee; and,

BE IT FURTHER RESOLVED, that Daniel Savastano, Chris Monahan, Tyrell Thompson and Jean-Pierre Marcenat be and are hereby employed for the purpose of attending the Special Law Enforcement Officer Class II Academy (Township pays for cost of class, does not pay salary while attending the academy) with part-time employment provided by the Township upon successful completion of the Academy; and,

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

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 08/26/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-399 - 8/26/13

AUTHORIZE THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT
WITH THE NEPTUNE TOWNSHIP BOARD OF EDUCATION
FOR RESIDENCY AND TRUANCY VERIFICATION

WHEREAS, the Township of Neptune and the Neptune Township Board of Education are 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 employment of part-time Police Investigators to provide residency and truancy verification; and,

WHEREAS, the Township and Board have determined that their best interests would be served by enjoying the benefits and sharing the costs of part-time Police Investigators to perform these activities; and,

WHEREAS, the Township of Neptune and the Neptune Township Board of Education desire to enter into an interlocal service agreement pursuant to N.J.S.A. 40:8A-1 et seq. for the Township and Board to cooperatively participate in this project; and,

WHEREAS, the Township will be responsible for employing and assigning part-time Police Investigators and the Board will pay the Township the sum of \$35,000.00 annually to 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 an Interlocal 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 Township Police Investigators for residency and truancy verification and a contribution by the Board to the Township of \$35,000.00 annually; and,

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

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 08/26/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-400 - 8/26/13

ACCEPT THE RESIGNATION OF CHRISTOPHER ANDERSON AS
DEPUTY COURT ADMINISTRATOR

WHEREAS, the Township Committee has received a letter from Christopher Anderson resigning as Deputy Court Administrator in the Municipal Court effective August 30, 2013,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Christopher Anderson as Deputy Court Administrator in the Municipal Court is hereby accepted effective August 30, 2013; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., AFSCME Local 1844, Mandy To and the Court Administrator.

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 08/26/13

A handwritten signature in black ink, appearing to read "Richard J. Cuttrell". The signature is stylized and cursive.

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-401 - 8/26/13

CHANGE THE NAME OF RIVERSIDE PARK TO VOLUNTEER PARK

BE IT RESOLVED, by the Township Committee of the Township of Neptune that Riverside Park, located on South Riverside Drive, shall heretofore be designated as Volunteer Park; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to all Department Heads.

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 08/26/13

A handwritten signature in black ink, appearing to read "Richard J. Cuttrell". The signature is stylized and cursive.

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-402 - 8/26/13

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 049

WHEREAS, Amandeep Singh is the owner of Neptune Township Taxi Medallion No. 049;
and,

WHEREAS, he has notified the Taxi License Coordinator of the intent to sell and transfer
ownership of said medallion to US Way, LLC; and,

WHEREAS, the Taxi License Coordinator has certified that all requirements of transfer have
been satisfied,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune
that approval is hereby granted for the transfer of Taxi Medallion License No. 049 to US Way, LLC;
and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Taxi License
Coordinator and Municipal Clerk.

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 08/26/13

A handwritten signature in black ink, appearing to read "Richard J. Cuttrell". The signature is stylized and cursive.

Richard J. Cuttrell, Municipal Clerk

TABLED

RESOLUTION #13-403 - 8/26/13

EMPLOY ACCOUNTANT IN THE FINANCE DEPARTMENT
ON A PROBATIONARY BASIS

WHEREAS, due to the pending retirement of Mandy To, there is a vacancy in the position of Accountant in the Finance Department; and,

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

WHEREAS, the Chief Financial Officer has made his recommendations; and,

WHEREAS, funds will be provided in the appropriation entitled _____, known as Account No. _____, and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that _____ be and is hereby employed as an Accountant in the Finance Department, on a probationary basis for a period of not less than 90 days and not exceeding one year, pending favorable results of the required physical, effective September 3, 2013, at an annual salary of \$38,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., AFSCME Local #1844, and Mandy To.

