

TOWNSHIP COMMITTEE WORKSHOP MEETING – JANUARY 14, 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 – Extension of Housing Incentive Fund for Schoolhouse Square. (PW)
2. Discussion – Dumpster rental fees in connection with hurricane clean-up.
3. Discussion – Draft amendment to Land Use Ordinance. (PW)
4. Discussion – Update on Hurricane Sandy recovery.
5. Review Committee calendars/follow-up on outstanding issues from previous meeting.
6. Outstanding parking lot items. (PW)

Res. # 13-55 – 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 – JANUARY 14, 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	_____	Charles Layton Blogfinger
Kevin B. McMillan	_____	Kevin Penton Asbury Park Press
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. Cuttrel, Municipal Clerk

Silent Prayer and Flag Salute

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

Mayor 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.

APPROVAL OF MINUTES

Motion offered by _____, seconded by _____, to approve the minutes of the meetings held on November 26th, December 10th and December 20th.

REPORT OF THE CLERK

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

Mary Beth Jahn took the Oath of Office on January 3rd as a member of the Neptune Township Committee for a three year term and is hereby certified as qualified to serve as a member of the Township Committee for the year 2013.

Senior Beacon for 2013.

Tax Collector's monthly statements for October, November and December.

A letter from out going Neptune Fire Department Chief Donald Colarusso thanking former Mayor Randy Bishop for his support during 2012.

A letter from Doug Campbell, JSUMC Sr. Risk Manager thanking members of the Police Department for their participation in a "Code Amber" drill.

A letter from Roger Wenzek thanking the Public Works Department for their excellent work during Hurricane Sandy.

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. (No public hearings scheduled on this agenda)

ORDINANCE NO. 13-01 - An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding handicapped parking zones on Abbott Avenue and Atlantic Avenue. - First Reading

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

The Public Hearing on Ordinance No. 13-01 will be held on Monday, January 28, 2013.

CONSENT AGENDA

Res. # 13-56 – Designate 2013 floating holiday.

Res. # 13-57 – Authorize the execution of Release of Part of Mortgaged Property with TRF DP Ridge Avenue, LLC in connection with the Schoolhouse Square project.

Res. # 13-58 – Appoint Office of Emergency Management staff.

Res. # 13-59 – Approve the transfer of Tax Medallion License No. 029.

Res. # 13-60 – Authorize the sale of Veterans Poppies.

Res. # 13-61 – Accept performance guarantee filed by 443-445 St. Hwy 35, LLC for site improvements at 443-445 Highway 35.

Res. # 13-62 – Employ Senior Public Service Officer on a part-time basis.

Res. # 13-63 – Authorize the cancellation and refund of a winter storage fee at the Municipal Marina.

Res. # 13-64 – Extend deadline for waiver of construction permit fees for construction work made necessary by hurricane damage.

Res. # 13-65 – Appoint members to the Local Emergency Planning Committee.

Res. # 13-66 – Authorize execution of an agreement with the County of Monmouth to provide temporary employees for clean-up/repair projects necessitated by Hurricane Sandy.

Res. # 13-67 – Waive dumpster rental fees for residents disposing of items as result of hurricane damage.

Res. # 13-68 – Accept the resignation of Robin Price as a member of the Board of Adjustment.

Res. # 13-69 – Reclassify two Special Law Enforcement Officers to Class II status.

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

Res. # 13-70 – Authorize the replacement of playground equipment, safety surface, and fencing destroyed by Hurricane Sandy at Shark River Memorial Park.

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

Res. # 13-71 – Authorize repairs to South Island sanitary sewer pumping station.

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

Res. # 13-72 – Award bid for demolition and removal services at the Municipal Marina.

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

Res. # 13-73 – Employ Deputy Court Administrator in the Municipal Court on a probationary basis.

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

Res. # 13-74 – Employ Clerk/Typist in the Code/Construction Department on a probationary basis.

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

Res. # 13-75 – Authorize the payment of bills.

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

Res. # 13-76 – Authorize escrow agreement between the Township of Neptune and Neptune Estates, LLC.

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

Res. # 13-77 – Authorize execution of an agreement with WittGroup Holdings, LLC for disaster recovery consulting services under the New Jersey State Cooperative Purchasing Program.

