

TOWNSHIP COMMITTEE WORKSHOP MEETING – JULY 22, 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 – Bernard Haney present to discuss Monmouth County Assessment Project.
2. Discussion – Rescheduling September 9th meeting.
3. Discussion – Welsh Farms property.
4. Update on Hurricane Sandy recovery/outstanding parking lot items.
5. Review Committee calendars/follow-up on outstanding issues from previous meeting.

Res. # 13-334 – 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 – JULY 22, 2013 – 7:00 P.M.

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

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

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

Silent Prayer and Flag Salute

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

Mayor Houghtaling announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster on January 3, 2013 and the Asbury Park Press on January 4, 2013, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at www.neptunetownship.org.

APPROVAL OF MINUTES

Motion offered by _____, seconded by _____, to approve the minutes of the meeting held on May 13th.

REPORT OF THE CLERK

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

Tax Collector's monthly statement for June.

Minutes of the April 22nd meeting of the Senior Advisory Council.

A letter from David Mooij, Superintendent of Schools, thanking Deputy Chief Hunt for providing officers to control traffic in connection with the funeral James Terrell.

A letter from a Neptune resident thanking Police Officer Bryan Maher, Detective David Gamble and Detective Kevin O'Donnell for investigating and recovering items stolen on a robbery.

The 200 Club of Monmouth County presented awards to several of emergency responders in recognition of the meritorious service and life saving efforts: Police Officers Nicholas Taylor, Christopher Nishkoch, Shaun Hubbard, and Sgt. Scott Cox received merit awards. Officer Robert O'Heney, Sgt. Michael D'Amico, and Lt.

Robert Mangold received Commendation awards and the ANSWER Water Rescue Team was recognized for life saving efforts during boat crash.

PUBLIC COMMENTS ON RESOLUTION TO HIRE FOUR POLICE OFFICERS

Public comments regarding Resolution 13-335. The public will be permitted one visit to the microphone with a limit of five minutes.

Res. # 13-335 – Employ four police officers on a probationary basis.

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

COMMENTS FROM THE DAIS

The Mayor will now request comments from the Dais regarding business on this agenda or any reports on recent events in their respective departments.

PUBLIC COMMENTS ON RESOLUTIONS

Public comments regarding resolutions presented on this agenda only. The public will be permitted one visit to the microphone with a limit of five minutes.

ORDINANCES

For each ordinance with a public hearing, the public will be permitted one visit to the microphone with a limit of five minutes.

ORDINANCE NO. 13-24 - An ordinance to amend Volume I, Chapter VII, Section 7-21 of the Code of the Township of Neptune by adding a handicapped parking zone on Abbott Avenue. - Final Reading

Explanatory Statement: This ordinance authorizes the installation of a handicapped parking stall in front of 115 Abbott Avenue.

Public Hearing:

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

ORDINANCE NO. 13-25 - An ordinance authorizing the guaranty by Township of Neptune, New Jersey or payment of principal and interest on the Capital Equipment Lease Revenue Bonds, Series 2013 (the Township of Neptune Fire District #2 Project) of the Monmouth County Improvement Authority – Final Reading

Explanatory Statement: This ordinance authorizes the Township to guaranty the payment of the principal and interest on the Capital Equipment Lease Revenue Bonds, Series 2013 of The Monmouth County Improvement Authority in connection with the purchase of a Class A pumper by Neptune Township Fire District #2. The Fire District will be responsible for the payment of principal and interest through its annual

budget. The Township is providing the guaranty of said payment.

Public Hearing:

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 13-26 - An ordinance amending Volume I, Chapter IV of the Code of the Township of Neptune by creating Rent Control, Protective Tenancy and a Rent Leveling Board – First Reading

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 13-27 - Bond Ordinance providing for the acquisition and the payment of the purchase price of real property being designated as Block 173, Lot 31.01 on the Official Tax Map of the Township of Neptune and various improvements thereof, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$120,000 therefor and authorizing the issuance of \$114,000 bonds or notes of the Township to finance part of the cost thereof – First Reading

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 13-28 - Bond Ordinance providing for the Pedestrian/Bicycle Lane Transportation Enhancement Project, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$700,000 therefor (including a grant received or expected to be received in the amount of \$580,000) and authorizing the issuance of \$120,000 bonds or notes of the Township to finance part of the cost thereof – First Reading

Offered by: _____ Seconded by: _____

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

The Public Hearings on Ordinances 13-26, 13-27 and 13-28 will be held on Monday, August 12, 2013.

CONSENT AGENDA

Res. # 13-336 – Approve the form and authorizing the execution and delivery of a Letter of Representation and a Continuing Disclosure Agreement in connection with the issuance and delivery of the Monmouth County Improvement Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2013 and authorizing an authorized municipal representative to do all other things deemed necessary or advisable in connection with the issuance, sale and delivery of such bonds (Township of Neptune Fire District #2 project)

Res. # 13-337 – Approve the form and authorizing the execution and delivery of a Letter of Representation and a Continuing Disclosure Agreement in connection with the issuance and delivery of the Monmouth County Improvement Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2013 and authorizing an authorized municipal representative to do all other things deemed necessary or advisable in connection with the issuance, sale and delivery of such bonds (Neptune Township Project)

Res. # 13-338 – Designate 2014 floating holiday.

Res. # 13-339 – Acknowledge the retirement of Anna Anton as Transportation Coordinator in the Senior Center.

Res. # 13-340 – Authorize the refund of Municipal Marina transient slip deposit.

Res. # 13-341 – Accept the resignation of Stephanie Seyr as a Violations Clerk in the Municipal Court.

Res. # 13-342 – Authorize execution of a Grant Agreement with the U.S. Department of Agriculture Natural Resources Conservation Service for an Emergency Watershed Protection Project.

Res. # 13-343 – Authorize the submission of a Grant Application and execution of a Grant Agreement for the development of a Post-Sandy Strategic Recovery Planning Report.

Res. # 13-344 – Authorize the refund of taxes as a result of an overpayment.

