

**TOWNSHIP COMMITTEE WORKSHOP MEETING – SEPTEMBER 23, 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 – Route 66 bus shuttle.
2. Discussion – Traffic calming project on Memorial Drive and Route 71.
3. Discussion – Review and discussion of Best Practices Inventory.
4. Discussion – Responsible Contractor Ordinance/Agreement. (PW)
5. Review Committee calendars/update on outstanding issues and parking lot items.
  - Update on Welsh Farms/Veterans Park
  - Broadway Lighting
  - Pennsylvania Avenue Pump Station Odor Issue
  - Loffredo Field Drainage

Res. # 13-408 – 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 – SEPTEMBER 23, 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](http://www.neptunetownship.org).

**APPROVAL OF MINUTES**

Motion offered by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve the minutes of the meeting held on June 10<sup>th</sup>, July 8<sup>th</sup>, July 22<sup>nd</sup> July 29<sup>th</sup> and August 26<sup>th</sup>.

**RECOGNITION OF RETIRING TOWNSHIP EMPLOYEE**

The Mayor and Committee will recognize Carol Franzwick who is retiring from the Code/Construction Department after 19 years of service.

**REPORT OF THE CLERK**

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

A letter from Tom Arnone, Freeholder Director, commending the Township, and particularly Eugene Stewart, for organizing the National Night Out event.

Notice from the NJ Department of Community Affairs that the Township has been awarded a Post Sandy Planning Assistance Grant in the amount of \$30,000.

Senior Center monthly statistics for August.

The Senior Center staff received letter of thanks from Gladys Baker, Brenda Chisum and family, Maggie

Perkins and Ellen Sanderson.

**COMMENTS FROM THE DAIS**

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

**PUBLIC COMMENTS ON RESOLUTIONS**

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

**ORDINANCES**

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

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

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

Public Hearing:

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

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

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

Public Hearing:

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

ORDINANCE NO. 13-34 - An ordinance to amend Volume I, Chapter XXI, Section 21-3.7 of the Code of the Township of Neptune to permit the bagging of leaves in the historic district during curbside leaf pickup season. – First Reading

*Explanatory Statement: This ordinance permits residents in the historic district to place leaves in bags (rather than in piles) for curbside collection during fall leaf pick-up season.*

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

ORDINANCE NO. 13-35 - An ordinance to amend Volume I, Chapter VIII, Section 7-21 of the Code of the Township of Neptune by removing two handicapped parking zones on Franklin Avenue – First Reading

*Explanatory Statement: This ordinance eliminates an existing handicapped stall in front of 144 Franklin Avenue.*

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

ORDINANCE NO. 13-36 - An ordinance to amend salary range Ordinance No. 11-48 by creating and setting the salary range for the job title of Harbor Commission Secretary – First Reading

*Explanatory Statement: This ordinance creates the part-time position of Harbor Commission Secretary and establishes a salary range of for the position of a minimum of \$1,000 to a maximum of \$2,500.*

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

ORDINANCE NO. 13-37 - An ordinance repealing Volume I, Chapter IV, Section 4-25 of the Code of the Township of Neptune entitled “Rooming and Boarding House Site Licensing Board; Licensure of Rooming and Boarding Homes” – First Reading

*Explanatory Statement: This ordinance eliminates the Rooming and Boarding House Site Licensing Board effective December 31, 2013.*

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

ORDINANCE NO. 13-38 - An ordinance of the Township of Neptune, in the County of Monmouth, State of New Jersey (the “Township”) providing for a special emergency appropriation in an amount not to exceed \$1,000,000 to fund the revaluation of real property and tax map updates in and for the Township – First Reading

*Explanatory Statement: The purpose of this ordinance is to authorize a special emergency appropriation in the amount of \$1,000,000 and the sale of special emergency notes to finance such appropriation to fund the revaluation of real property and tax map updates in and for the Township and also including all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.*

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

ORDINANCE NO. 13-39 - Bond Ordinance providing for the implementation of the Energy Efficiency Improvement Program and the Boiler Replacement Project, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$750,000 therefor and authorizing the issuance of \$712,500 bonds or notes of the Township to finance part of the cost thereof – First Reading

*Explanatory Statement: This ordinance provides funding for the implementation of the Energy Efficiency Improvement Program and the Boiler Replacement Project, a lawful public purpose, including but not limited to,*

*as applicable, demolition and disposal of the existing boiler system and installation of energy efficient boilers, water heaters, rooftop HVAC units, water pumps, variable frequency drives, and other equipment necessary or useful in the implementation the Energy Efficiency Improvement Program*

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

**ORDINANCE NO. 13-40** - Bond Ordinance providing for the demolition of the Welsh Farms property, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$200,000 therefor and authorizing the issuance of \$190,000 bonds or notes of the Township to finance part of the cost thereof – First Reading

*Explanatory Statement: This ordinance provides funding for the Demolition of the Welsh Farms Property, previously acquired by the Township for use as a park and open space (the “Welsh Farms Property”), a lawful public purpose, including but not limited to, as applicable, demolition of existing structures at the Welsh Farms Property, various site remediation and restoration of the Welsh Farms Property in preparation for its use by the Township as a park and open space*

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

The Public Hearings on Ordinances 13-34 through 13-40 will be held on Thursday, October 10, 2013.

### **CONSENT AGENDA**

Res. # 13-409 – Authorize the execution of a Release of Part of Mortgaged Property with TRF DP Ridge Avenue, LLC in connection with the Schoolhouse Square project.

Res. # 13-410 – Confirm receipt of the Annual Report of Audit for the Township of Neptune for the year 2012.

Res. # 13-411 – Certify completion of Monmouth County Open Space Three Park/Playgrounds project.

Res. # 13-412 – Authorize the submission of a Grant Application and execution of a Grant Contract with the New Jersey Department of Transportation for the Improvements to Central Avenue project.

Res. # 13-413 – Authorize the execution of a Release of Part of Mortgaged Property with TRF DP Ridge Avenue, LLC in connection with the Schoolhouse Square project.