RESOLUTION #13-404 – 8/26/13

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	5,748,318.85
FEDERAL & STATE GRANT FUND	2,741.50
TRUST OTHER	9,629.19
GENERAL CAPITAL FUND	30,043.75
SEWER OPERATING FUND	3,824.00
MARINA OPERATING FUND	14,232.00
MARINA CAPITAL FUND	79,853.99
DOG TRUST	7,477.00
UDAG RECIPRICAL TRUST	8,672.00
LIBRARY TRUST	2,371.71
BILL LIST TOTAL	\$5,907,163.99

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

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 08/26/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-405 – 8/26/13

AUTHORIZE TERMINATION OF CONTRACT FOR ELECTRICAL SERVICES
WITH MIDCOAST ELECTRIC CORPORATION

WHEREAS, the Township Committee of the Township of Neptune awarded a bid contract for electrical services under Resolution No. 13-92 on January 28, 2013 to Midcoast Electric Corporation, located at 1311 Allaire Avenue, Ocean, New Jersey 07712, for supplying general electrical services to the Township of Neptune; and

WHEREAS, Midcoast Electric Corporation supplied as the basis of their contract a bid proposal form merely indicating services for \$92.50 per hour; and

WHEREAS, Midcoast Electric Corporation was contacted and was requested a proposal for electrical work at the Neptune Township Municipal Marina under the original contract, and submitted a base bid proposal of \$132,500.00 on April 16, 2013; and

WHEREAS, the contractor started electrical work at the site of the Neptune Township Municipal Marina on June 25, 2013, and immediately issues were addressed concerning appropriate markups on materials, cost of engineering plans and payment for lost time, none of which were directly and explicitly addressed in the proposal, the result of which the contractor walked off the job until a meeting with the contractor on July 8, 2013; and

WHEREAS, as a result of a meeting of July 8, 2013, the parties agreed by confirmation letter of July 9, 2013, that there was an agreement that delay charges of \$2,200.00 would be paid contingent on documentation of proof that the amount due was related to the time spent at the contract rate of \$92.50 per hour; that the engineering fees of \$7,400.00 would be paid contingent upon documentation and proof of value, including the actual engineering plans utilized for the work alleged, and as a result of action taken by the Township Committee thereafter, the issue of markups was resolved by the Township accepting a 15% markup going forward contingent upon a credit for the additional 5% markups on past bills that were marked up at 20%; and

WHEREAS, despite the aforesaid agreement, Midcoast failed to provide all the necessary documentation required of the aforesaid resolved issues and required additional fees beyond that authorized and walked off the job again on August 30, 2013; and

WHEREAS, it is clear that Midcoast is unable to fulfill its obligations under the contract or under prior settlements with regard to disputes under the contract, and it would be in the best interest of the Township to terminate the agreement and award a new contract to a new contractor to complete the electrical services at the marina, as well as to complete other services for the Township,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the same hereby authorizes the termination of the contract of January 23, 2013 authorized by Resolution No. 13-92 on January 28, 2013, and authorizes the Administrator to seek a new contract for electrical services both on the marina project and for services in general; and

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

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 08/26/13

A handwritten signature in black ink, appearing to read "Richard J. Cuttrell". The signature is stylized and cursive.

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Richard J. Cuttrell, Municipal Clerk

RESOLUTION NO. 13-406 – 8/26/13

ADOPT A MEMORANDUM OF UNDERSTANDING BETWEEN THE OCEAN GROVE CAMP MEETING ASSOCIATION AND TOWNSHIP OF NEPTUNE IN RESPECT TO THE USE OF THE OCEAN GROVE PUBLIC RIGHT-OF-WAY

WHEREAS, the Township of Neptune and Ocean Grove Camp Meeting Association desire to codify a longstanding relationship and enter an agreement regarding jurisdictional obligations and responsibilities concerning the boardwalk(hereinafter referred to as “public right-of-way” located along the eastern border of the district of Ocean Grove; and

