

**TOWNSHIP COMMITTEE WORKSHOP MEETING – NOVEMBER 24, 2014 – 6:00 P.M.**

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

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

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

Mayor Brantley announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster on January 3, 2014 and the Asbury Park Press on January 2, 2014, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

**ITEMS FOR DISCUSSION IN OPEN SESSION**

1. Discussion – Community Rating System Program. (PW)
  
  
  
  
  
  
  
  
  
  
2. Discussion – Meeting on Broadway flooding.
  
  
  
  
  
  
  
  
  
  
3. Review Committee calendars/update on outstanding issues and capital items.  
- Various on-going capital improvement projects.

Res. # 14-523 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

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

**TOWNSHIP COMMITTEE MEETING – NOVEMBER 24, 2014 – 7:00 P.M.**

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

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

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

Silent Prayer and Flag Salute

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

Mayor Brantley announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster on January 3, 2014 and the Asbury Park Press on January 2, 2014, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at [www.neptunetownship.org](http://www.neptunetownship.org).

**APPROVAL OF MINUTES**

Motion offered by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve the minutes of the meetings held on October 27<sup>th</sup> and November 10<sup>th</sup>.

**REPORT OF THE CLERK**

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

Notice from Hovnanian Industries of their intent to demolish the Asbury Park Press building on Route 66 on or before December 31, 2014.

Notice of public hearing on an amendment to the Land Development Ordinance of the Township of Ocean.

Monmouth County Board of Health November 18<sup>th</sup> meeting agenda.

**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 is permitted one visit to the microphone with a limit of five minutes.

ORDINANCE NO. 14-45 - An ordinance authorizing Deed of Easement and Right-of-Way for sidewalk, landscaping and building overhang encroachment of Shark River Beach and Yacht Club, Inc., Lot 14, Block 401, on the tax map of the Township of Neptune – Final Reading

*Explanatory statement: This ordinance authorizes execution of a Deed of Easement and Right of Way for sidewalk, landscaping and building overhang encroachments on Township Right-of-Way by the Shark River Beach and Yacht Club in connection with the reconstruction of their building/club on South Riverside Drive.*

PUBLIC HEARING:

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

ORDINANCE NO. 14-46 - An ordinance to amend Volume I, Chapter VII, Section 7-21 of the Code of the Township of Neptune by removing handicapped parking zones on Mt. Hermon Way and Heck Avenue – Final Reading

*Explanatory statement: This ordinance removes existing handicapped parking stalls in front of 128 Mt. Hermon Way and 36 Heck Avenue.*

PUBLIC HEARING:

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

ORDINANCE NO. 14-47 - An ordinance to amend Volume I, Chapter XII of the Code of the Township of Neptune by adding Section 12-5.14 entitled “Discontinuation of Certain Utility Services” to the Vacant and Abandoned Properties Ordinance – Final Reading

*Explanatory statement: This ordinance amends the Vacant Abandoned Properties Ordinance adopted on September 8, 2014 by providing for the initiation of a request of any utility to take all necessary steps to enter a premise listed on the Abandoned Property for the discontinuance of the utility services and the removal of utility equipment from said property.*

PUBLIC HEARING:

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

ORDINANCE NO. 14-48 - An ordinance amending Land Development Ordinance, Volume II, §300, entitled, "Districts" and to add §423 to be entitled, "Transit Village Zone" – First Reading

*Explanatory statement: This ordinance amends the Land Development Ordinance as a result of the recommendations of the Planning Board's January 2012 Comprehensive Master Plan to create a new Transit Village (TV) Zone with three subforms and setting forth principle uses, setbacks and development standards. (This ordinance contains the same text as Ordinance No. 14-06 which was tabled on February 10, 2014).*

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

ORDINANCE NO. 14-49 - An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding a resident handicapped on-street parking zone on Mt. Hermon Way and removing two handicapped parking zones on Clark Avenue – First Reading

*Explanatory statement: This ordinance authorizes a resident only handicapped parking stall in front of 148 Mt. Hermon Way and the removal of existing handicapped parking stalls in front of 117 Clark Avenue and 72 Clark Avenue*

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

The Public Hearings on Ordinances 14-48 and 14-49 will be held on Monday, December 8, 2014.