Res. # 13-414 – Accept performance guarantee filed by Neil Tobas for site improvements at Hair City (Route 66 and Robin Road).

Res. # 13-415 – Place lien on various properties.

Res. # 13-416 – Authorize an amendment to the 2013 Municipal Budget to realize monies from the New Jersey Department of Community Affairs.

Res. # 13-417 – Authorize an amendment to the 2013 Municipal Budget to realize monies from the National Park and Recreation Association.

Res. # 13-418 – Authorize the execution of an agreement with Sun Pacific Power Corp. for the installation and maintenance of New Jersey Transit bus shelters at various locations within the Township.

Res. # 13-419 – Authorize an amendment to the existing Sanitary Sewer Service Agreement with the

Borough of Tinton Falls, Tinton Falls Campus, LLC and the Township of Neptune Sewerage Authority.

Res. # 13-420 – Authorize execution of an Agreement with Leica Geosystems, Inc. to participate in the SmartNet Global Navigation Satellite System Reference Network.

Res. # 13-421 – Authorize the execution of a Successor Collective Bargaining Agreement with F.O.P. Local #19.

Res. # 13-422 – Grant Social Affair Permit to Asbury Park/Wall BPOE Elks Lodge #128.

Res. # 13-423 – Authorize execution of a Treatment Works Application for a sanitary sewer line extension to service the Neptune Township Housing Authority project between Neptune Blvd. and Taylor Avenue.

Res. # 13-424 – Authorize the endorsement of the Tax Sale Certificates affecting Block 7018, Lots 6.01 & 6.02 (3440 & 3442 West Bangs Avenue).

Res. # 13-425 – Authorize the closing of streets in connection with a benefit concert and 5km run at the Municipal Marina and Volunteer Park.

Res. # 13-426 – Employ on-call/part-time Yard Attendant in the Department of Public Works.

Res. # 13-427 – Employ on-call/part-time Customer Service Representative in the Department of Public Works.

Res. # 13-428 – Confirm Affordable Housing Contribution requirement for Chase Partners, LLC site plan.

Res. # 13-429 – Appoint members to the Rent Leveling Board.

Res. # 13-430 – Authorize a person-to-person and place-to-place transfer of the Plenary Retail Consumption Liquor License presently issued to Charles A. Stanziale, Jr. in pocket status to BHTT Entertainment, Inc t/a Brick House Tavern & Tap located at 3655 Route 66.

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

Res. # 13-431 – Support the application of the Neptune Township School District and Coastal Monmouth Education Alliance to the United States Department of Education for a Race To The Top – District Grant

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

Res. # 13-432 – Urge support For General Election Ballot Question #2 to raise New Jersey's minimum wage.

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

Res. # 13-433 – Authorize Change Order #1 in connection with Improvements to Broadway.

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

Res. # 13-434 – Employ Accountant in the Finance Department on a probationary basis.

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Vote: Bishop, \_\_\_\_\_; Brantley, \_\_\_\_\_; Jahn, \_\_\_\_\_; McMillan, \_\_\_\_\_; Houghtaling, \_\_\_\_\_.

Res. # 13-435 – Employ Customer Service Representative in the Administration Office on a probationary basis.

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Vote: Bishop, \_\_\_\_\_; Brantley, \_\_\_\_\_; Jahn, \_\_\_\_\_; McMillan, \_\_\_\_\_; Houghtaling, \_\_\_\_\_.

Res. # 13-436 – 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. 13-34

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XXI, SECTION 21-3.7 OF THE CODE OF THE TOWNSHIP OF NEPTUNE TO PERMIT THE BAGGING OF LEAVES IN THE HISTORIC DISTRICT DURING CURBSIDE LEAF PICKUP SEASON

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

SECTION 1

Volume I, Chapter XXI, Section 21-3.7(a) - Leaves, *Loose Leaf Pickup*, is hereby amended in its entirety to read as follows:

21-3.7 Leaves.

(a) *Loose Leaf Pickup*. Curbside leaf pickup season shall be from the third Monday of October to December 31. During this time, leaves may be placed in neat piles at the curb or pavement edge for collection, provided that the piles do not constitute a traffic hazard. In the Ocean Grove Historic District, residents are permitted and encouraged to place leaves in large plastic or paper bags at the curb. Private contractors hired by residents to collect leaves shall be permitted to place said leaves at the curbside of the residence from where the leaves are collected in conformance with any and all regulations of this section. Residents placing leaves for collection after said special leaf collection of the third Monday of October to December 31 shall be required to contain the leaves in reusable receptacles for their next regularly scheduled yard waste collection. During this period, it is permissible to place leaves with other yard waste in a reusable container.

SECTION 2

All ordinances or parts of ordinances of the Township of Neptune, in conflict or inconsistent with this ordinance, are hereby repealed, but only, however, to the extent of such conflict or inconsistency; it being the legislative intent that all other ordinances, or parts of ordinances, now existing and in effect, unless the same be in conflict or inconsistent with any of the provisions of this ordinance, shall remain in full force and effect.

SECTION 3

This ordinance shall become effective immediately upon its adoption and publication according to law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

\_\_\_\_\_  
Richard J. Cuttrel,

\_\_\_\_\_  
Eric J. Houghtaling,



Municipal Clerk

Mayor

ORDINANCE NO. 13-35

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-21 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY REMOVING TWO HANDICAPPED PARKING ZONES ON FRANKLIN AVENUE

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

SECTION 1

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

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Franklin Avenue	1	South side of Franklin Avenue beginning 87 feet east of the southeast intersection of Franklin Avenue and Lawrence Avenue
Franklin Avenue	1	South side of Franklin Avenue beginning 73 feet west of the southwest intersection of Franklin Avenue and Pennsylvania Avenue

SECTION 2

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Eric J. Houghtaling,  
Mayor

ORDINANCE NO. 13-36

AN ORDINANCE TO AMEND SALARY RANGE ORDINANCE NO. 11-48 BY CREATING AND SETTING THE SALARY RANGE FOR THE JOB TITLE OF HARBOR COMMISSION SECRETARY

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

SECTION 1. The job title of Harbor Commission Secretary is hereby created.