Res. # 13-345 – Authorize the cancellation of taxes as a result of the granting of a totally disabled veterans exemption (6 Roberta Drive).

Res. # 13-346 – Authorize the cancellation of taxes as a result of the granting of a totally disabled veterans exemption (1115 Fordham Road).

Res. # 13-347 – Authorize the cancellation of sewer rent.

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

Res. # 13-348 – Authorize the purchase of a Chevrolet Tahoe.

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

Res. # 13-349 – Authorize Change Order #1 in connection with Improvements to the Shark River Municipal Marina.

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

The Mayor announces the following appointment to the Neptune Township Housing Authority:

Carol Foster for an unexpired five year term expiring March 31, 2016

Res. # 13-350 – Consent to the Mayor’s appointment to the Neptune Township Housing Authority.

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

Res. # 13-351 – Authorize the payment of bills.

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. 13-26

AN ORDINANCE AMENDING VOLUME I, CHAPTER IV OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY CREATING RENT CONTROL, PROTECTIVE TENANCY AND A RENT LEVELING BOARD

WHEREAS, a large portion of residents of the Township of Neptune live in apartment complexes and mobile home parks, and are in dire need of protection as tenants, especially in the area of rent increases and affordable, available housing.

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune, County of Monmouth and the State of New Jersey that Volume I, Chapter IV of the Code of the Township of Neptune is hereby amended by adding the following:

4-30 RENT CONTROL.

4-30.1 Definitions. As used in this Chapter:

Bed and Breakfast shall mean a facility providing sleeping or dwelling accommodations to transient guests as defined by N.J.A.C. 5:70-1.5 or successor amended State Regulations and local Ordinance 4-23.1 and successor amended ordinances.

Date that the lease is entered into in the case of the renewal of leases shall mean the starting date of the last renewal term. Anniversary date shall mean the date that the lease is entered into or periodic tenancy commenced (oral lease) and each yearly renewal date thereafter.

Existing legal rent shall mean the actual legal monthly rental a tenant is paying for his apartment or mobile home unit or space. At the time of this Chapter if the present monthly rent being paid by a tenant is five hundred and eighty dollars (\$580.00) and the tenant is also paying a twenty (\$20.00) dollar a month hardship surcharge, the existing legal rent for the next permissible increase will be six hundred (\$600.00) dollars and the next permissible increase will be the increased percentage in CPI as set forth in Subsection 4-30.2b x \$600.00. Thereafter, the "existing rent" will be this six hundred dollars (\$600.00) plus any CPI increases. Any capital improvement surcharge shall be separate from the rent and not be included in the base rent.

Guesthouse shall mean a facility providing sleeping or dwelling accommodations for transient guests as defined by Neptune Township Ordinance 4-23.1.

Legal rent shall mean any consideration paid by tenant or mobile home owner or tenant for the use and occupancy of the rental property. All charges that are considered mandatory for all tenants, including but not limited to refurbishment fees and administrative fees, shall be considered "rent" and shall be illegal unless inclusive of all rents and meeting the ceiling limitations of this Chapter. Optional charges, which are chosen by tenants such as pet fees, pool fees, recreation fees, and the like, shall not be inclusive of the definition of "rent" as viewed by this Chapter.

Enforcement fees or security fees such as late fees, bounced check fees, legal fees and costs of court for enforcement of a breach of lease agreement and increases in security deposit are also not considered "rent" for purposes of this Chapter.

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

Notify or notification shall mean either certified mail, or regular mail or hand delivery acknowledged by written receipt; or if the party refuses to claim or acknowledge delivery, by regular mail.

Price Index shall mean the "Consumer Price Index for all urban consumers" for the region of the United States, of which Neptune Township, New Jersey, is a part (i.e. the New York-East-New Jersey region) published periodically by the Bureau of Labor Statistics, United States Department of Labor.

Substantial compliance shall mean that the housing space and dwelling are free from all heat, hot water, elevator and all health, safety and fire violations as well as ninety (90%) percent qualitatively free of all other violations of the Neptune Township Property Maintenance Ordinance, Uniform Construction Code, Hotel and Multiple Dwelling Law, Mobile Home Park Ordinance and Statute (mobile home units only).

4-30.2 Establishment of Rent; Increase.

- a. Establishment of rents between a landlord and a tenant in any dwelling shall hereafter be determined by the provisions of this Chapter. Any rental increase in excess of that authorized by the provisions of this Chapter shall be void.
- b. Upon proper notice at the expiration of a lease or periodic tenancy, no landlord may request or receive an increase greater than the percentage increase, if any, in the Price Index published in the fourth month prior to the month in which the lease or periodic tenancy terminates over the Price Index published in the sixteenth month prior to the month of termination. The rent resulting from the imposition of any increase provided hereunder may be rounded to the nearest dollar with regard to the final step of

calculation only. Calculation of the CPI published shall be in the month it is published not the month of designation, i.e., November CPI published in December is December's CPI. Calculation of percentages shall be calculated out two decimal points only and then dropped not rounded. No landlord shall request or receive more than one rental increase per year per housing space or mobile home space unless said housing space or mobile home space is decontrolled by a vacancy. By way of example, a rent increase computed in accordance with the provisions of this section shall be computed as follows:

EXAMPLE

Assuming a lease or periodic tenancy expires in April of 2005, use the CPI published in the fourth preceding month, or December of 2004 (a. below). Take the CPI published in the sixteenth month preceding the month of termination, or December of 2003 (b. below) and subtract b. from a. To calculate the percentage change in the CPI, take c. and divide it by b. (d. below).

Next, multiply the current rent by the percentage change in the CPI (e. below) and add to the current rent to arrive at the new rent.

a. CPI published in December 2004	293.9
b. CPI published in December 2003	<u>-283.6</u>
c. Difference in CPI	<u>10.3</u>
d. Percentage change in CPI 10.3 divide by 283.6 =	.03
e. Permissible increase is \$400 (current rent) multiplied by .03 =	12.00
f. New rent is (rounded to nearest dollar)	\$412.00

4-30.3 Rent Increase; Notice Required.

