

TOWNSHIP COMMITTEE WORKSHOP MEETING – MARCH 10, 2014 – 6:00 P.M.

Mayor Brantley 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	_____
Eric J. Houghtaling	_____
Mary Beth Jahn	_____
Kevin B. McMillan	_____
Dr. Michael Brantley	_____

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

Mayor Brantley 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, 2014 and the Asbury Park Press on January 2, 2014, 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 – 2014 Municipal Budget

2. Discussion – Prosecutor's Office letter on the Open Public Meetings Act and electronic communication. (PW)

3. Discussion – Ordinance requiring removal of snow from sidewalks.

4. Discussion – Memorandum of Understanding with labor unions providing for temporary hiring of members for Township projects.

5. Discussion – Neptune Day.

6. Review Committee calendars/update on outstanding issues and parking lot items.
- Various on-going capital improvement projects.

Res. # 14-156 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____

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

TOWNSHIP COMMITTEE MEETING – MARCH 10, 2014 – 7:00 P.M.

Mayor Brantley 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
Eric J. Houghtaling	_____	
Mary Beth Jahn	_____	Anthony Panissidi Asbury Park Press
Kevin B. McMillan	_____	
Dr. Michael Brantley	_____	

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 Brantley 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, 2014 and the Asbury Park Press on January 2, 2014, 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 January 13th, January 27th, February 10th and February 24th.

RECOGNITION OF RETIRING TOWNSHIP EMPLOYEE

The Mayor and Committee will recognize Thomas Reilly who is retiring from the Public Works Department after 21 years of service.

REPORT OF THE CLERK

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

Notice of public hearing on amendments to the zoning map of the Township of Wall.

Senior Center monthly statistics for February.

Rosemary Gray sent letters of thanks to the following individuals and groups for recent donations to the Senior Center: Regina & Thomas Donohue, Nicholas Napolitano, Diane Olsen, Christine & Mack Owens, Catholic Men for Jesus Christ, Wegmans, Shop-Rite, Velma Waterman, Michele D'Amato, Edgar Halpin, Anne Sibole and Patricia Normington.

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 on this agenda)

ORDINANCE NO. 14-12 – Bond Ordinance providing for the Sidewalk and Accessibility Project on Neptune Boulevard and other identified locations, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$300,000 therefor (including a grant in the amount of \$142,000) and authorizing the issuance of \$150,500 bonds or notes of the Township to finance part of the cost thereof – First Reading

Explanatory statement: This Ordinance authorizes funds for the construction, reconstruction and/or repair of sidewalks, walkways, curbs, driveway aprons and other similar construction along Neptune Boulevard and other identified locations, including but not limited to, excavation, tree and root removal, site restoration, seeding, planting and other landscaping improvements and incidental roadway repaving and patching

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

ORDINANCE NO. 14-13 – Bond Ordinance providing for the Development of Veterans Park, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey, on Township owned property; appropriating \$800,000 therefor and authorizing the issuance of \$760,000 bonds or notes of the Township to finance part of the cost thereof – First Reading

Explanatory statement: This Ordinance authorizes funds for the Development of Veterans Park, including but not limited to, site restoration work, construction of a parking area, entry plaza, walkways and main plaza, various landscaping and aesthetic improvements, including, but not limited to the installation of various trees, seed, mulch and plantings, and fertilization thereof, installation of planters, brick pavers, memorial walls, a memorial plaque, signage, benches, trash receptacles, bicycle racks, flagpoles, uplights, water service, electric service and a composting restroom

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

The Public Hearings on Ordinances 14-12 and 14-13 will be held on Monday, March 24, 2014.

CONSENT AGENDA

Res. # 14-157 – Approve the transfer of Taxi Medallion License No. 001.

Res. # 14-158 – Appoint member to the Neptune Township Housing Authority.

Res. # 14-159 – Amend Resolution #14-79 approving selection of legal counsel to represent former Police Chief Robert Adams in lawsuit.

Res. # 14-160 – Accept the resignation of James Hunt as a member of the Housing Authority.

Res. # 14-161 – Authorize the submission of a grant application for the creation of the First Street Community Garden.