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

<u>TITLE</u>	<u>MINIMUM SALARY</u>	<u>MAXIMUM SALARY</u>
Harbor Commission Secretary	\$ 1,000.00	\$ 2,500.00

SECTION 3. The salary for each position named above shall be established within the aforesaid ranges by adoption of a resolution by the Township Committee.

SECTION 4. That all ordinances or parts of ordinances of the Township of Neptune in conflict or inconsistent with this ordinance are hereby repealed.

SECTION 5. This ordinance shall become effective immediately.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

\_\_\_\_\_  
Richard J. Cuttrel,  
Municipal Clerk

\_\_\_\_\_  
Eric J. Houghtaling,  
Mayor

ORDINANCE NO. 13-37

AN ORDINANCE REPEALING VOLUME I, CHAPTER IV, SECTION 4-25 OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED "ROOMING AND BOARDING HOUSE SITE LICENSING BOARD; LICENSURE OF ROOMING AND BOARDING HOMES"

WHEREAS, the Township Committee created an Ordinance creating a Rooming and Boarding House Site Licensing Board, and regulating rooming and boarding houses locally, due to the fact that at the time of its adoption, it was determined that the Township Committee was unable to adequately meet the needs of an increasing shelter care population living in rooming and boarding homes; and

WHEREAS, since the time of adoption where there were numerous rooming and boarding homes in Neptune Township, and especially in Ocean Grove, the rooming and boarding house population has significantly been reduced to the point where the Rooming and Boarding House Site Licensing Board presently regulates only four rooming and boarding homes in Ocean Grove; and

WHEREAS, it is the feeling of the Township Committee that the State of New Jersey can now provide the necessary regulation and licensing of such rooming and boarding houses without local interference with that process, and that the local board is no longer necessary at this time; though the Township Committee retains that if this situation should change, restoration of the board may be a future option.

THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Neptune of the County of Monmouth in the State of New Jersey that the Neptune Township Code of Ordinances, Volume I, Chapter IV, Section 4-25 of the Code of the Township of Neptune entitled "Rooming and Boarding House Site Licensing Board; Licensure of Rooming and Boarding Homes", is hereby repealed effective December 31, 2013.

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, the amended Ordinance shall become effective immediately upon its final passage and publication as required by law, but the actual rescission shall be effective December 31, 2013.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Eric J. Houghtaling,  
Mayor

ORDINANCE NO. 13-38

AN ORDINANCE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE "TOWNSHIP") PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION IN AN AMOUNT NOT TO EXCEED \$1,000,000 TO FUND THE REVALUATION OF REAL PROPERTY AND TAX MAP UPDATES IN AND FOR THE TOWNSHIP

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 the full membership thereof affirmatively concurring) AS FOLLOWS:

**SECTION 1.** N.J.S.A. 40A:4-53 provides that a local unit such as the Township may adopt an ordinance authorizing special emergency appropriations to cover the cost of the preparation of an approved tax map and the preparation and execution of a complete program of revaluation of real property for the use of the local assessor, or of any program to update and make current any previous revaluation program when such is ordered by the county board of taxation.

**SECTION 2.** The Township has determined and does hereby authorize a special emergency appropriation in an amount not to exceed \$1,000,000 to fund the revaluation of real property and tax map updates in and for the Township and also including all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto (the "Revaluation").

**SECTION 3.** To finance the appropriation authorized hereunder, and described in Section 2 hereof, five-year Special Emergency Notes not in excess of \$1,000,000 (the "Notes") are hereby authorized to be issued by the Township. Such Notes shall be executed by the Mayor and the Chief Financial Officer of the Township and the official seal shall be thereunto affixed and attested to by the Clerk of the Township. All Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. It is hereby delegated to the Chief Financial Officer of the Township the authority to determine all matters in connection with the Notes issued, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. The Chief Financial Officer is also hereby authorized to sell part or all of the Notes from time to time at a 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 resolution is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the Notes so sold, the price obtained and the name of the purchaser.

**SECTION 4.** The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on the Notes issued under this ordinance, if applicable.

**SECTION 5.** The Township reasonably expects to reimburse the expenditures toward the costs of the Revaluation described in this ordinance incurred and paid for by the Township prior to the issuance of the Notes authorized by this ordinance with the proceeds of such Notes. No funds from sources other than the Notes have been or are reasonably expected to be reserved or allocated on a long-term basis or otherwise set aside by the Township, or any member of the same “controlled group” as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to expenditures of the Township to be reimbursed. This Section 5 is intended to be and hereby is a declaration of the Township’s official intent to reimburse the expenditures toward the costs of the Revaluation described in this ordinance incurred and paid for prior to the issuance of the Notes with the proceeds of such issuance of the Notes by the Township, in accordance with Treasury Regulation Section 1.150-2(e)(1), and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements or to avoid restrictions under Sections 142 through 147 of the Code. The proceeds of the Notes used by the Township to reimburse itself for expenditures towards the Revaluation described in this ordinance incurred and paid for, will not be used directly or indirectly (i) to “refund” an issue of governmental obligations within the meaning of Section 148 of the Code, (ii) to create or increase the balance of a “sinking fund” within the meaning of Treasury Regulation Section 1.148-1(c)(2) with respect to any obligation of the Township, or to replace funds that have been, are being or will be used for sinking fund purposes, (iii) to create or increase the balance in a “reserve or replacement fund” within the meaning of Section 148(d) of the Code and Treasury Regulation Section 1.148-2(f) with respect to any obligation of the Township or to replace funds that have been, are being or will be so used for reserve or replacement fund purposes, or (iv) to reimburse the Township for any expenditure or payment that was originally paid with the proceeds of any obligation of the Township (other than borrowing by the Township from one of its own funds or the funds of a member of the same “controlled group” within the meaning of Treasury Regulation Section 1.150-1(e)). The Notes to be issued by the Township to finance those expenditures towards the Revaluation described in this ordinance to be reimbursed will be issued in an amount not to exceed \$1,000,000, which moneys shall be expended from a fund of the Township, entitled “Current Fund,” which fund contains moneys which can be expended for any lawful project of the Township. That the expenditures incurred and paid towards the Revaluation described in this ordinance to be reimbursed with the proceeds of the Notes will be “capital expenditures” in accordance with the meaning of Treasury Regulation Section 1.150-2(d)(3).