WHEREAS, the parties note that this infrastructure was designated by the County of Monmouth as an essential public highway since its construction, providing critical accessibility to and from the district of Ocean Grove, within the Township of Neptune, to the City of Asbury Park and Borough of Bradley Beach; and

WHEREAS, it is recognized the important role that this public right-of-way plays as a lifeline to the general public, and as necessary accessibility to and from the Ocean Grove District and the City of Asbury Park and Borough of Bradley Beach, and its existence as an integral piece of the Township’s infrastructure and past involvement relating to the improvement and maintenance of the public right-of-way; and

WHEREAS, the Ocean Grove Camp Meeting Association has agreed to provide, as Grantor, a Deed of Dedication and Perpetual Easement to Neptune in order to protect the sustainability and accessibility of the public right-of-way; and

WHEREAS, it is recognized between the parties that this agreement allows for accessibility as a public right-of-way to the municipality, and allows the municipality at its discretion to seek federal and state grant monies or bonds, or seek other financing for necessary capital improvements and rehabilitation of the public right-of-way when needed, the Ocean Grove Camp Meeting Association shall continue to be primarily responsible for capital improvements and responsible for general maintenance of the public right-of-way as a continuation of its past customs and practices; and

WHEREAS, the Ocean Grove Camp Meeting Association shall retain all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep and maintenance of adequate comprehensive general liability insurance coverage, as a continuation of its past customs and practices; and

WHEREAS, both parties shall continue to recognize that as a result of this Deed of Dedication and Perpetual Easement granted to Neptune Township, the public right-of-way, known by the Ocean Grove Camp Meeting Association as the “boardwalk” and all facilities on said public right-of-way, created either by the Ocean Grove Camp Meeting Association or the Township, shall remain accessible to the public at large and be considered the “public right-of-way” for use by the citizens of Neptune Township and those individuals seeking accessibility from the district of Ocean Grove within the Township of Neptune to the City of Asbury Park and the Borough of Bradley Beach,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that it hereby supports the adoption of the memorandum of understanding described above; and,

BE IT FURTHER RESOLVED, that the signature of the Mayor and the Municipal Clerk constitutes acceptance of the provisions and support for this perpetual agreement.

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 08/26/13

A handwritten signature in black ink, appearing to read "Richard J. Cuttrell". The signature is stylized and cursive.

Richard J. Cuttrell, Municipal Clerk

RESOLUTION NO. 13-407 – 8/26/13

DECLARE THE MONTH OF SEPTEMBER AS HUNGER ACTION MONTH

WHEREAS, hunger and poverty are issues of grave concern in the United States, the State of New Jersey and the Township of Neptune; and

WHEREAS, Neptune Township is committed to taking steps to raise awareness about the need to combat hunger in every part of our state and to provide additional resources that citizens of Monmouth County need; and

WHEREAS, the Township of Neptune is committed to working with The FoodBank of Monmouth and Ocean Counties in educating people about the role and importance of food banks in addressing hunger and raising awareness of the need to devote more resources and attention to hunger issues; and

WHEREAS, more than 66,000 individuals in Monmouth County rely on food provided by the members of The FoodBank of Monmouth and Ocean Counties annually; and

WHEREAS, the members of The FoodBank of Monmouth and Ocean Counties distributed more than 7 million pounds of food in 2012 through its network of food pantries, soup kitchens, shelters and other community organizations; and

WHEREAS, food banks across the country, including the members of The FoodBank of Monmouth and Ocean Counties will host numerous events throughout the month of September to bring awareness and attention to encourage involvement in efforts to end hunger in their local community;

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby declares the month of September as HUNGER ACTION MONTH in the Township of Neptune and we call this observance to the attention of our citizens.

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 08/26/13



Richard J. Cuttrell, Municipal Clerk