Res. # 14-162 – Accept a maintenance guarantee and release a performance guarantee filed by Neil Tobias for site improvements as Hair City at Route 66 and Robin Road.

Res. # 14-163 – Accept the resignation of Christine Nesheiwat as a Special Law Enforcement Officer.

Res. # 14-164 – Authorize the cancellation of sewer rent (304 Michelle Court).

Res. # 14-165 – Authorize the execution of an agreement with JSAS Health Care, Inc. for adult substance abuse services to Township residents.

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

Res. # 14-166 – Award bid for the reconstruction of a portion of the Ocean Grove boardwalk.

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

Res. # 14-167 – Employ Driver in the Department of Public Works on a probationary basis.

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

Res. # 14-168 – Authorize the payment of bills.

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

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. 14-12

BOND ORDINANCE PROVIDING FOR THE SIDEWALK AND ACCESSIBILITY PROJECT ON NEPTUNE BOULEVARD AND OTHER IDENTIFIED LOCATIONS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$300,000 THEREFOR (INCLUDING A GRANT IN THE AMOUNT OF \$142,000) AND AUTHORIZING THE ISSUANCE OF \$150,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the sum of \$300,000, said sum being inclusive of a \$142,000 grant received or expected to be received from the New Jersey Community Development Block Grant Program (the "Grant"), and the down payment for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law") in the amount of \$7,500. The \$7,500 down payment is now available therefor from the general capital improvement fund by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$300,000 appropriation not provided for by application hereunder of the Grant and said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$150,500 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$150,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are the construction, reconstruction and/or repair of sidewalks, walkways, curbs, driveway aprons and other similar construction along Neptune Boulevard and other identified locations, such improvements and purposes to also include but not be limited to, excavation, tree and root removal, site restoration, seeding, planting and other landscaping improvements, incidental roadway repaving and patching, all engineering and design work, preparation of plans and specifications, permits, bid documents, contract administration, work, materials, equipment, labor and appurtenances as necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$150,500.

(c) The estimated cost of said improvements or purposes is \$300,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Grant in the amount of \$142,000 and the down payment in the amount of \$7,500 available for such improvements or purposes.

SECTION 4. Except for the Grant, in the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Township, for the improvement and purpose authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. Except for the Grant, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth, shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Township may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$150,500 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$80,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$150,500. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 14-13

BOND ORDINANCE PROVIDING FOR THE DEVELOPMENT OF VETERANS PARK, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ON TOWNSHIP OWNED PROPERTY; APPROPRIATING \$800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$760,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$800,000, which sum includes \$40,000 as the amount of down payment for said improvement or purpose required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$800,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$760,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$760,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is the development of Veterans Park on property previously acquired by the Township for use as a park and open space, a lawful public purpose, including but not limited to, as applicable, site restoration work, construction of a parking area, entry plaza, walkways and main plaza, various landscaping and aesthetic improvements, including, but not limited to the installation of various trees, seed, mulch and plantings, and fertilization thereof, installation of planters, brick pavers, memorial walls, a memorial plaque, signage, benches, trash receptacles, bicycle racks, flagpoles, uplights, water service, electric service and a composting restroom, and also including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefore or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$760,000.

(c) The estimated cost of said improvement or purpose is \$800,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment for said improvement or purpose in the amount of \$40,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Township, for the improvement and purpose authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth, shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$760,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$760,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

RESOLUTION #14-156 – 3/10/14

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 – Update on pending litigation

Personnel – Housing Authority vacancies

Personnel – Vacancy in the position of Driver

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 #14-157 - 3/10/14

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 001

WHEREAS, Ed Booker is the owner of Neptune Township Taxi Medallion No. 001; and,

WHEREAS, he has notified the Taxi License Coordinator of the intent to sell and transfer ownership of said medallion to Ibrahim Abdo-Abdelwahed; 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. 001 to Ibrahim Abdo-Abdelwahed; 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 03/10/2014

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-158 - 3/10/14

APPOINT MEMBER TO THE NEPTUNE TOWNSHIP HOUSING AUTHORITY

BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby appoints Edward Green to the Neptune Township Housing Authority for a five year term expiring March 31, 2019; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Neptune Township Housing Authority.