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. 13-01

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING HANDICAPPED PARKING ZONES ON ABBOTT AVENUE AND ATLANTIC AVENUE

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

SECTION 1

Volume I, Chapter VII, Section 7-21.2 - Handicapped Parking Spaces on Public Roads - Locations Designated, is hereby amended by adding the following:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Abbott Avenue	1	North side of Abbott Avenue beginning 113 feet east of the Northeast intersection of Abbott Avenue and Central Avenue
Atlantic Avenue	1	South side of Atlantic Avenue beginning 168 feet east of the southeast intersection of Atlantic Avenue and Central Avenue

SECTION 2

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Eric J. Houghtaling,
Mayor

RESOLUTION #13-55 – 1/14/13

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:

Potential Litigation – OPRA management

Personnel – Recommendation for Clerk/Typist in Code/Construction 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 #13-56 - 1/14/13

DESIGNATE 2013 FLOATING HOLIDAY

WHEREAS, Article XII, Section L, of the current contract between AFSCME Local #1844 and the Township states that the Lincoln's Birthday holiday benefit can be moved to any other day of the year upon mutual agreement by the Union and the Township; and,

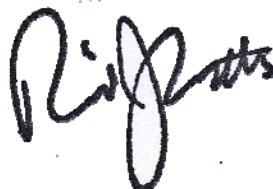
WHEREAS, the Township and AFSCME Local #1844 have requested that the 2013 Lincoln's Birthday holiday benefit be used on Friday, July 5, 2013; and,

WHEREAS, the Township Committee accepts this request,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the 2013 Lincoln's Birthday holiday benefit will be utilized by Township employees on Friday, July 5, 2013, all employees will be off-duty for that day, with the exception of Police Officers, Communications Operators, custodial staff and library staff; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to all Department Heads and AFSCME Local #1844.

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 01/14/12



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-57 - 1/14/13

AUTHORIZE THE EXECUTION OF A RELEASE OF PART OF MORTGAGED
PROPERTY WITH TRF DP RIDGE AVENUE. LLC IN CONNECTION WITH
THE SCHOOLHOUSE SQUARE PROJECT

WHEREAS, the Township of Neptune holds a mortgage dated April 8, 2009 in the amount of \$400,000 with TRF DP Ridge Avenue, LLC in connection with the Schoolhouse Square project; and,

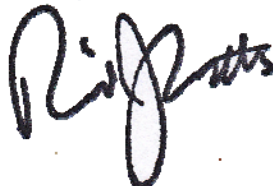
WHEREAS, Block 197.03, Lot 2, with an address of 1512 Embury Avenue is included in the properties bound by said mortgage; and,

WHEREAS, said property is being sold as a housing unit and TRF DP Ridge Avenue, LLC is requesting that this property be released from the mortgage,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute a Release of Part of Mortgaged Property to release Block 197.03, Lot 2, with an address of 1512 Embury Avenue, from the properties bound by the existing mortgage dated April 8, 2009 in the amount of \$400,000.00; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer, Administrative Assistant to the 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 01/14/12

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-58 - 1/14/13

APPOINT OFFICE OF EMERGENCY MANAGEMENT STAFF

WHEREAS, on January 1, 2013, the Township Committee adopted Resolution #13-41 which appointed the Emergency Management Coordinator as well as Deputy Coordinators and Assistant Deputy Coordinators; and,

WHEREAS, there were two drafts of said resolution, a first draft and a final draft which contained different information; and,

WHEREAS, although the final draft was correctly posted to the public, it may not have been clear which version was being voted upon; therefore, the Municipal Clerk recommends that the resolution be readopted to ensure that intended version of the resolution is adopted with the correct appointees,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Michael J. Bascom be and is hereby appointed as Emergency Management Coordinator of the Township of Neptune for a three-year term expiring December 31, 2015; and,

BE IT FURTHER RESOLVED, that the Township Committee hereby confirms the Emergency Management Coordinator's appointment of Kevin Devlin and Michael DiLeo as Deputy Coordinators and Donald Colarusso and William Rosen as Assistant Deputy Coordinators; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Monmouth County Office of Emergency Management.

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 01/14/12

A handwritten signature in black ink, appearing to read "Richard J. Cuttrell", is written over the certification text.