### **CONSENT AGENDA**

- Res. # 14-524 – Authorize Change Order #1 in connection with Jumping Brook Ball Field Improvements.
- Res. # 14-525 – Employ seasonal/on-call Driver in the Department of Public Works for snow plowing.
- Res. # 14-526 – Accept resignation of Charles Moore as a member of the Board of Adjustment.
- Res. # 14-527 – Grant leave of absence under the Family Medical Leave Act.
- Res. # 14-528 – Amend salary of Driver hired in the Department of Public Works by Resolution #14-382.
- Res. # 14-529 – Place lien on various properties.
- Res. # 14-530 – Authorize the cancellation of Marina Utility budget appropriation balances.
- Res. # 14-531 – Authorize Tax Collector to submit application to participate in electronic tax sale program.
- Res. # 14-532 – Release all surety guarantees and developers escrow for improvements at Dunkin Donuts (corner of Routes 33 & 35).
- Res. # 14-533 – Authorize execution of a Developer's Agreement with 1318 Corlies Avenue, LLC in

connection with improvements at 1318 Corlies Avenue.

Res. # 14-534 – Authorize the refund of taxes as a result of an overpayment.

Res. # 14-535 – Authorize the refund of sewer rent (606 Alpine Trail).

Res. # 14-536 – Provide for the combination of certain issues of not exceeding \$2,007,000 General Obligation Bonds, Series 2014 of the Township of Neptune, in the County of Monmouth, State of New Jersey, determining the form and other details of such bonds, and providing for the sale of such bonds to the Monmouth County Improvement Authority pursuant to the authority’s 2014 Pooled Governmental Loan Program.

Res. # 14-537 – Release all surety guarantees and developers escrow for Improvements to Surf Avenue House. (27 Surf Avenue).

Res. # 14-538 – Request the Division of Local Government Services to grant approval of a dedication by rider of revenues received for Wesley Lake improvements.

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

**The Mayor announces the following appointment to the Planning Board:**

**Mychal Mills as the Alternate #1 member for an unexpired two year term.**

Res. # 14-539 – Confirm Mayor’s appointment to the Planning Board.

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

Res. # 14-540 – Authorize the payment of bills.

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

**PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS**

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

**ADJOURNMENT**



- (5) Multi-Family Dwellings – Not permitted on the First Floor
- (6) Residential units are not permitted on the First Floor

Minimum Lot Size.

- (1) 5,000 sf

Yard and Bulk Regulations.

- (1) Lot Frontage: 50 feet minimum
- (2) Lot Width: 50 feet minimum
- (3) Lot Coverage: 80%

Principal Building.

- (1) Front Yard Setback: 0 feet minimum – 15 feet maximum
- (2) Side Yard Setback: 0 feet minimum – 15 feet maximum
- (3) Rear Yard Setback: 0 feet minimum – no maximum

Accessory Structure.

- (1) Front Yard Setback: 24 feet minimum plus principal building setback
- (2) Side Yard Setback: 0 feet minimum - no maximum
- (3) Rear Yard Setback: 3 feet minimum – no maximum

Density/Intensity Standards.

- (1) Maximum Residential Density: 20 units/acre
- (2) Principal Building Height: 4 stories/48 feet – 2 stories minimum
- (3) Accessory Building Height: 2 stories/20 feet

- C. Form B – Medium Density Residential Zone - Form B includes the following Blocks and Lots:

Block 162, Lot 73	Block 163, Lot 72	Block 164, Lot 10	Block 165, Lot 16
Lot 74	Lot 74	Lot 40	Lot 20
Lot 70	Lot 60	Lot 42	Lot 25
Lot 1		Lot 44	
Lot 2		Lot 45	
Lot 9		Lot 41	
Lot 10		Lot 47	
Lot 11		Lot 48	
		Lot 49	
		Lot 9	
		Lot 2	
		Lot 8	
		Lot 4	
		Lot 5	
		Lot 7	

Permitted Principal Uses.

- (1) Multi-Family Dwellings

Minimum Lot Size.

- (1) 5,000 sf

Yard and Bulk Regulations.

- (1) Lot Frontage: 50 feet minimum
- (2) Lot Width: 50 feet minimum
- (3) Lot Coverage: 70%

Principal Building.

- (1) Front Yard Setback: 10 feet minimum – 20 feet maximum
- (2) Side Yard Setback: 5 feet minimum – no maximum
- (3) Rear Yard Setback: 5 feet minimum – no maximum

Accessory Structure.

- (1) Front Yard Setback: 20 feet minimum plus principal building setback
- (2) Side Yard Setback: 6 feet minimum, no maximum
- (3) Rear Yard Setback: 6 feet minimum, no maximum

Density/Intensity Standards.

- (1) Maximum Residential Density: 15 units/acre
- (2) Principal Building Height: 3 stories/36 feet – 2 stories minimum
- (3) Accessory Building Height: 2 stories/20 feet

D. Form C – Lower Density Residential Zone - Form C includes the following Block and Lots:

Block 163, Lot 69	Block 164, Lot 1	Block 165, Lot 23
Lot 70	Lot 3	Lot 24.01
Lot 71	Lot 6	Lot 25

Permitted Principle Uses.