**SECTION 6.** The Township’s Administrator or Chief Financial Officer are each hereby authorized and directed to determine all matters in connection with the Revaluation not determined by this or a subsequent ordinance, all in consultation with the Township Attorney or Bond Counsel, and the manual or facsimile signature of the Township’s Administrator or Chief Financial Officer upon any documents shall be conclusive as to all such determinations. The Mayor, Administrator, Chief Financial Officer, Clerk and any other Township Representative, including but not limited to, Bond Counsel, the Engineer, the Township Attorney and the Township Auditor, are each hereby authorized and directed to take such actions or refrain from such actions as are necessary to undertake the Revaluation, including but not limited to, the negotiation of any and all contracts, agreements and documents for the Revaluation, and any all such actions or inactions taken by the aforesaid Township Representatives heretofore are hereby ratified and confirmed, *nunc pro tunc*.

**SECTION 7.** Two certified copies of this ordinance shall be filed with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs.

**SECTION 8.** This ordinance shall become effective in accordance with law and upon approval of the Local Finance Board.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Eric J. Houghtaling,  
Mayor

ORDINANCE NO. 13-39

BOND ORDINANCE PROVIDING FOR THE IMPLEMENTATION OF THE ENERGY EFFICIENCY IMPROVEMENT PROGRAM AND THE BOILER REPLACEMENT PROJECT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$712,500 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 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 \$750,000, which sum includes \$37,500 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 \$750,000 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 \$712,500 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 \$712,500 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 Energy Efficiency Improvement Program and the Boiler Replacement Project, a lawful public purpose, including but not limited to, as applicable, demolition and disposal of the existing boiler system and installation of energy efficient boilers, water heaters, rooftop HVAC units, water pumps, variable frequency drives, and other equipment necessary or useful in the implementation the Energy Efficiency Improvement Program, 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 \$712,500.

(c) The estimated cost of said improvement or purpose is \$750,000, 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 \$37,500.



**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 \$712,500 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 \$100,000 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 \$712,500. 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 as provided by the Local Bond Law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Eric J. Houghtaling,  
Mayor

ORDINANCE NO. 13-40

BOND ORDINANCE PROVIDING FOR THE DEMOLITION OF THE WELSH FARMS PROPERTY, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,000 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 \$200,000, which sum includes \$10,000 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 \$200,000 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 \$190,000 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 \$190,000 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 demolition of the Welsh Farms Property, previously acquired by the Township for use as a park and open space (the "Welsh Farms Property"), a lawful public purpose, including but not limited to, as applicable, demolition of existing structures at the Welsh Farms Property, various site remediation and restoration of the Welsh Farms Property in preparation for its use by the Township as a park and open space, 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 \$190,000.

(c) The estimated cost of said improvement or purpose is \$200,000, 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 \$10,000.

**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 \$190,000 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 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 \$190,000. 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:

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Richard J. Cuttrell,  
Municipal Clerk

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Eric J. Houghtaling,  
Mayor

RESOLUTION #13-408 – 9/23/13

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 – Appointments to Rent Leveling Board and Housing Authority  
Personnel – Recommendations for hiring in Finance and Administration Departments  
Contract negotiations – F.O.P. contract  
Personnel – Police Department organizational update

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 #13-409 - 9/23/13

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

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

WHEREAS, Block 197.05, Lot 9, with an address of 1517 Cherry Lane Avenue is included in the properties bound by said mortgage; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute a Release of Part of Mortgaged Property to release Block 197.05, Lot 9, with an address of 1517 Cherry Lane, from the properties bound by the existing mortgage dated April 8, 2009 in the amount of \$400,000.00; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer 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 09/23/13

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-410 - 9/23/13

CONFIRM THE RECEIPT OF THE ANNUAL REPORT OF AUDIT  
FOR THE TOWNSHIP OF NEPTUNE FOR THE YEAR 2012

WHEREAS, N.J.S.A 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and,

WHEREAS, the Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and,

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments  
Recommendations  
Auditors' Opinions

and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments  
Recommendations  
Auditors' Opinions

as evidenced by the group affidavit form of the governing body; and,

WHEREAS, such resolution of certification shall be adopted by the Governing body no later than forty-five (45) days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and,

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S.52:27BB-52 - " A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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 09/23/13

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-411 - 9/23/13

CERTIFY COMPLETION OF MONMOUTH COUNTY OPEN SPACE  
THREE PARK PLAYGROUNDS PROJECT

WHEREAS, the Township of Neptune received funding from the Monmouth County Open Space Grant Program for improvements to Pittenger Park, Midtown Commons Park and Liberty Park, known as the Three Park Playgrounds Project (Application #11-05),

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby confirms that improvements funded by this grant have been completed at three (3) locations at Pittenger Park, Midtown Commons Park and Liberty Park, which together comprise the Three Park Playgrounds Project; and,

BE IT FURTHER RESOLVED, by the Township Committee that all related contracts have been closed.

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 09/23/13

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-412 - 9/23/13

AUTHORIZE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENTS TO CENTRAL AVENUE PROJECT

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune formally approves the grant application for the above stated project; and,

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Neptune Township-00333 to the New Jersey Department of Transportation on behalf of the Township of Neptune; and,

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Neptune and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator and Chief Financial Officer and three certified copies to the Township Engineer.