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #12-59 - 1/14/13

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 029

WHEREAS, Phillip Quarrie is the owner of Neptune Township Taxi Medallion No. 029; and,

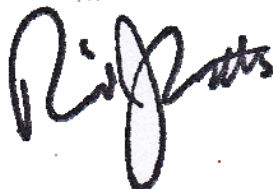
WHEREAS, he has notified the Taxi License Coordinator of the intent to sell and transfer ownership of said medallion to Zafar Khan; and,

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. 029 to Zafar Khan; 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 01/14/12

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-60 - 1/14/13

AUTHORIZE THE SALE OF VETERANS POPPIES

BE IT RESOLVED, that the Neptune Township American Legion Auxiliary Unit No. 346 and the O'Brien Major Post No. 2639 be and is hereby authorized to sell Veterans Poppies in the Township of Neptune for the month of May at various locations throughout the Township; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Neptune Township American Legion Auxiliary Unit No. 346, O'Brien Major Post No. 2639 and the Neptune Township Police Department.

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 01/14/12

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-61 - 1/14/13

ACCEPT PERFORMANCE GUARANTEE FILED BY 443-445 ST. HWY 35, LLC
FOR SITE IMPROVEMENTS AT 443-445 HIGHWAY 35

WHEREAS, 443-445 St. Hwy. 35, LLC has filed performance bond B1124619, written by Selective Insurance Company of America in the amount of \$12,000.00, guaranteeing site improvements at the proposed project at 443-445 Highway 35 (Block 251, Lots 7-10); and,

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

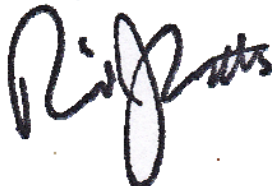
WHEREAS, the required 10% cash surety and inspection fee escrow have been posted; and,

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 that the Performance Guarantee as stated above be and is hereby accepted; and,

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the Township Engineer, Planning Board, Construction Department 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 01/14/12



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-62 - 1/14/13

EMPLOY SENIOR PUBLIC SERVICE OFFICER ON A PART-TIME BASIS

WHEREAS, there is a need for a Senior Public Service Officer on a part-time basis; and,

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

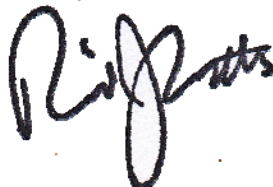
WHEREAS, the Chief of Police has made his recommendation; and,

WHEREAS, funds will be provided for the first three months of 2013 in the 2013 Temporary Budget and funds for the balance of 2013 will be provided in the Budget for the year 2013, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Michael DiLeo be and is hereby employed as a Senior Public Service Officer on a part-time basis, pending favorable results of the required physical, effective January 15, 2013, at an hourly rate of \$17.00 per hour; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the 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 01/14/12

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-63 – 1/14/13

AUTHORIZE THE CANCELLATION AND REFUND OF
A WINTER STORAGE FEE AT THE MUNICIPAL MARINA

WHEREAS, Mr. Rubino has advised that his boat “Rube” was destroyed and will not be stored at the Marina during the 2012-2013 Winter storage season; and,

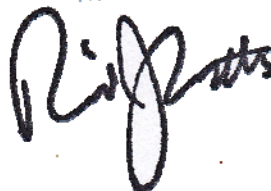
WHEREAS, the Winter Storage fee in the amount of \$625.00 was paid in full on September 18, 2012; and,

WHEREAS, the Harbor Master at the Municipal Marina wishes to cancel the contract and refund the \$625.00 fee,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the Harbor Master be and hereby is authorized to cancel and refund 2012-2013 Winter Storage fees in the amount of \$625.00 as stated herein; and,

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

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 01/14/12



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #12-64 - 1/14/13

EXTEND DEADLINE FOR WAIVER OF CONSTRUCTION PERMIT FEES
FOR CONSTRUCTION WORK MADE NECESSARY BY HURRICANE DAMAGE

WHEREAS, the Township of Neptune, along with many other communities along the New Jersey coast, experienced a storm of unprecedented fury when Hurricane Sandy struck New Jersey on October 29, 2012; and,

WHEREAS, many property owners in the Township of Neptune suffered damage to their homes and businesses as a result of Hurricane Sandy; and,

WHEREAS, the Township Committee is cognizant and supportive of the will and desire of our residents and businesses to rebuild a stronger Neptune Township and is at the ready to assist in this process; and,

WHEREAS, the State of New Jersey has indicated that pursuant to N.J.A.C. 5:23-4.19(b)5 the State will waive the State permit surcharge fee for construction permits if the municipality waives the local fee; and,