- a. Any landlord seeking an increase in rent shall, at least sixty (60) days prior to the effective date of the increase, notify the tenant of the calculations involved in computing the increase, including the Price Index at the respective dates as required in Subsection 4-30.2 the allowable percentage increase, the allowable rental increase, the previous year's base rent, and a certification by the landlord that the dwelling is in substantial compliance with the Municipal Property Maintenance Code, Uniform Construction Code, Hotel and Multiple Dwelling law and Mobile Home Park Ordinance and Statute (for mobile home units only). Failure to comply with this provision shall result in the rental continuing at old rent until proper notice is given.
- b. Any landlord seeking a rent increase, a lease renewal or an agreement to extend or renew leases shall provide notice of said action in writing and in duplicate to the tenant at least sixty (60) days prior to the effective date of increase renewal, extension or other action and further that no tenant shall be required to sign any such rent increase notice,

renewal or agreement to extend or renew lease until such tenant has had the opportunity to review the documents for a period of five (5) business days.

4-30.4 Appeal by Landlord.

- a. In the event that a landlord cannot receive a fair return after having received the increase provided in Subsection 4-30.2, he may appeal to the Rent Leveling Board for increased rental. The Board may grant a hardship rent increase to meet this requirement. The landlord must provide evidence according to the standards recognized at law for determining fair return. The Board will rely upon the recognized standard that a landlord should receive a net operating income of at least forty (40%) percent of the gross annual income after deducting reasonable and necessary operating expenses, in the absence of an adequate showing that utilization of this standard will result in an unfair return to the landlord. Operating expenses shall not include mortgage principal or interest payments, depreciation or amortization. Any hardship increase granted by the Board will take the place of the annual CPI increase and shall be equally prorated to all units within the structure thirty (30) days after the decision of the Rent Leveling Board, provide that no increase shall take effect with regard to any tenant who has a written lease until the expiration of the lease unless the lease provides otherwise.
- b. Landlord may seek addition surcharges for major capital improvements or services. To qualify for a major improvement surcharge, claimant must show a benefit to the tenant, in the form of improved lifestyle, convenience, ease and/or security. The landlord must notify each tenant of the total cost of the completed capital improvement or service, the number of years of useful life of the improvement as claimed by the landlord for purposes of depreciation for income tax purposes, the cost of the improvement, the total number of square feet to the dwelling or garden apartment complex, the total square feet occupied by the tenant and the capital improvement surcharge he is seeking from each tenant. The landlord seeking a capital improvement or service surcharge shall appeal for the surcharge to the Rent Leveling Board who shall determine if the improvement is a major improvement and if so, may permit such increase to take place and may direct that the increase shall be collected in equal monthly payments spread over the useful life of the capital improvement. If the increase is granted it shall not be considered rental and calculated in cost of living increases. In any event, no increase authorized by this section shall exceed fifteen (15%) percent of the tenant's rent.
- c. Prior to any such appeal to the Board provided for in paragraphs a. and b. of this section, a landlord must post in the lobby of each building or if no lobby is present, in a conspicuous place in and about the premises a notice of the appeal setting forth the basis for the appeal. The notice must be posted for a least fifteen (15) days prior to the proposed date of appeal. He shall also send a separate notice by regular and certified mail return receipt requested to each tenant at least fifteen (15) days prior to the proposed date of the appeal. Landlord must also submit to the Board a certification from the Housing and Construction Department of Neptune Township that the building and grounds are in substantial compliance with the municipal property maintenance ordinance, uniform construction code, hotel and multiple dwelling law and with regards to mobile homes the mobile home park ordinance.

4-30.5 Rent Leveling Board Established.

There is hereby created a Rent Leveling Board within the Township of Neptune. The Board shall consist of five (5) regular members and two alternate members. The members of the Board shall be appointed by the governing body and their terms of office shall be for a period of one year each, with each member serving without compensation.

Except as provided herein, the powers herein granted to the Rent Leveling Board are advisory powers and its actions shall be subject to review by the governing body of the Township hereinafter provided.

The Board shall elect among themselves a Chairperson at the first annual meeting of the Rent Leveling Board, which it is called. The Township Committee shall appoint a paid Board Secretary and legal counsel when needed. The Construction Official, Housing Inspector and/or Code Enforcement Officer may be called for specific reasons when needed by the Board and in its discretion. The Board shall be subject to Open Public Meeting Act.

4-30.6 Rent Leveling Board: Powers.

The Rent Leveling Board is hereby granted, and shall have and exercise, in addition to other powers herein granted, all the powers necessary and appropriate to carry out and execute the purposes of this Chapter, including but not limited to the following:

- a. To issue and promulgate such rules and regulations as it deems necessary to implement the purposes of this Chapter, which rules and regulations shall have the force of law until revised, repealed or amended by the Board in the exercise of discretion, providing that such rules are filed with the Township Clerk.
- b. To supply information and assistance to landlords and tenant to help them comply with the provisions of this Chapter.
- c. To hold hearings and adjudicate applications from landlords for additional rental and surcharges.
- d. To hold hearings and adjudicate applications and complaints from tenants for reduced or improper rentals. The Board shall give both landlord and tenant reasonable opportunity to be heard before making any determination.
- e. Upon application the Board may in its discretion issue written advisory opinions as to any issue of jurisdiction on any future potential matter. The opinion shall not be binding but shall be advisory in nature and provide guidance for future actions.

4-30.7 Appeal.

Both landlord and tenant may appeal in writing the findings of the Board to the governing body within twenty (20) days from the date of the determination. The Township Committee shall hold a hearing on the record before the Board. Procedures for appeal and costs shall be determined in the Rules and Regulations of the Board.

4-30.8 Tax Reduction; Tenant Credit.