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 03/10/2014

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-159 – 3/10/14

AMEND RESOLUTION 14-79 APPROVING SELECTION OF LEGAL COUNSEL TO REPRESENT FORMER POLICE CHIEF ROBERT ADAMS IN LAWSUIT

WHEREAS, in the matter of Gonzalez/Savage vs. Neptune Township et als., former Police Chief, Robert Adams, has requested that Stacey D. Adams, Esq., serve as legal counsel as to all claims for which former Police Chief, Robert Adams, is allowed private representation under his contract; and,

WHEREAS, in accordance with the current Collective Bargaining Agreements, the Township Committee must approve the selection of counsel; and,

WHEREAS, a Resolution was passed on January 13, 2014 under Resolution No. 14-79, which allowed for the selection of Stacey D. Adams, Esq., to serve as legal counsel for Punitive Damages only, at the hourly rate of the Township Attorney; and,

WHEREAS, former Police Chief Robert Adams' contract with the Township raises issues as to the aforesaid limitations.

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that approval is hereby granted to former Police Chief, Robert Adams, to retain Stacey D. Adams, Esq., of the law firm of Littler, Mendelson, P.C., One Newark Center, 8th Floor, Newark, NJ 07102, as legal counsel for all claims permitted by his former contract with the Township of Neptune at an hourly rate of \$150.00 per hour; and,

BE IT FURTHER RESOLVED, that a copy of the Resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistance Chief Financial Officer, Deputy Chief of Police of Neptune Township and former Police Chief, Robert Adams.

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 03/10/2014



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-160 - 3/10/14

ACCEPT THE RESIGNATION OF JAMES HUNT AS A
MEMBER OF THE HOUSING AUTHORITY

WHEREAS, the Township Committee has received a letter from James Hunt resigning as a member of the Housing Authority effective February 25, 2014,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of James Hunt as a member of the Housing Authority is hereby accepted effective February 25, 2014; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Neptune Township Housing Authority.

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 03/10/2014

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-161 - 3/10/14

AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION
FOR THE CREATION OF THE FIRST STREET COMMUNITY GARDEN

WHEREAS, the Township is partnering with the Neptune Township Housing Authority to create the First Street Community Garden; and,

WHEREAS, The Gannett Foundation provides Community Action Grants for various community based projects; and,

WHEREAS, the Township and Housing Authority desire to submit a grant application to the Gannett Foundation in the amount of \$5,000.00 for materials to assist in the above project,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the submission of a grant application in partnership with the Neptune Township Housing Authority to The Gannett Foundation in the amount of \$5,000.00 (no match required) for materials to assist in the creation of the First Street Community Garden; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Community Programs Coordinator, Grants Coordinator, Chief Financial Officer and Neptune Township Housing Authority.

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 03/10/2014

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-162 - 3/10/14

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE GUARANTEE
FILED BY NEIL TOBIAS FOR SITE IMPROVEMENTS
AT HAIR CITY AT ROUTE 66 AND ROBIN ROAD

WHEREAS, on August 23, 2013, Neil Tobias submitted a cash performance guarantee in the amount of \$49,200.00 guaranteeing site improvements for Hair City at Route 66 and Robin Road (Block 1007, Lot 33); and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of March 6, 2014 and said performance guarantee can be released; and,

WHEREAS, Neil Tobias has authorized the retention of \$7,380.00 in cash guarantee to serve as a Maintenance Guarantee to guarantee said site improvements for a period of two years,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Maintenance Guarantee as stated above be and is hereby accepted and the cash performance guarantee is authorized to be released; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee in the amount of \$41,820.00 on escrow with the Township be and is hereby authorized to be refunded; and,

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

CERTIFICATION
I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF NEPTUNE ON 03/10/2014



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-163 - 3/10/14

ACCEPT THE RESIGNATION OF CHRISTINE NESHEIWAT AS A
SPECIAL LAW ENFORCEMENT OFFICER

WHEREAS, the Township Committee has received a letter from Christine Nesheiwat resigning as a Special Law Enforcement Officer – Class I in the Police Department effective February 26, 2014,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Christine Nesheiwat as a Special Law Enforcement Officer – Class I in the Police Department is hereby accepted effective February 26, 2014; and,