WHEREAS, on November 8, 2012, the Township Committee adopted Resolution #12-405 which waived the municipal fee for construction permits as a result of Hurricane Sandy through December 13, 2012; and,

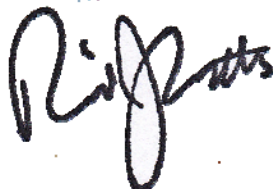
WHEREAS, on December 10, 2012, the Township Committee adopted Resolution #12-438 extending this waiver through January 15, 2013

WHEREAS, the Committee desires to extend this deadline through February 28, 2013,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that municipal construction permit fees for construction work made necessary by Hurricane Sandy be and are hereby waived for construction permit applications received by the Neptune Township Construction Department on or before February 28, 2013; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Assistant Business Administrator, Chief Financial Officer, 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 01/14/12



Richard J. Cuttrell, Municipal Clerk

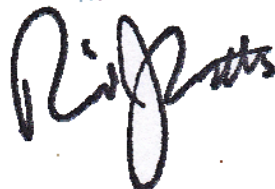
RESOLUTION #13-65 - 1/14/13

APPOINT MEMBERS TO THE LOCAL EMERGENCY PLANNING COMMITTEE

BE IT RESOLVED, by the Township Committee of the Township of Neptune that Office of Emergency Management Assistant Deputy Coordinators William Rosen and Donald Colarusso be and are hereby appointed to the Local Emergency Planning Committee for the year 2013; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Emergency Management Coordinator and the Business Administrator.

CERTIFICATION
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COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON 01/14/12

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-66 - 1/14/13

AUTHORIZE EXECUTION OF AN AGREEMENT WITH THE COUNTY OF MONMOUTH
TO PROVIDE TEMPORARY EMPLOYEES FOR CLEAN-UP/REPAIR PROJECTS
NECESSITATED BY HURRICANE SANDY

WHEREAS, the Board of Chosen Freeholders of the County of Monmouth has been designated as a Workforce Area pursuant to the Workforce Investment Act, Work First New Jersey and the Workforce Development Program; and,

WHEREAS, the County has been selected as the Grant Recipient and Administrative Entity for the above funding sources pursuant to agreement with the Monmouth County Workforce Investment Board; and,

WHEREAS, the County of Monmouth has been notified that the New Jersey Department of Labor and Workforce Development has awarded a National Emergency Grant in the amount of \$45,420.48 to provide temporary employment on projects for the clean-up, demolition, repair, renovation and/or reconstruction of public structures, facilities and lands within Monmouth County that were damaged or destroyed by Hurricane Sandy; and,

WHEREAS, this funding will be utilized to pay for wages and related employer expenses to eligible public work sites during the grant period November 11, 2012 through April 29, 2013; and,

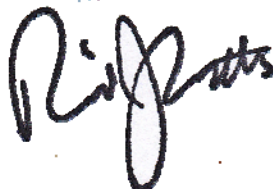
WHEREAS, the State is requiring the County to maintain a separate agreement with approved service providers to generate appropriate reimbursement of costs to the providers of employment services; and,

WHEREAS, the Township of Neptune is an approved service provider and the County agrees to reimburse the Township up to an amount of \$45,420.48 through said National Emergency Grant for temporary employees hired for the purpose as described herein,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute an Agreement with the Monmouth County Board of Chosen Freeholders for funding in the amount of \$45,420.48 through a National Emergency Grant to reimburse the cost of temporary employees for clean-up/repair projects necessitated by Hurricane Sandy under the terms and conditions as defined in said Agreement on file in the Office of the Municipal Clerk; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O. and the 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 01/14/12



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #12-67 - 1/14/13

WAIVE DUMPSTER RENTAL FEES FOR RESIDENTS DISPOSING OF ITEMS
AS A RESULT OF HURRICANE DAMAGE

WHEREAS, the Township of Neptune, along with many other communities along the New Jersey coast, experienced a storm of unprecedented fury when Hurricane Sandy struck New Jersey on October 29, 2012; and,

WHEREAS, many property owners in the Township of Neptune suffered damage to their homes and businesses as a result of Hurricane Sandy; and,

WHEREAS, the Township Committee is cognizant and supportive of the will and desire of our residents and businesses to rebuild a stronger Neptune Township and is at the ready to assist in this process; and,

WHEREAS, the Township normally offers dumpsters for a rental fee to property owners who are renovating or cleaning their homes; and,