In the event a tax appeal is taken by the landlord and the landlord is successful in the appeal and the tax is reduced, the landlord shall remit and tenant shall receive fifty (50%) percent of the reduction as applied to its tax portion, after deducting all expenses incurred by the landlord in prosecuting the appeal, within forty-five (45) days of receipt by the landlord of the monies or the crediting of such monies against the landlord's outstanding taxes. The landlord shall notify each tenant of such tax reduction and of the calculations involved in computing the tenant's credit, including the property tax for the dwelling place before the appeal, the reduced property tax for the dwelling place after the appeal, the number of square feet of all housing space in the dwelling, the tax decrease per square foot of housing space, the number of square feet occupied by the tenant, the credit to which the tenant is entitled and how it is being credited. The landlord shall provide the Board in writing with a detailed list of the items of expense incurred by him in prosecuting the tax appeal.

A tenant who has resided in housing space for less than the entire tax year to which a reduction pertains (hereinafter "tax year") shall be entitled to receive a percentage of the tax refund pertaining to his housing space which percentage shall be equal to the percentage of the tax year the tenant resided in the housing space.

With respect to any tenant who is entitled to a tax refund but whose whereabouts are unknown, the landlord shall, within forty-five (45) days after receipt by him of his tax refund or the crediting of such refund against outstanding taxes, deposit the tenant's portion in a bank account maintained by the landlord.

With respect to a tenant whose whereabouts are unknown, the landlord shall make a reasonable effort to ascertain such tenant's whereabouts, and refund to him any amounts to which he is entitled. If, after two (2) months from the date of the landlord's receipt of his tax refund or the crediting of such refund against outstanding taxes, he has been unable to ascertain the whereabouts of any tenant entitled to a refund, the landlord shall apply such tenant's portion of the tax refund for general maintenance purposes and/or making improvements to the common elements of the dwelling.

Within two (2) months after the expiration of the two (2) month period during which a landlord must attempt to locate a tenant whose whereabouts is unknown, the landlord shall expend, and shall provide details to the Board pertaining to the expenditure of, funds for general maintenance purposes and/or for making improvements to the common elements.

4-30.9 Standards of Service.

During the term of this Chapter, the landlord shall maintain the same standards of service, maintenance, furniture, furnishings and equipment in the housing space, dwelling and common areas as it provided or was required to do by law or lease or tenancy at the date the lease or tenancy was entered into or started. In the event the landlord fails to provide such services, tenants may petition the Board for a rent reduction.

4-30.10 First Time Rental.

The owner of housing space or dwelling being rented for the first time shall not be restricted in the initial rent he charges. Any subsequent rental increases, however, shall be subject to the provisions of this Chapter.

4-30.11 Precedence of Ordinance.

Should a lease entered into between the landlord and tenant prove to be in conflict with a Rent Leveling Ordinance, the Ordinance shall take precedence.

4-30.12 Vacant Housing Decontrolled, Recontrolled.

Any housing space which is presently vacant or which will become vacant during or at the end of any lease term shall be decontrolled and the rent may be raised by the landlord. The rent to be charged to a new tenant as well as the rent previously charged for the same space shall be reported to the Rent Leveling Board within fifteen (15) days of renting the space. Upon being re-rented, the rental space shall be considered recontrolled to the same extent and under the same conditions as any space originally controlled.

Failure to report the information required within the fifteen (15) days specified shall result in the rental space remaining controlled to the same extent and under the same conditions as if it had not been vacant and any rental charged the new tenant in excess of that controlled rate shall be void.

4-30.13 Complaint Against Landlord.

Any tenant filing a complaint with the Rent Leveling Board against the landlord shall be required to sign a complaint and appear before the Board to give testimony as requested by the Board. The landlord and/or his representative upon due notice shall be required to appear and give testimony. Any tenant appearing before the Board may select someone to represent them who need not be an attorney provided the person representing the tenant is authorized to do so in writing. Any person representing a tenant except an attorney is not permitted to charge a fee for his service. Any landlord who is incorporated or is an LLC must be with legal counsel when appearing on a landlord instituted complaint.

4-30.14 Request for Information.

When the Rent Leveling Board shall request of any landlord any information with respect to any rental unit such information shall be provided to the Rent Leveling Board within fifteen (15) days of such request. Failure to report the information required within the fifteen (15) days specified shall result in the rental space remaining controlled to the same extent and under the same conditions as it had not been vacant and any rental charged the new tenant in excess of that controlled rate shall be void.

4-30.15 Posting Required.

All landlords shall be required to have at all times a copy of the Rent Leveling Ordinance posted in the lobby or other conspicuous place in the premises or landlord and provide a copy to all tenants on the initial lease or tenancy or all existing tenants written 60 days of enactment of this Ordinance.

4-30.16 Purpose.

This Ordinance being necessary for the welfare of the Township of Neptune and its inhabitants shall be liberally construed to effectuate the purposes thereof.

4-31 SENIOR CITIZENS AND DISABLED PROTECTED TENANCY ACT.

4-31.1 Established.

The Rent Leveling Board of the Township of Neptune has been authorized and instructed to administer the provisions of the Senior Citizens and Disabled Protected Tenancy Act, Chapter 226 of the Laws of New Jersey 1981. The Rent Leveling Board of the Township of Neptune has been instructed to report to the Mayor and Township Committee within thirty (30) days, its recommendations as to the fees which should be charged to owners seeking to convert properties to condominiums or cooperatives as provided in Section 16 of the Act. Until such time as the Rent Leveling Board has submitted its recommendations and the Mayor and Township Committee have had an opportunity to act thereon, it is necessary to establish interim fees for the processing of notices and applications and to otherwise administer the provisions of the Senior Citizens and Disabled Protected Tenancy Act.

4-31.2 Fees.

The following fee structure is provided to cover the costs of the services to be provided by the Township of Neptune under the provisions of the Senior Citizens and Disabled Protected Tenancy Act and are to be paid by the owners of properties sought to be converted to condominiums or cooperatives at the time such owners take steps to invoke the services of the Township under the Senior Citizens and Disabled Protected Tenancy Act:

- a. Five hundred (\$500.00) dollars for the application for conversion of structures, and
- b. Ten (\$10.00) dollars for each unit.

4-31.3 Interim Fees to Remain in Effect.