- (1) Multi-Family Dwellings

Minimum Lot Size

- (1) 5,000 sf



Yard and Bulk Regulations.

- (1) Lot Frontage: 50 feet minimum
- (2) Lot Width: 50 feet minimum
- (3) Lot Coverage: 70%

Principal Building.

- (1) Front Yard Setback: 20 feet minimum – no maximum
- (2) Side Yard Setback: 6 feet minimum – no maximum
- (3) Rear Yard Setback: 6 feet minimum – no maximum

Accessory Structure.

- (1) Front Yard Setback: 20 feet minimum plus principal building setback
- (2) Side Yard Setback: 6 feet minimum – no maximum
- (3) Rear Yard Setback: 6 feet minimum – no maximum

Density/Intensity Standards.

- (1) Maximum Residential Density: 10 units/acre
- (2) Principal Building Height: 2 stories/35 feet
- (3) Accessory Building Height: 2 stories/20 feet

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

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

APPROVED ON FIRST READING:

APPROVED, PASSED AND ADOPTED:

ATTEST:

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Richard J. Cuttrell,  
Municipal Clerk

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Dr. Michael Brantley,  
Mayor

ORDINANCE NO. 14-49

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A RESIDENT HANDICAPPED ON-STREET PARKING ZONE ON MT. HERMON WAY AND REMOVING TWO HANDICAPPED PARKING ZONES ON CLARK 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 7-21.7 – Resident Handicapped On-Street Parking, is hereby amended by adding the following:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Mt. Hermon Way	1	South side of Mt. Hermon Way beginning 55 feet east of the southeast intersection of Mt. Hermon Way and Lawrence Avenue

SECTION 2

Volume I, Chapter VII, Section 7.21.1 – Handicapped Parking on Street, is hereby amended by deleting the following two locations:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Clark Avenue	1	South side of Clark Avenue beginning 115 feet east of the southeast intersection of Clark Avenue and New York Avenue

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Clark Avenue	1	North side of Clark Avenue beginning 49 feet west of the northwest intersection of Clark Avenue and Delaware Avenue

SECTION 3

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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Dr. Michael Brantley,  
Mayor

RESOLUTION #14-523 – 11/24/14

AUTHORIZE AN EXECUTIVE SESSION AS AUTHORIZED BY  
THE OPEN PUBLIC MEETINGS ACT

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exist,

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

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:  
  
Personnel – Vacancy in position of Road Department Foreman.
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.

**TABLED**

RESOLUTION #14-524 - 11/24/14

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH  
THE JUMPING BROOK BALL FIELD IMPROVEMENTS

WHEREAS, a contract was awarded to Down to Earth Landscaping in the amount of \$356,616.20 in connection with Jumping Brook Ball Field Improvements; and,

WHEREAS, changes to the contract have been experienced as a result of installing additional irrigation zones around newly planted trees and the arboretum; and,

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

WHEREAS, funds for this purpose are available in Ordinance No. 12-17 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 Down to Earth Landscaping in connection with Jumping Brook Ball Field Improvements resulting in a net increase of \$10,000.00 revising the total contract amount to \$366,616.20; and,

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

**TABLED**

RESOLUTION #14-525 - 11/24/14

EMPLOY SEASONAL/ON-CALL DRIVER IN THE DEPARTMENT OF  
PUBLIC WORKS FOR SNOW PLOWING

WHEREAS, the Township employs a pool of individuals with commercial drivers license on a seasonal basis to operate snow plows during and after major snowstorms as a supplement to the full-time Public Works staff; and,

WHEREAS, the Director of Public Works has recommended that an individual be added to the pool; and,

WHEREAS, funds will be provided in the 2014 municipal budget in the appropriation entitled Streets & Road Maintenance S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that James Brown be and is hereby employed in the Department of Public Works as a Casual Employee on an on-call basis only for snow plowing during major snow/ice events during the 2014-2015 winter season at an hourly rate of \$25.00; and,

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

RESOLUTION #14-526 - 11/24/14

ACCEPT THE RESIGNATION OF CHARLES MOORE AS A  
MEMBER OF THE BOARD OF ADJUSTMENT

WHEREAS, the Township Committee has received a letter from Charles Moore resigning as the Alternate #2 member of the Board of Adjustment effective October 6, 2014,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Charles Moore as a member of the Board of Adjustment is hereby accepted effective October 6, 2014; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Administrative Officer to the Board of Adjustment.