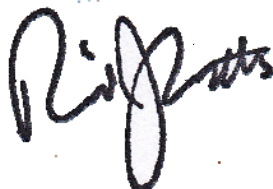
WHEREAS, in light of the unanticipated necessity to remove water damaged contents from homes as a result of the hurricane, the Township Committee desires to waive the dumpster rental fee for properties within the flood zone,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that dumpster rental fees for disposal of water damaged bulk and household items made necessary by Hurricane Sandy be and are hereby waived for dumpster rental applications received by the Neptune Township Public Works Department between October 30, 2012 and February 28, 2013; and,

BE IT FURTHER RESOLVED, that any property owner or occupant within the flood zone that was charged the dumpster rental fee for disposal of water damaged items within the waiver time period shall be refunded the amount paid; and,

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

CERTIFICATION
I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON 01/14/12



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-68 - 1/14/13

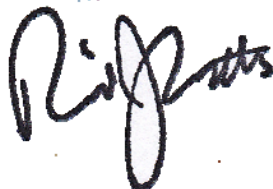
ACCEPT THE RESIGNATION OF ROBIN PRICE AS A
MEMBER OF THE BOARD OF ADJUSTMENT

WHEREAS, the Township Committee has received an e-mail from Robin Price resigning as a member of the Board of Adjustment effective January 9, 2013,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Robin Price as a member of the Board of Adjustment is hereby accepted effective January 9, 2013; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Citizen Board 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 01/14/12

A handwritten signature in black ink, appearing to read "Richard J. Cuttrel", is written over the certification text.

Richard J. Cuttrel, Municipal Clerk

RESOLUTION #13-69 - 1/14/13

RECLASSIFY TWO SPECIAL LAW ENFORCEMENT OFFICERS TO CLASS II STATUS

WHEREAS, Jean Pierre Marcenat and Steven Whritenour are currently employed as Special Law Enforcement Officers – Class I in the Police Department on a part-time hourly basis; and,

WHEREAS, the Chief of Police has recommend that both officers be reclassified to Class II status and be sent to the Monmouth County Police Academy for the Class II training,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Jean Pierre Marcenat and Steven Whritenour be and are hereby both reclassified and designated as a Special Law Enforcement Officer – Class II and are authorized to attend the Class II training at the Monmouth County Police Academy; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the 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 01/14/12

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-70 - 1/14/13

AUTHORIZE THE REPLACEMENT OF PLAYGROUND EQUIPMENT, SAFETY SURFACE AND FENCING DESTROYED BY HURRICANE SANDY AT SHARK RIVER MEMORIAL PARK

WHEREAS, the Township of Neptune desires to replace playground equipment, safety surface and fencing destroyed by Hurricane Sandy at Shark River Memorial Park through authorized vendors under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

WHEREAS, Burke Construction has been awarded New Jersey State Contract No. A81430 for play structures and swing sets and Whirl Construction has been awarded New Jersey State Contract No. T0103 and A81412 for fencing, safety structure and installation of play surfaces; and,

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

WHEREAS, the amount of all equipment and installation shall not exceed \$82,691.00, as further specified below; and,

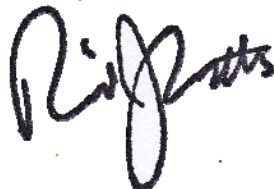
WHEREAS, funds for this purpose are available from the Hurricane Sandy Special Emergency Appropriation and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of playground equipment, safety surface and fencing destroyed by Hurricane Sandy at Shark River Memorial Park is hereby authorized under the State of New Jersey Cooperative Purchasing Program at an amount not to exceed \$82,691.18 as detailed below; and,

Burke - Play Structure 2-5yrs	\$21,000.00
Burke - Swing Set	\$ 1,400.00
Whirl - Ornamental Fencing w/gates	\$19,291.00
Whirl - Rubberized Safety Surface	\$29,000.00
Whirl - Installation of Play Structures	\$12,000.00
Total Cost	\$82,691.00

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

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 01/14/12



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #13-71 - 1/14/13

AUTHORIZE REPAIRS TO SOUTH ISLAND SANITARY SEWER PUMPING STATION

WHEREAS, the Township Engineer solicited quotes for repair work at the South Island Sanitary Sewer Pumping Station on Seaview Island due to damage from Hurricane Sandy; and,

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

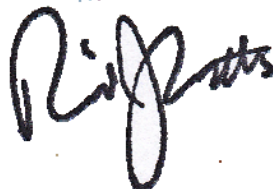
WHEREAS, said quotes were reviewed by the Township Engineer and the Purchasing Agent who have recommended that the low quote be accepted in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in Sewer Utility Special Emergency Appropriation, known as Account No. 07-575-020, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Pumping Services, Inc. be and is hereby authorized to perform repair work at the South Island Sanitary Sewer Pumping Station on Seaview Island due to damage from Hurricane Sandy pursuant to their quote of \$23,333.00; 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 and Public Works Director.