Certified as a true copy of the Resolution adopted by the Neptune Township Committee on this 23rd day of September, 2013

\_\_\_\_\_  
Richard J. Cuttrell, Municipal Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

\_\_\_\_\_  
Richard J. Cuttrell,  
Municipal Clerk

\_\_\_\_\_  
Eric J. Houghtaling,  
Mayor

RESOLUTION #13-413 - 9/23/13

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

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

WHEREAS, Block 197.04, Lot 6, with an address of 25 Ridge Avenue is included in the properties bound by said mortgage; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute a Release of Part of Mortgaged Property to release Block 197.04, Lot 6, with an address of 25 Ridge Avenue, from the properties bound by the existing mortgage dated April 8, 2009 in the amount of \$400,000.00; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer 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 09/23/13

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-414 - 9/23/13

ACCEPT PERFORMANCE GUARANTEE FILED BY NEIL TOBIAS  
FOR SITE IMPROVEMENTS AT HAIR CITY (ROUTE 66 AND ROBIN ROAD)

WHEREAS, Neil Tobias has filed a cash performance guarantee in the amount of \$49,200.00, guaranteeing site improvements at the proposed project known as Hair City on Route 66 near the intersection of Robin Road (Block 1007, Lot 33); and,

WHEREAS, the inspection fee escrow has also been posted; and,

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

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

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

CERTIFICATION  
I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF NEPTUNE ON 09/23/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-415 - 9/23/13

PLACE LIEN ON VARIOUS PROPERTIES

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

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

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

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

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
178/17.01	1503 Ivy Place	\$ 760.00
7019/2.01	3454 West Bangs Avenue	760.00
394/44	508 Lakewood Road	502.00
6000/32	2 Marcy Drive	\$ 475.00
196/4	159 Myrtle Avenue	285.00
175/518	21 Atkins Avenue	550.00
273/24	1530 Corlies Avenue	380.00
487/278	3 Elizabeth Terrace	490.00
9057/2	5 Sherwood Drive	285.00
510.01/1618	100 Greenwood Place	380.00

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

CERTIFICATION  
I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF NEPTUNE ON 09/23/13



Richard J. Cuttrell, Municipal Clerk



RESOLUTION #13-416 - 9/23/13

AUTHORIZE AN AMENDMENT TO THE 2013 MUNICIPAL BUDGET TO REALIZE  
MONIES FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2013 in the sum of \$30,000.00 which is now available from the New Jersey Department of Community Affairs in the amount of \$30,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$30,000.00 is hereby appropriated under the caption of Post Sandy Planning Assistance Grant; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a New Jersey Department of Community Affairs Post Sandy Planning Assistance grant in the amount of \$30,000.00; and,

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

Vote:

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

CERTIFICATION  
I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF NEPTUNE ON 09/23/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-417 - 9/23/13

AUTHORIZE AN AMENDMENT TO THE 2013 MUNICIPAL BUDGET TO REALIZE  
MONIES FROM THE NATIONAL RECREATION AND PARK ASSOCIATION

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2013 in the sum of \$4,000.00 which is now available from the National Recreation and Park Association in the amount of \$4,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$4,000.00 is hereby appropriated under the caption of Implementing Arthritis Interventions in Local Park & Recreation; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a National Recreation and Park Association Implementing Arthritis Interventions in Local Park & Recreation grant in the amount of \$4,000.00; and,

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

Vote:

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

CERTIFICATION  
I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF NEPTUNE ON 09/23/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-418 - 9/23/13

AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH SUN PACIFIC POWER CORP  
FOR THE INSTALLATION AND MAINTENANCE OF NEW JERSEY TRANSIT BUS  
SHELTERS AT VARIOUS LOCATIONS IN THE TOWNSHIP

WHEREAS, Sun Pacific Power Corp. (SPPC) is engaged in the business of providing "Green Energy" solutions through renewable energy products to a variety of industries; and,

WHEREAS, SPPC seeks to install and maintain New Jersey Transit bus shelters that will provide digital advertising and lighting powered through the installation of solar photovoltaic panels; and,

WHEREAS, the Township of Neptune is desirous of having New Transit bus shelters installed at various locations,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Mayor and Clerk to execute an agreement Sun Pacific Power Corp., a copy of which is on file with the Municipal Clerk, for the installation and maintenance of bus shelters within state and/or municipal right-of-ways adjacent to New Jersey Transit Bus routes; and,

BE IT FURTHER RESOLVED that all costs associated with the installation and maintenance of said shelters shall be borne by Sun Pacific Power Corp.; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Business Administrator, Chief Financial Officer, Public Works Director 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 09/23/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-419 - 9/23/13

AUTHORIZE AN AMENDMENT TO THE EXISTING SANITARY SEWER SERVICE AGREEMENT WITH THE BOROUGH OF TINTON FALLS, TINTON FALLS CAMPUS, LLC AND THE TOWNSHIP OF NEPTUNE SEWAGE AUTHORITY

WHEREAS, on June 9, 1997, the Township of Neptune, Borough of Tinton Falls, Tinton Falls Campus, LLC, and the Township of Neptune Sewerage Authority entered into a Service Agreement based on the desire of Tinton Falls Campus, LLC to develop property on Essex Road in the Borough of Tinton Falls but needed sewer service for the aforesaid development; and,

WHEREAS, the Township had sewerage treatment capacity available immediately to service the project in an amount that could provide for both the project and the Township's anticipated growth; and,

WHEREAS, the aforesaid Agreement provides that the Township would provide sewer capacity, the Developer would construct a collection system and connect to the Borough's trunk line, and the Authority would provide sewage treatment and disposal for the project; and,

WHEREAS, although the parties are desirous to continue said Sanitary Sewer Service Agreement, an amendment is needed to clarify certain terms and the update the Agreement to include Co-developer William Sitar, since excess sewer units have been transferred for development to Co-developer Sitar,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Mayor and Clerk to execute an amendment, a copy of which is on file with the Municipal Clerk, to the June 9, 1997 Sanitary Sewer Service Agreement with Borough of Tinton Falls, Tinton Falls Campus, LLC, and the Township of Neptune Sewerage Authority to include William Sitar as a Co-developer in respect to the assignment of excess Equivalent Service Units procured by Tinton Falls Campus, LLC under said Agreement; and,