This ordinance shall take effect upon publication according to law and remain in effect until such time as an ordinance establishing permanent fees for the Township's services under the Senior Citizens and Disabled Protected Tenancy Act is adopted by the Mayor and Township Committee of the Township of Neptune.

4-32 VIOLATIONS AND PENALTIES.

4-32.1 Penalties - Section 4-30 Rent Control and Section 7-31 Protected Tenancy.

- a. Any person violating any of the provisions of this Chapter shall, upon conviction thereof, be subject to a fine not to exceed one thousand two hundred and fifty dollars (\$1,250.00) or be imprisoned for a term not to exceed ninety (90) days, community service not exceeding ninety (90) days or any combination thereof. Each day that any violation continues shall be considered a new and separate violation of this Chapter.
- b. Upon recommendation to the Township Committee by the Rent Leveling Board that a violation be prosecuted, it shall be the duty of the Township Housing Inspector or Code Enforcement Officer to sign the complaint, within fifteen (15) days after the Township Committee has authorized the same by resolution.

4-32.2 Graduation of Penalties for Offenses.

- a. Any person who violates any provision of the Chapter shall and upon conviction for the first offense pay a fine of not more than five hundred Dollars (\$500.00) and for the second offense shall pay a fine of not more than one thousand dollars (\$1,000.00); and for the third offense shall pay a fine of one thousand two hundred and fifty (\$1,250.00) dollars or be imprisoned for a period not more than ninety (90) days or community service not to exceed ninety (90) days or any combination thereof. Each and every offense shall be deemed to be and constitute a separate and distinct violation of this act.
- b. In addition to the penalties hereinabove provided in the case of conviction under this Chapter, upon any four (4) convictions for violations of this act, the premises in or upon which the violations occurred shall be deemed a nuisance and the owners, tenants and occupants of such premises shall be liable for the penalties and additional penalties provided for the maintenance of nuisances and in accordance with such acts made and provided.
- c. Any person who is not in willful violation of this chapter, but still violates this Chapter shall first be given twenty (20) days written notice by the Neptune Township Housing Department or Code Enforcement Department to cease the aforesaid violation before a complaint is filed against the landlord or owner of a mobile home park. This does not include complaints filed by tenants before the Rent Leveling Board claiming an illegal rent increase by the landlord or requesting a reduction in rent for reduced services. In those cases, the complaint filed by the tenant before the Rent Leveling Board and served upon the landlord or mobile home park owner shall be sufficient notice of violation. A willful violation is considered a direct violation of a Board decision or Court order.

BE IT FURTHER ORDAINED, that all Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Eric J. Houghtaling,
Mayor

ORDINANCE NO. 13-27

BOND ORDINANCE PROVIDING FOR THE ACQUISITION AND THE PAYMENT OF THE PURCHASE PRICE OF REAL PROPERTY BEING DESIGNATED AS BLOCK 173, LOT 31.01 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF NEPTUNE AND VARIOUS IMPROVEMENTS THEREOF, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$120,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$114,000 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)

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 \$120,000, which sum includes \$6,000 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 \$120,000 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 \$114,000 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 \$114,000 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 acquisition and the payment of the purchase price of real property, a lawful public purpose, such real property being designated as Block 173, Lot 31.01 on the Official Tax Map of the Township, with a street address of 129 Division Street (the "Division Street Property"), including but not limited to, as applicable, demolition of existing structures at the Division Street Property, various site remediation and restoration of the Division Street Property in preparation for the development of affordable housing in the Township, including any renovations and improvements thereto, and also including all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$114,000.

(c) The estimated cost of said improvement or purpose is \$120,000, 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 \$6,000.

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 forty (40) 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 \$114,000 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 \$30,000 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 is hereby authorized to acquire the Division Street Property and to negotiate an agreement of sale for the aforesaid acquisition. The Mayor, Business Administrator, Chief Financial Officer, Township Attorney and Township Clerk are each hereby authorized, as applicable, to negotiate, approve, execute, attest, deliver and perform said agreement of sale and any and all documents necessary to acquire said Division Street Property.

SECTION 10. 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 10 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 \$114,000. 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 11. 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 12. 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

Eric J. Houghtaling,
Mayor

ORDINANCE NO. 13-28

BOND ORDINANCE PROVIDING FOR THE PEDESTRIAN/ BICYCLE LANE TRANSPORTATION ENHANCEMENT PROJECT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$700,000 THEREFOR (INCLUDING A GRANT RECEIVED OR EXPECTED TO BE RECEIVED IN THE AMOUNT OF \$580,000) AND AUTHORIZING THE ISSUANCE OF \$120,000 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 hereof, there is hereby appropriated the sum of \$700,000, said sum being inclusive of a \$580,000 Transportation Enhancement Program Grant received or expected to be received from the New Jersey Department of Transportation (the "Grant"). Pursuant to N.J.S.A. 40A:2-11(c), as amended and supplemented, no down payment is required for the improvement or purpose set forth in Section 3 hereof, as such project is being funded by the Grant.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$700,000 appropriation not provided for by application hereunder of the Grant, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$120,000 pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (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 \$120,000 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 implementation of the Township's Pedestrian/Bicycle Lane Transportation Enhancement Project, including but not limited to, the construction of a pedestrian/bicycle lane along the Shark River in the Township, including but not limited to, excavation, fill, grading and various drainage improvements 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 therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$120,000.

(c) The estimated cost of said improvement or purpose is \$700,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Grant in the amount of \$580,000.

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 improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement or purpose which the Township may lawfully undertake as a general improvement or purpose, 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 \$120,000 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 \$150,000 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 improvement or purpose 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 improvement or purpose 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 improvement or purpose 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 improvement or purpose described in Section 3 hereof will be issued in an amount not to exceed \$120,000. 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 improvement or purpose 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

Eric J. Houghtaling,
Mayor

RESOLUTION #13-334 – 7/22/13

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:

Personnel – Police Department hirings
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 #13-335 - 7/22/13

EMPLOY FOUR POLICE OFFICERS ON A PROBATIONARY BASIS

WHEREAS, due to retirements, there are vacancies in the position of Police Officer; and,

WHEREAS, candidates were interviewed by the Police Department command staff; and,

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

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Darrell Harris, Ryan Chippendale, Robert Hagerman and Daniel Werner be and are hereby employed as probationary Police Officers in the Police Department, pending favorable results of physical and psychological examinations, at an annual base salary of \$36,743.00, and to perform such other duties as prescribed by the Chief of Police effective July 23, 2013; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Deputy Chief of Police, Business Administrator, Chief Financial Officer, Assistant C.F.O, Mandy To, and P.B.A. Local 74.