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 01/14/12

A handwritten signature in black ink, appearing to read "Richard J. Cuttrell", written over a circular stamp or seal.

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-72 - 1/14/13

AWARD BID FOR DEMOLITION AND REMOVAL SERVICES AT THE MUNICIPAL MARINA

WHEREAS, on January 10, 2013, the Township Engineer received bids for the award of a contract for demolition and removal services at the Municipal Marina; and,

WHEREAS, said bids were reviewed by the Township Engineer who has recommended that the bid be awarded to the lowest bid submitted by DJ Mazza Demolition; and,

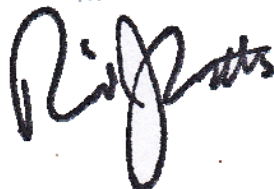
WHEREAS, said bids were advertised, received and awarded in a "fair and open" competitive bidding process in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in the Marina Utility Special Emergency Appropriation and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a contract be awarded to DJ Mazza Demolition on their lowest responsible bid of \$122,636.00 for demolition and removal services at the Municipal Marina; 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 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 01/14/12

A handwritten signature in black ink, appearing to read "Richard J. Cuttrell", is written over the certification text.

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-73 - 1/14/13

EMPLOY DEPUTY COURT ADMINISTRATOR IN THE MUNICIPAL COURT
ON A PROBATIONARY BASIS

WHEREAS, there is a vacancy in the position of Deputy Court Administrator in the Municipal Court; and,

WHEREAS, the position was duly posted and applicants have been interviewed by a panel of municipal and county officials as required by state statute; and,

WHEREAS, the Municipal Court Administrator and Interview Panel have made their recommendation to the Monmouth County Superior Court Assignment Judge who has approved of the recommendation; and,

WHEREAS, funds will be provided for the first three months of 2013 in the 2013 Temporary Budget and funds for the balance of 2013 will be provided in the Budget for the year 2013, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Christopher Anderson be and is hereby employed as Deputy Court Administrator in the Municipal Court, 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 January 15, 2013, at an annual salary of \$35,000.00 (starting salary reflecting substantial experience); and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Municipal Court Administrator, Business Administrator, Chief Financial Officer, Assistant C.F.O., AFSCME Local #1844, 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 01/14/12



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-74 - 1/14/13

EMPLOY CLERK/TYPIST IN THE CODE/CONSTRUCTION DEPARTMENT
ON A PROBATIONARY BASIS

WHEREAS, there is a vacancy in the position of Clerk/Typist in the Code/Construction Department; and,

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

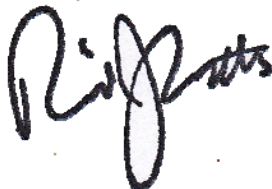
WHEREAS, the Construction Official has made his recommendation; and,

WHEREAS, funds will be provided for the first three months of 2013 in the 2013 Temporary Budget and funds for the balance of 2013 will be provided in the Budget for the year 2013, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Elizabeth Connors be and is hereby employed as a Clerk/Typist in the Code/Construction Department, on a probationary basis for a period of not less than 90 days and not exceeding one year, pending favorable results of the required physical, effective January 22, 2013, at an annual salary of \$22,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Construction Official, Business Administrator, Chief Financial Officer, Assistant C.F.O., AFSCME Local #1844, 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 01/14/12



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-75 – 1/14/13

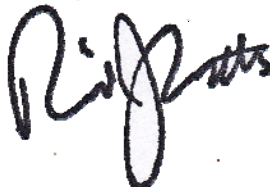
AUTHORIZE THE PAYMENT OF BILLS

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

CURRENT FUND	303,144.94
FEDERAL & STATE GRANT FUND	10,674.92
TRUST OTHER	75,502.29
GENERAL CAPITAL FUND	141,557.50
SEWER OPERATING FUND	8,148.55
MARINA OPERATING FUND	3,438.48
MARINA CAPITAL FUND	1,453.72
DOG TRUST	64.20
UDAG RECIPROCAL TRUST	250.00
LIBRARY TRUST	906.92
BILL LIST TOTAL	\$545,141.52