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

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 09/23/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-420 - 9/23/13

AUTHORIZE EXECUTION OF AN AGREEMENT WITH LEICA GEOSYSTEMS, INC TO  
PARTICIPATE IN THE SMARTNET GLOBAL NAVIGATION SATELLITE SYSTEM  
REFERENCE NETWORK

WHEREAS, the Township desires to participate in SmartNet Global Navigation Satellite System (GNSS) Reference Network by permitting Leica Geosystems, Inc. to install a Reference Station on the roof of the Municipal Complex; and,

WHEREAS, the cost of installation and maintenance of said Reference Station shall be borne by Leica Geosystems, Inc. and the Township, as Host, shall free receive access to the Reference Network,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Mayor and Clerk to execute an Agreement, a copy of which is on file with the Municipal Clerk, with Leica Geosystems, Inc. to permit the installation of a Reference Station on the roof of the Municipal Complex and allow the Township to participate in the SmartNet Global Navigation Satellite System (GNSS) Reference Network; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Business Administrator, Chief Financial Officer, Deputy Chief of Police, Township Engineer and Building Maintenance Department.

CERTIFICATION  
I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF NEPTUNE ON 09/23/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-421 - 9/23/13

AUTHORIZE THE EXECUTION OF A SUCCESSOR COLLECTIVE  
BARGAINING AGREEMENT WITH F.O.P. LOCAL #19

WHEREAS, the Collective Bargaining Agreement between the Township of Neptune and F.O.P. Local #19 expired on December 31, 2012; and,

WHEREAS, representatives from F.O.P. Local #19 and the Township of Neptune engaged in negotiations to develop a Successor Collective Bargaining Agreement; and,

WHEREAS, a Settlement has been reached between the two parties and a Successor Collective Bargaining Agreement has been prepared and endorsed by F.O.P. Local #19,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Successor Collective Bargaining Agreement, a copy of which is on file with the Municipal Clerk, with F.O.P. Local #19 which details the terms and conditions of employment with said Local for the term of January 1, 2013 to December 31, 2016; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, and F.O.P. Local #19.

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 09/23/13

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-422 - 9/23/13

GRANT SOCIAL AFFAIR PERMIT TO ASBURY PARK/WALL BPOE ELKS LODGE #128

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Municipal Clerk and Chief of Police be and are hereby authorized to approve the application of the Asbury Park/Wall Elks Lodge #128 for a social affair permit at the Elks Lodge, 3409 West Bangs Avenue, on September 28, 2013, from 1:00 P.M. to 6:00 P.M.

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 09/23/13

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-423 - 9/23/13

AUTHORIZE EXECUTION OF A TREATMENT WORKS APPLICATION FOR  
A SANITARY SEWER LINE EXTENSION TO SERVICE THE NEPTUNE HOUSING  
AUTHORITY PROJECT BETWEEN NEPTUNE BLVD. AND TAYLOR AVENUE

WHEREAS, the Neptune Township Housing Authority has submitted a Treatment Works Application to construct approximately 1040 linear feet of sanitary sewer pipe to service fifty (50) dwelling units and a clubhouse located between Neptune Boulevard and Taylor Avenue; and,

WHEREAS, the Director of Engineering and Planning has reviewed said application and has certified that available capacity exists and notes that the current sanitary sewer capacity existing at the John Knox Housing units will be reallocated to this new location,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Clerk to execute the Treatment Works Application Statement of Consent for the sanitary sewer extension to service the Neptune Township Housing Authority project between Neptune Blvd. and Taylor Avenue; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to TNSA along with the Treatment Works Application.

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 09/23/13

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

Richard J. Cuttrell, Municipal Clerk



RESOLUTION #13-424 - 9/23/13

AUTHORIZE THE ENDORSEMENT OF THE TAX SALE CERTIFICATES  
AFFECTING BLOCK 7018, LOTS 6.01 & 6.02 (3440 & 3442 WEST BANGS AVENUE)

WHEREAS, all the taxes, costs and interest have been paid on the Tax Title Lien Certificates affecting the properties listed below,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and they are hereby authorized to endorse for cancellation the Tax Title Lien Certificates affecting Block 7018, Lots 6.01 & 6.02 (3440 & 3442 West Bangs Avenue); and,

BE IT FURTHER RESOLVED, that a copy of this resolution and the endorsed Tax Sale Certificates be forwarded to the Tax Collector.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF NEPTUNE ON 09/23/13

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-425 – 9/26/13

AUTHORIZE THE CLOSING OF STREETS IN CONNECTION WITH A  
BENEFIT CONCERT AND 5K RUN AT THE MARINA AND VOLUNTEER PARK

WHEREAS, Recovery Along the River Foundation, Inc. has scheduled a benefit concert on May 31, 2014 and a 5K Run/Walk on May 4, 2014 at the Municipal Marina and Volunteer Park on South Riverside Drive; and,

WHEREAS, it is necessary to temporarily close streets and designate no parking on the streets bordering South Riverside Drive, the Marina and Volunteer Park during the events; and,

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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates the temporary closure and posting of temporary no parking on the following streets on May 4, 2014 from 9:00 A.M. to 12:00 P.M. for the 5K Run/Walk:

South Riverside Drive between Park Place and Marvin Court  
Clinton Place between South Riverside Drive and Valley Road  
Valley Road between Clinton Place and Park Place  
Park Place between Valley Road and South Riverside Drive  
Vernon Avenue, Tremont Drive, Benton Place, Cliffwood Drive, Sylvan Drive, The Plaza,  
Milford Road, Prospect Avenue, Highland Avenue, Melrose Avenue, Hillcrest Avenue,  
Fairview Place, Beverly Way and Riverview Court at South Riverside Drive

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Neptune hereby designates the temporary closure and posting of temporary no parking on the following streets on May 31, 2014 from 10:00 A.M. to 8:00 P.M. for the benefit concert:

South Riverside Drive between Prospect Avenue and Hillcrest Avenue  
Highland Avenue between South Riverside Drive and Valley Road  
Melrose Place between South Riverside Drive and Valley Road