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

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 03/10/2014

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-164 - 3/10/14

AUTHORIZE THE CANCELLATION OF SEWER RENT (304 MICHELLLE COURT)

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

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and hereby is authorized to cancel Sewer Rent as stated herein; and,

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
8000/31	Sumit Ganguly	304 Michelle Ct.	2014	450.00

REASON: Building demolished

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector, 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 03/10/2014



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-165 - 3/10/14

AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH JSAS HEALTH CARE, INC. FOR ADULT SUBSTANCE ABUSE SERVICES TO TOWNSHIP RESIDENTS

WHEREAS, JSAS Health Care, Inc. is a non-profit corporation, licensed and approved by the New Jersey Department of Health to provide ambulatory care services to substance abusers of all ages, on-site at its principal offices at 685 Neptune Blvd., Suite 101, Neptune, New Jersey or off-site in an approved and confidential setting, and,

WHEREAS, the Township desires to make available to its residents, a full range of substance abuse services, at no "out of pocket" cost to any individual resident and the Township will make available up to fourteen thousand dollars (\$14,000) in 2014 budgeted funds to pay for these services; and,

WHEREAS, JSAS Health Care, Inc. agrees to continue providing its services if the amount of the Township appropriation is exhausted; and,

WHEREAS, funds for this purpose will be provided for the first three months of 2014 in the 2014 Temporary Budget and funds for the balance of 2014 will be provided in the budget for the year 2014, 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 the Mayor and Clerk be and are hereby authorized to execute an agreement with JSAS Health Care, Inc., to provide substance abuse services to Township residents for the year of 2014 at an amount not to exceed \$14,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution and the agreement be forwarded to the Drug Alliance Coordinator, JSAS Health Care, 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 03/10/2014



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-166 - 3/10/14

AWARD BID FOR RECONSTRUCTION OF A PORTION OF OCEAN GROVE BOARDWALK

WHEREAS, on March 6, 2014, the Township Engineer received bids for the award of a contract for the reconstruction of a portion of the Ocean Grove boardwalk destroyed by Hurricane Sandy; and,

WHEREAS, said bids were reviewed by the Township Engineer and Engineering Consultant who has recommended that the bid be awarded to the lowest bid submitted by Epic Management, Inc.; 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 Ordinance No. 14-09 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 Epic Management, Inc. on their lowest responsible bid of \$1,135,570.00 for the base and alternate bid for the reconstruction of a portion of the Ocean Grove boardwalk; 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, Leon S. Avakian, Inc., and Ocean Grove Camp Meeting Association.

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 03/10/2014



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-167 - 3/10/14

EMPLOY DRIVER IN THE PUBLIC WORKS DEPARTMENT
ON A PROBATIONARY BASIS

WHEREAS, on February 24, 2014, the Township Committee adopted Resolution #14-152 which employed Kevin Neal as a Driver in the Public Works Department; and,

WHEREAS, Kevin Neal has since declined the position causing a vacancy in the position of Driver; and,

WHEREAS, the Public Works Director and Business Administrator have made their recommendation to hire an individual from the candidates that were interviewed and tested during the round of hirings for the Driver position in February; and,

WHEREAS, funds will be provided for the first three months of 2014 in the 2014 Temporary Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, 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 Romell Wilson be and is hereby employed as a Driver in the Department of Public Works, at an annual salary of \$28,000.00, 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 March 11, 2014; 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, Director of Public Works and Human Resources.

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 03/10/2014



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-168 – 3/10/14

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	430,927.08
FEDERAL & STATE GRANT FUND	14,190.94
TRUST OTHER	150,482.02
GENERAL CAPITAL FUND	254,735.64
SEWER OPERATING FUND	23,771.03
MARINA OPERATING FUND	2,602.47
MARINA CAPITAL FUND	2,300.00
DOG TRUST	102.60
LIBRARY TRUST	1,345.30
BILL LIST TOTAL	\$880,457.08

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 03/10/2014



Richard J. Cuttrell, Municipal Clerk