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 01/14/12



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #13-76 – 1/14/13

AUTHORIZE ESCROW AGREEMENT BETWEEN THE TOWNSHIP OF NEPTUNE
AND NEPTUNE ESTATES, LLC

WHEREAS, Neptune Estates, LLC (hereinafter referred to as “DEVELOPER”), is the owner of property located at Block 7018, Lot 9 on the Subdivision Plot of the Township of Neptune, New Jersey, with a Storm Water Management Basin located on Block 7018, Lot 9.12, and Final Site Plan Approval by the Township of Neptune Planning Board for the development of the aforesaid property for residential occupancy; and

WHEREAS, the Township of Neptune (hereinafter referred to as “MUNICIPALITY”), is the public entity responsible for enforcement of the site plan approved by the Planning Board and all of the conditions associated therein, including satisfaction of all Storm Water Management Requirements, and its Construction Department is responsible for the issuance of Certificates of Occupancy for all residential units, subject to the requirements of the Site Plan Approval, Local Ordinance, State Statute and Federal Law; and

WHEREAS, one impediment for the issuance of Certificates of Occupancy is a Storm Water issue, which may be affected by the operation of the detention basin on Lot 9.12, for which the Developer insists is caused by a dam or blockage on an adjoining private property, which is located in a longstanding trench utilized over the years to collect and transfer runoff water from all of the adjoining sites to the Jumping Brook; and

WHEREAS, it has been determined that the blockage, if removed, according to the engineers of the Developer, would allow runoff to flow easily to the Jumping Brook, and would alleviate flooding in the area and Storm Water Management problems on the Developer's site; and

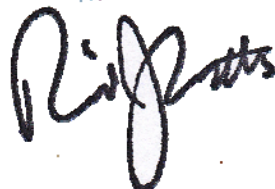
WHEREAS, subject to the consent of the property owners adjoining to the Developer's site in allowing the Developer to enter the trench area and remove the dam or obstruction to the trench, thus allowing water flow to freely flow to the Jumping Brook, the Developer is desirous at its own cost and expense to remove said dam or impediment, provide or install a pipe to allow free flowing water to proceed through the trench to the Jumping Brook and to cooperate in all ways in doing so; and

WHEREAS, it is in the best interest of Neptune Township to allow continued development of the Developer's site, while reducing and, if possible, eradicating flooding in the Developer's site and the adjoining property owners' sites, while addressing Storm Water Management in general.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the Governing Body hereby authorizes the execution of the attached Escrow Agreement as Exhibit “A” between Neptune Township and Neptune Estates, LLC, to allow for action towards completion of all Storm Water Management Conditions and the issuance of limited Certificates of Occupancy for residential housing.

BE IT FURTHER RESOLVED, that the Township Committee hereby authorizes the Mayor and Clerk to execute the Escrow Agreement attached hereto as Exhibit "A," and authorizes the Township Attorney to pursue all of the terms of the Escrow 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 01/14/12

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-77 - 1/14/13

AUTHORIZE EXECUTION OF AN AGREEMENT WITH WITT GROUP HOLDINGS, LLC
FOR DISASTER RECOVERY CONSULTING SERVICES UNDER THE
NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Township of Neptune desires to enter into an agreement for disaster recovery consulting services as a result of Hurricane Sandy under the State of New Jersey Cooperative Purchasing Program; and,

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

WHEREAS, Witt Group Holdings, LLC has been awarded New Jersey State Contract No. A83100 for these services; and,

WHEREAS, the amount of these services shall not exceed \$150,000.00; and,

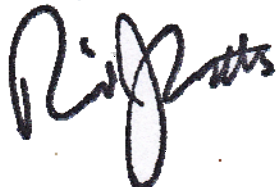
WHEREAS, the Chief Financial Officer recommends the utilization of this contract on the grounds of substantial cost savings; and,

WHEREAS, funds for this purpose are available from a Special Emergency Appropriation adopted by the Township Committee and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an agreement with Witt Group Holdings, LLC for disaster recovery consulting services as a result of Hurricane Sandy through the New Jersey Cooperative Purchasing Program; and,

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

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 01/14/12



Richard J. Cuttrell, Municipal Clerk