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

CERTIFICATION  
I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF NEPTUNE ON 09/23/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-426 - 9/23/13

EMPLOY ON-CALL PART-TIME YARD ATTENDANT IN THE  
DEPARTMENT OF PUBLIC WORKS

WHEREAS, there is a need for an additional on-call/part-time Yard Attendant in the Public Works Department; and,

WHEREAS, the position was posted and the Public Works Director has made his recommendation; and,

WHEREAS, funds will be provided in the 2013 Municipal Budget in the appropriation entitled Refuse S&W, known as Account No. 305-010, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that David Dempsey be and is hereby employed as an on-call/part-time Yard Attendant in the Department of Public Works effective September 30, 2013, pending results of the required physical examination as applicable, at an hourly salary of \$13.18; and,

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

CERTIFICATION  
I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF NEPTUNE ON 09/23/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-427 - 9/23/13

EMPLOY ON-CALL PART-TIME CUSTOMER SERVICE REPRESENTATIVE IN THE  
DEPARTMENT OF PUBLIC WORKS

WHEREAS, there is a need for an on-call/part-time Customer Service Representative in the Public Works Department; and,

WHEREAS, the position was posted and the Public Works Director has made his recommendation; and,

WHEREAS, funds will be provided in the 2013 Municipal Budget in the appropriation entitled , known as Admin DPW S&W Account No. 300-010 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Eileen Grodeska be and is hereby employed as an on-call/part-time Customer Service Representative in the Department of Public Works effective September 30, 2013, pending results of the required physical examination as applicable, at an hourly salary of \$12.63; and,

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF NEPTUNE ON 09/23/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-428 - 9/23/13

CONFIRM AFFORDABLE HOUSING CONTRIBUTION REQUIREMENT  
FOR CHASE PARTNERS, LLC SITE PLAN

WHEREAS, Chase Partners, LLC (the Developer) has received site plan approval for the Signature Place at Neptune development (Block 1500, Lots 23.04 & 23.05) from the Neptune Township Board of Adjustment; and

WHEREAS, Chase Partners, LLC, or any successor developer, is in the process of obtaining and submitting the required performance guarantee, developer's escrow funds and Developer's Agreement; and,

WHEREAS, there are Council on Affordable Housing contributions relating to the residential portion of this development; and,

WHEREAS, at the request of the Developer, the Township desires to confirm and state the affordable housing contribution requirement in accordance with Ordinance No. 12-13, said requirements to be reiterated in the final Developer's Agreement,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Township hereby determines that the Developer shall make a contribution of 1.5% of the equalized assessed value of the residential portion of the development pursuant to the Land Development Ordinance of the Township of Neptune, Section 1001 at IV.a)i., as set forth in Ordinance No. 12-13 (notwithstanding Condition #2 of Resolution Number 12-05 of the Zoning Board of Adjustment of the Township of Neptune, which provides that "[a]ny and all COAH requirements [are] to be satisfied by appropriate contributions as required and determined by the Board Engineer"); and,

BE IT FURTHER RESOLVED, the Developer shall not make any other affordable housing contribution relating to the residential portion of the development. The Township hereby acknowledges that any affordable housing contribution relating to the non-residential portion of the development is governed by the Statewide Non-Residential Development Fee Act, N.J.S.A. 40:55D-8.1, et seq., and is currently exempt from making any affordable housing contribution; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Engineer, Administrative Officer to the Planning Board, Construction Official and Township Attorney and Chase Partners, LLC.

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 09/23/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-429 - 9/23/13

APPOINT MEMBERS TO THE RENT LEVELING BOARD

WHEREAS, Ordinance No. 13-26 creates a Rent Leveling Board to administer the rules and regulations of the Township's Rent Control,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following individuals be and are hereby appointed to the Rent Leveling Board for the year 2013:

Fred Porter

Charles (Mal) Woolfolk

Deacon Morrel Massicot

Constance Holmes

James Manning, Jr.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, and Township Attorney.

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 09/23/13

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-430 - 9/23/13

AUTHORIZE A PERSON TO PERSON AND PLACE TO PLACE TRANSFER OF THE  
PLENARY RETAIL CONSUMPTION LIQUOR LICENSE PRESENTLY ISSUED TO  
CHARLES A. STANZIALE, JR. IN POCKET STATUS TO BHTT ENTERTAINMENT, INC  
T/A BRICK HOUSE TAVERN & TAP LOCATED AT 3655 ROUTE 66

WHEREAS, BHTT Entertainment, Inc. t/a Brick House Tavern & Tap has applied for a person-to-person transfer of Plenary Retail Consumption Liquor License # 1334-33-019-004 which is presently issued to Charles A. Stanziale, Jr. Liquidating Trustee; and,

WHEREAS, a separate application also requests a place-to-place transfer from in-pocket status to 3655 Route 66; and,

WHEREAS, the applications are complete in all respects; and,

WHEREAS, the required Affidavit of the source of funds of said liquor license has been filed by the applicant for the transfer and examined by the members of the Township Committee; and,

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey statutes, the regulations promulgated thereunder as well as the pertinent local ordinances and conditions imposed consistent with Title 33; and,

WHEREAS, all transfer procedures as outlined by state statute and local ordinances have been completed satisfactorily,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the person-to-person/place-to-place transfer of Plenary Retail Consumption Liquor License #1334-33-019-004 as stated herein to BHTT Entertainment, Inc. t/a Brick House Tavern & Tap, located at 3655 Route 66, effective September 27, 2013; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the New Jersey Division of ABC, the Chief of Police and the Applicant.