RESOLUTION #13-336 – 7/22/13

APPROVE THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LETTER OF REPRESENTATION AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY'S CAPITAL EQUIPMENT POOLED LEASE REVENUE BONDS, SERIES 2013 AND AUTHORIZING AN AUTHORIZED MUNICIPAL REPRESENTATIVE TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS (TOWNSHIP OF NEPTUNE FIRE DISTRICT #2 PROJECT)

WHEREAS, the Township of Neptune Fire District #2 (the "Board") desires to lease and permanently finance the cost of acquisition of certain capital equipment (the "Equipment") from The Monmouth County Improvement Authority (the "Authority"); and

WHEREAS, the Authority will provide for the financing of the cost of the acquisition of the Equipment by the issuance of its Capital Equipment Lease Revenue Bonds, Series 2013 (The Township of Neptune Fire District #2 Project) (the "Bonds") payable from rentals by the Board pursuant to a Lease and Agreement by and between the Board and the Authority (the "Lease"); and

WHEREAS, in order to induce the Authority to issue and deliver the Bonds and its Capital Equipment Pooled Lease Revenue Bonds, Series 2013, there has been prepared and submitted to the Township of Neptune, New Jersey (the "Municipality") a Letter of Representation in the form attached hereto as Exhibit A; and

WHEREAS, there has been prepared and submitted to the Municipality a Continuing Disclosure Agreement in the form appended hereto as Exhibit B for execution by the Municipality if the Authority shall determine that the Municipality is or will be an "obligated person" with respect to the Authority's Capital Equipment Lease Revenue Bonds, Series 2013 within the meaning of Rule 15c2-12 of the United States Securities and Exchange Commission (an "Obligated Person");

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP OF NEPTUNE AS FOLLOWS:

Section 1. That the Letter of Representation, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative (as that term is defined in the Lease) is hereby authorized to, and one of such officers shall execute the Letter of Representation, with such additions, deletions or modifications as such officer shall approve, and to deliver the same to the addressees designated on such Letter of Representation, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 2. That the Continuing Disclosure Agreement, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative is hereby authorized to, and one of such officers shall execute the Continuing Disclosure Agreement, with such additions, deletions or

modifications as such officer shall approve, and to deliver the same upon the determination by the Authority that the Municipality is or will be an Obligated Person, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3. That any Authorized Municipal Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the sale, issuance and delivery of the Bonds, the Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2013 and all related transactions contemplated by this resolution.

Section 4. All resolutions or proceedings, or parts thereof, in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed.

Section 5. This resolution shall become effective immediately.

Date: July 22, 2013

VOTE: AYES NAYS ABSTAIN ABSENT

This is to certify that the foregoing Resolution was adopted by the Township Committee of the Township of Neptune at their meeting held on July 22, 2013

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-337 – 7/22/13

APPROVE THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LETTER OF REPRESENTATION AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY'S CAPITAL EQUIPMENT POOLED LEASE REVENUE BONDS, SERIES 2013 AND AUTHORIZING AN AUTHORIZED MUNICIPAL REPRESENTATIVE TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS (NEPTUNE TOWNSHIP PROJECT)

WHEREAS, the Township of Neptune, New Jersey (the "Municipality") desires to lease and permanently finance the cost of acquisition of certain capital equipment (the "Equipment") from The Monmouth County Improvement Authority (the "Authority"); and

WHEREAS, the Authority will provide for the financing of the cost of the acquisition of the Equipment by the issuance of its Capital Equipment Lease Revenue Bonds, Series 2013 (Neptune Project) (the "Bonds") payable from rentals by the Municipality pursuant to a Lease and Agreement by and between the Municipality and the Authority (the "Lease"); and

WHEREAS, in order to induce the Authority to issue and deliver the Bonds and its Capital Equipment Pooled Lease Revenue Bonds, Series 2013, there has been prepared and submitted to the Municipality a Letter of Representative in the form attached hereto as Exhibit A; and

WHEREAS, there has been prepared and submitted to the Municipality a Continuing Disclosure Agreement in the form appended hereto as Exhibit B for execution by the Municipality if the Authority shall determine that the Municipality is or will be an "obligated person" with respect to the Authority's Capital Equipment Lease Revenue Bonds, Series 2013 within the meaning of Rule 15c2-12 of the United States Securities and Exchange Commission (an "Obligated Person"):

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE AS FOLLOWS:

Section 1. That the Letter of Representation, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative (as that term is defined in the Lease) is hereby authorized to, and one of such officers shall execute the Letter of Representation, with such additions, deletions or modifications as such officer shall approve, and to deliver the same to the addressees designated on such Letter of Representation, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 2. That the Continuing Disclosure Agreement in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative is hereby authorized to, and one of such officers shall execute the Continuing Disclosure Agreement, with such additions, deletions or modifications as such officer shall

approve, and to deliver the same upon the determination by the Authority that the Municipality is or will be an Obligated Person, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3. That any Authorized Municipal Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or property for carrying out the sale, issuance and delivery of the Bonds, the Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2013 and all related transactions contemplated by this resolution.

Section 4. All resolutions or proceedings or parts thereof, in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed.

Section 5. This resolution shall become effective immediately.

Date: July 22, 2013

VOTE: AYES NAYS ABSTAIN ABSENT

This is to certify that the foregoing Resolution was adopted by the Township Committee of the Township of Neptune at their meeting held on July 22, 2013

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-338 - 7/22/13

DESIGNATE 2014 FLOATING HOLIDAY

WHEREAS, the current Collective Bargaining Agreement 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 2014 Lincoln's Birthday holiday benefit be used on Friday, December 26, 2014; and,

WHEREAS, the Township Committee accepts this request,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the 2014 Lincoln's Birthday Holiday benefit will be utilized by Township employees on Friday, December 26, 2014, 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.