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 09/23/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-431 – 9/23/13

SUPPORT THE APPLICATION OF THE NEPTUNE TOWNSHIP SCHOOL DISTRICT AND COASTAL MONMOUTH EDUCATION ALLIANCE TO THE UNITED STATES DEPARTMENT OF EDUCATION FOR A RACE TO THE TOP - DISTRICT GRANT

WHEREAS, the Neptune Township School District has taken the lead role within a consortium called the Coastal Monmouth Education Alliance (CMEA), which consists of the Neptune Township, Neptune City, Bradley Beach and Belmar school districts, to make application to the United States Department of Education for a Race to the Top - District grant; and,

WHEREAS, the grant application focuses on improving the educational outcomes and schooling experience of the over 5500 students collectively served by the CMEA through the use of mobile technology; and,

WHEREAS, if awarded the grant, students in the participating districts will have the opportunity to experience technologically advanced classroom settings, participate in long term personalized learning projects, and create digital portfolios as they progress through their respective school district; and,

WHEREAS, mobile technology will create opportunities for students to go beyond the typical teacher/student classroom dyad and interact with content through information networking with other students and across various knowledge sites; and,

WHEREAS, the number of students within the CMEA places the consortium in the award bracket of \$10 million to \$20 million over the four year grant period,

THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth, hereby expresses its full support of the application of the Neptune Township School District and Coastal Monmouth Education Alliance to the United States Department of Education for a Race to the Top - District grant; and,

BE IT FURTHER RESOLVED, that the Township Committee firmly believes that if successful, this grant award will present a unique learning and technological experience for all Neptune Township students; and,

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

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 09/23/13



Richard J. Cuttrell, Municipal Clerk



RESOLUTION #13-432 - 9/23/13

URGE SUPPORT FOR GENERAL ELECTION BALLOT QUESTION #2  
TO RAISE NEW JERSEY'S MINIMUM WAGE

WHEREAS, the federal minimum wage was signed into law in 1938 by President Franklin Roosevelt at the height of the Great Depression; and,

WHEREAS, the minimum wage increase consumer purchasing power, increases workers' standards of living, reduces poverty, and stimulates the economy; and,

WHEREAS, the cost of living in New Jersey continues to rise, yet there has been no state legislative action approved to increase the minimum wage since 2005; and,

WHEREAS, unlike New Jersey, 19 other states and the District of Columbia currently maintain a minimum wage above the federal rate of \$7.25; and,

WHEREAS, ten states provide for the annual adjustment of their minimum wage to ensure that the real value of the lowest paid workers' wages does not shrink as normal costs of living go up, and four of these states have amended their constitution to do so; and,

WHEREAS, according to New Jersey Policy Prospective, 429,000 workers in New Jersey earn at or near the minimum wage; and,

WHEREAS, because Governor Chris Christie vetoed a minimum wage increase this year, the state legislature voted to place the question before voters on the November 5, 2013 ballot to raise the minimum wage and adjust it annually according to the consumer price index; and,

WHEREAS, by raising the standard of living through a higher minimum wage, New Jersey would likely realize various societal benefits such as improved education, safer communities, greater opportunity for upward mobility, and more financial stability for families; and,

WHEREAS, the Chicago Federal Reserve Bank conducted a study that estimates that for every dollar increase in the minimum wage, there is \$2,800 in new consumer spending by that household the following year, this revenue is injected into the local economy which translates into greater consumer demand for local good and services, thereby requiring employers to hire additional workers to meet this demand which translates into job creation,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune urge the residents of Neptune Township to vote yes on 2013 General Election Ballot Question #2 to raise New Jersey's minimum wage from \$7.25 to \$8.25 an hour and adjust annually based on the Consumer Price Index to reflect the economic conditions facing New Jersey workers and to ensure that New Jersey's minimum wage is not a poverty wage, but a fair wage for workers.

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 09/23/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-433 - 9/23/13

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH  
IMPROVEMENTS TO BROADWAY

WHEREAS, on March 25, 2013, a contract was awarded to Lucas Construction Group in the amount of \$216,990.30 in connection with Improvements to Broadway; and,

WHEREAS, changes to the contract have been experienced as a result of the installation of electrical conduit in the island area for new lighting, additional concrete work and a decrease in the final as-built quantities; and,

WHEREAS, these changes have been approved by the Township Engineer; and,

WHEREAS, funds for this purpose are available in Ordinance No. 07-40 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 Lucas Construction Group in connection with Improvements to Broadway resulting in a net increase of \$35,275.28 revising the total contract amount to \$252,265.58; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Contractor, Chief Financial Officer; Business Administrator 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 09/23/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-434 - 9/23/13

EMPLOY ACCOUNTANT IN THE FINANCE DEPARTMENT  
ON A PROBATIONARY BASIS

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

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

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

WHEREAS, funds will be provided in the appropriation entitled Finance S & W known as Account No. 130-010, and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Sandra Peterson be and is hereby employed as an Accountant in the Finance Department, on a probationary basis for a period of not less than 90 days and not exceeding one year, pending favorable results of the required physical, effective September 23, 2013, at an annual salary of \$38,000.00; and,

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

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 09/23/13



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-435 - 9/23/13

EMPLOY CUSTOMER SERVICE REPRESENTATIVE IN THE  
ADMINISTRATION OFFICE ON A PROBATIONARY BASIS

WHEREAS, there is a vacancy in the position of Customer Service Representative in the Administration Office; and,

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

WHEREAS, the Business Administrator has made his recommendation; and,

WHEREAS, funds will be provided in the appropriation entitled Admin S&W, known as Account No. 100-010, and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Tiffany Bailoni be and is hereby employed as a Customer Service Representative in the Administration Office, on a probationary basis for a period of not less than 90 days and not exceeding one year, pending favorable results of the required physical, effective September 30, 2013, at an annual salary of \$23,000.00; and,

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

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 09/23/13

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #13-436 – 9/23/13

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	4,367,526.86
FEDERAL & STATE GRANT FUND	101,289.03
TRUST OTHER	119,067.26
GENERAL CAPITAL FUND	72,579.46
SEWER OPERATING FUND	73,073.19
SEWER CAPITAL FUND	57,192.21
MARINA OPERATING FUND	28,383.44
MARINA CAPITAL FUND	3,138.15
LIBRARY TRUST	402.26
BILL LIST TOTAL	\$4,822,651.86

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 09/23/13



Richard J. Cuttrell, Municipal Clerk