RESOLUTION #13-339 - 7/22/13

ACKNOWLEDGE THE RETIREMENT OF ANNA ANTON AS
TRANSPORTATION COORDINATOR IN THE SENIOR CENTER

WHEREAS, the Township Committee has received a letter from Anna Anton indicating that she will be retiring from the position of Transportation Coordinator in the Senior Center effective immediately,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the retirement of Anna Anton as Transportation Coordinator in the Senior Center is hereby acknowledged effective immediately; and,

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

RESOLUTION #13-340 – 7/22/13

AUTHORIZE THE REFUND OF MUNICIPAL MARINA
TRANSIENT SLIP DEPOSIT

WHEREAS, Christopher Vasto made a payment of \$400.00 for a deposit for a transient slip at the Municipal Marina; and,

WHEREAS, Mr. Vasto's slip at a different marina has been repaired and he is able to return to that location; and,

WHEREAS, the Harbor Master recommends a refund of said transient slip deposit,

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 a transient slip fee of \$400.00 to Christopher Vasto; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Harbor Master, Deputy Tax Collector and Auditor.

RESOLUTION #13-341 - 7/22/13

ACCEPT THE RESIGNATION OF STEPHANIE SEYR AS
A VIOLATIONS CLERK IN THE MUNICIPAL COURT

WHEREAS, the Township Committee has received a letter from Stephanie Seyr resigning as a Violations Clerk in the Municipal Court effective July 25, 2013,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Stephanie Seyr as a Violations Clerk in the Municipal Court is hereby accepted effective July 25, 2013; and,

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

RESOLUTION #13-342 - 7/22/13

AUTHORIZE EXECUTION OF A GRANT AGREEMENT WITH THE U.S DEPARTMENT
OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE FOR AN
EMERGENCY WATERSHED PROTECTION PROJECT

WHEREAS, the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) has awarded an Emergency Watershed Protection grant to the Township in the amount of \$1,122,000 for the removal of storm deposited sediment form the Wesley and Fletcher Lake basins and to repair a portion of the Wesley Lake wall; and,

WHEREAS, the NCRS has submitted grant documents and a Cooperative Agreement for execution by the Township,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Chief Financial Officer be and is hereby authorized to execute any and all grant documents including a Cooperative Agreement with the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) for a Emergency Watershed Protection grant to the Township in the amount of \$1,122,000 for the removal of storm deposited sediment form the Wesley and Fletcher Lake basins and to repair a portion of the Wesley Lake wall; and,

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

RESOLUTION #13-343 – 7/22/13

AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION AND EXECUTION
OF A GRANT AGREEMENT FOR THE DEVELOPMENT OF A
POST-SANDY STRATEGIC RECOVERY PLANNING REPORT

WHEREAS, the Township Committee of the Township of Neptune, County of Monmouth, desires to apply for and obtain a Post-Sandy Planning Assistance grant from the New Jersey Department of Community Affairs (DCA); and,

WHEREAS, the Township of Neptune, County of Monmouth, has attended an orientation session held by DCA explaining the grant application process; and,

WHEREAS, the Township of Neptune, County of Monmouth, intends to apply for Post-Sandy Planning Assistance grant money for the following planning activities and in the following amounts:

Strategic Recovery Planning Report - \$30,000

THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth, does hereby authorize the application for the above grant; and,

BE IT FURTHER RESOLVED, that the Township of Neptune, County of Monmouth, has sustained a ratable loss attributable to Superstorm Sandy of at least 1 percent or \$1 million dollars, as indicated by the attached documentation from the Tax Assessor; and,

BE IT FURTHER RESOLVED, that the Township of Neptune, County of Monmouth, recognizes and accepts that DCA may offer a lesser or greater amount of grant funding than that requested; and,

BE IT FURTHER RESOLVED, that the Township of Neptune, County of Monmouth, authorizes the execution of the grant agreement in the amount offered and approved by DCA and further authorizes the expenditure of funds pursuant to the terms of the grant agreement entered into by the Township of Neptune, County of Monmouth, and DCA; and,

BE IT FURTHER RESOLVED, that the Township of Neptune, County of Monmouth, agrees to comply with all CDBG-DR regulations, Post Sandy Planning Assistance Guidelines and also accepts that the proposed use(s) of CDBG-DR funds are not reimbursable by FEMA, SBA or other federal agencies; and,

BE IT FURTHER RESOLVED, that the persons whose names appear below (or any successor or assign) are authorized to sign the grant agreement or any other document in connection therewith:

Approved: July 22, 2013

Eric J. Houghtaling,
Mayor

Michael J. Bascom,
Chief Financial Officer

I certify the foregoing to be a true and correct abstract of a resolution regularly passed at a meeting of the Governing Body of the Township of Neptune held on July 22, 2013 and that respect a true and correct copy of its minutes.

Richard J. Cuttrel,
Municipal Clerk

RESOLUTION #13-344 - 7/22/13

AUTHORIZE THE REFUND OF TAXES
AS A RESULT OF AN OVERPAYMENT

WHEREAS, the properties listed below reflect overpayments; and,

WHEREAS, they have furnished the necessary documentation and have requested a refund;
and,

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

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
303.22	1	RYAN	300 ALLENHURST	2013	1,923.67
433	32	SLEIFER	8 FULTON PL	2013	1,901.46
111	1669	SHIPMAN	125 FRANKLIN AV	2013	1,966.88
316.17	7	GAYLE	1 CHADWELL CT	2013	965.54
3031.01	7	HARPER	1115 FORDHAM RD	2013	420.40
201	39.01	KENNEY	1322 CORLIES AV	2013	661.76
9038	8	FULLER	3 MARGERT AV	2013	1,553.57
170	99	LESLIE	1222 10 TH AVE	2013	1,092.22
8000	55	STANSFIELD	314 MICHELLE CT	2013	1,511.97
502.01	1406	MACKOLIN	229 N RIVERSIDE DR	2013	1,714.28
498	891	BRZOWOWSKI	303 WILSON RD	2013	1,426.25
9031	8	ALVAREZ	6 WILLIAMS RD	2013	1,489.91

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

RESOLUTION #13-345 – 7/22/13

AUTHORIZE THE CANCELLATION OF TAXES AS A RESULT OF THE
GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION
(6 ROBERTA DRIVE)

WHEREAS, the property known as Block 9043, Lot 1, with an address of 6 Roberta Drive, assessed to Irvin B. & Kum Suk Robinson is eligible for a Totally Disabled Veteran Exemption effective February 6, 2013; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against the above property effective February 6, 2013 and refund same to the owner of record in accordance with N.J.S.A. 54:4-3.32; and,

WHEREAS, the amounts are as follows;

YEAR	AMOUNT TO CANCEL	AMOUNT TO REFUND
2013	\$ 5,726.88	\$ 918.48

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

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

RESOLUTION #13-346 – 7/22/13

AUTHORIZE THE CANCELLATION OF TAXES AS A RESULT OF THE
GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION
(1115 FORDHAM ROAD)

WHEREAS, the property known as Block 3031.01, Lot 7, with an address of 1115 Fordham Road, assessed to Freddie Henry & Jimmie Lee Harper is eligible for a Totally Disabled Veteran Exemption effective June 1, 2013; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against the above property effective June 1, 2013 and refund same to the owner of record in accordance with N.J.S.A. 54:4-3.32; and,

WHEREAS, the amounts are as follows;

YEAR	AMOUNT TO CANCEL	AMOUNT TO REFUND
2013	\$ 3,143.88	\$ 277.34

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

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

RESOLUTION #13-347 - 7/22/13

AUTHORIZE THE CANCELLATION OF SEWER RENT

WHEREAS, the Tax Collector has requested the cancellation of sewer rent to the properties 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
491.01/7	Gerard M. Fox & Kelly Shaunessy	106 Ivins Road	2013	220.00

REASON: Property has disconnect from sewer

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
475/11	Cecilia E. Manning	114 Beverly Way	2013	220.00

REASON: Property has disconnect from sewer

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
502.01/1386	Kelly Armada	207 N. Riverside Dr.	2013	220.00

REASON: Property has disconnect from sewer

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
225/ 6C01-6C04	Johnson & Avis Obayuwana	2006 Stratford Ave.	2013	1,760.00

REASON: Property converted from condos to apartment. Billing moved to new lot number in 2013

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
1006/2.01	Frederick & Barbara Faulhaber	794 Wayside Road	2013	440.00

REASON: Property should have been billed as a single family

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
3101/1C203, 1C302 & 1C303	Omni Suites, LLC	1900 Corlies Ave.	2013	1,320.00

REASON: Condo units combined billing moved to lead lot.

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
417/61	Elisa Brema	121 The Plaza	2013	220.00

REASON: Sewer disconnected 5/16/13 – House fire

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
474/39	Kathleen O'Hare	109 Hillcrest Ave.	2013	220.00

REASON: Sewer disconnected 3/6/13 – House to be demolished (Sandy)

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

RESOLUTION #13-348 - 7/22/13

AUTHORIZE THE PURCHASE OF A CHEVROLET TAHOE

WHEREAS, the Neptune Township Police Department wishes to authorize the purchase of a 2013 Chevrolet Tahoe SSV through an authorized vendor under the Cranford Township Cooperative, #47-CPCPS State of New Jersey approved cooperative; 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, Mall Chevrolet, Inc. has been awarded State Coop #47-CPCPS for this vehicle; and,

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

WHEREAS, the cost of this vehicle shall not exceed \$29,500.00; and,

WHEREAS, funds for this purpose are available through the 2013 Municipal Budget in the appropriation entitled Police O.E., known as Account No. _____ 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 a 2013 Chevrolet Tahoe SSV through the Cranford Cooperative, #47-CPCPS State of New Jersey approved cooperative, be and is hereby authorized at an amount not to exceed \$29,500.00; and,

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

RESOLUTION #13-349 - 7/22/13

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH
IMPROVEMENTS TO THE SHARK RIVER MUNICIPAL MARINA

WHEREAS, a contract was awarded to KG Marine Contracting Inc. in the amount of \$352,310.00 in connection with Improvements to the Shark River Municipal Marina; and,

WHEREAS, changes to the contract have been experienced as a result of repair of three sections of damaged bulkhead, construction of extension of pier to kayak dock, 39 additional pilings to be replaced and the relocation of one piling; and,

WHEREAS, this change has been approved by the Township Engineer; and,

WHEREAS, funds for this purpose are available in the Special Emergency Appropriation – Marina Utility 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 Change Order #1 in the contract with KG Marine Contracting, Inc. in connection with Improvements to the Shark River Municipal Marina resulting in a net increase of \$52,600.00 revising the total contract amount to \$404,910.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Contractor, Chief Financial Officer; Business Administrator, Harbor Master and Township Engineer.

RESOLUTION #13-350 - 7/22/13

CONSENT TO MAYOR'S APPOINTMENT TO THE
NEPTUNE TOWNSHIP HOUSING AUTHORITY

BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby consents to the Mayor's appointment of Carol Foster to the Neptune Township Housing Authority for an unexpired five year term expiring March 31, 2016; and,

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

RESOLUTION #13-351 – 7/22/13

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	982,342.16
FEDERAL & STATE GRANT FUND	63,624.00
TRUST OTHER	32,119.85
GENERAL CAPITAL FUND	17,841.68
SEWER OPERATING FUND	7,318.39
MARINA OPERATING FUND	92,883.74
MARINA CAPITAL FUND	11,800.00
DOG TRUST	8,275.00
UDAG RECIPRICAL TRUST	2,632.96
LIBRARY TRUST	8,332.60
BILL LIST TOTAL	\$1,227,170.38

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