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 11/24/2014

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-527 - 11/24/14

GRANT LEAVE OF ABSENCE UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, Jon Andrews, Driver in the Department of Public Works, has requested a leave of absence under the provisions of the Family Medical Leave Act during which time he will utilize accumulated sick time; and,

WHEREAS, the Business Administrator has approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that Jon Andrews, Driver in the Department of Public Works, is hereby granted a leave of absence, with the use of accumulated sick time, under the provisions of the Family Medical Leave Act from October 23, 2014 through November 30, 2014; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Public Works Director, Assistant C.F.O. Business Administrator, and Human Resources.

CERTIFICATION  
I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF NEPTUNE ON 11/24/2014



Richard J. Cuttrell, Municipal Clerk



RESOLUTION #14-528 - 11/24/14

AMEND SALARY OF DRIVER HIRED IN THE DEPARTMENT OF  
PUBLIC WORKS BY RESOLUTION #14-382

WHEREAS, on July 28, 2014, the Township Committee adopted Resolution #14-382 which authorized the employment of Izameek Harris as a Driver in the Public Works Department at a starting salary of \$28,000.00; and,

WHEREAS, Mr. Harris has since provided proof of prior experience as a Driver in another municipality which qualifies him for a starting salary of \$30,000.00 in accordance with the starting salary appendix in the current AFSCME Local #1844 contract; and,

WHEREAS, the Human Resources Specialist has made her recommendation to amend said salary; and,

WHEREAS, funds will be provided in the 2014 Municipal Budget in the appropriation entitled 290-010, 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 Resolution #14-382, which authorized the employment of Izameek Harris Driver in the Department of Public Works on a probationary basis, be and is hereby amended to reflect an annual starting salary of \$30,000.00 effective on the date of hire; 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., AFSCME Local #1844, and Human Resources.

CERTIFICATION  
I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF NEPTUNE ON 11/24/2014



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-529 - 11/24/14

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

WHEREAS, the Code Enforcement Supervisor 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 Code Enforcement Supervisor 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>
180/3	412 Myrtle Avenue	330.00
192/54.01	1706 Summerfield Place	125.00

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 11/24/2014



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-530 - 11/24/14

AUTHORIZE THE CANCELLATION OF MARINA UTILITY BUDGET  
APPROPRIATION BALANCES

WHEREAS, the following Marina Utility budget appropriation balances remain unexpended:

Marina S&W	6,000.00
Marina O.E.	14,000.00

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to marina utility surplus; and,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the above listed Marina Utility unexpended appropriation balances in the total amount of \$20,000.00 be and are hereby cancelled; and,

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

CERTIFICATION  
I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF NEPTUNE ON 11/24/2014



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-531 – 11/24/14

AUTHORIZE TAX COLLECTOR TO SUBMIT APPLICATION TO PARTICIPATE  
IN ELECTRONIC TAX SALE PROGRAM

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct pilot programs, and

WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the Township of Neptune wishes to participate in the pilot program for an electronic tax sale.

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, New Jersey, that the Tax Collector is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services; and,

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

CERTIFICATION  
I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF NEPTUNE ON 11/24/2014



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-532 - 11/24/14

RELEASE ALL SURETY GUARANTEES AND DEVELOPERS ESCROW FOR  
IMPROVEMENTS AT DUNKIN DONUTS (CORNER OF ROUTES 33 & 35)

WHEREAS, Locations XVII, Inc. filed a cash performance guarantee in the amount of \$44,000.00, guaranteeing the site improvements at Dunkin Donuts, located at the intersection of Routes 33 & 35 (Block 212, Lots 1.01, 4.01 and 13.01); and,

WHEREAS, on April 23, 2012, the Township Committee adopted Resolution #12-176 which authorized a reduction of the performance guarantee to the amount of \$13,320.00; and,

WHEREAS, on November 10, 2014, the Township Engineering Consultant certified that all site work has been completed and said performance guarantee may be released; and,

WHEREAS, the Township Engineering Consultant also recommends the waiver of the posting of a two year maintenance guarantee because the required site work was completed well over two years ago,

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

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

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

CERTIFICATION  
I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF NEPTUNE ON 11/24/2014



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-533 – 11/24/14

AUTHORIZE EXECUTION OF A DEVELOPER'S AGREEMENT WITH 1318 CORLIES AVENUE, LLC, IN CONNECTION WITH IMPROVEMENTS AT 1318 CORLIES AVENUE

WHEREAS, 1318 Corlies Avenue, LLC, applied for and was granted relief for the demolition of a single family dwelling and the creation of a fifteen (15) space parking lot with associated landscaping, draining and utility improvements before the Planning Board of Neptune Township at 1318 Corlies Avenue (Block 201.01, Lots 47 & 48 and Block 201, Lot 39.01); and

WHEREAS, 1318 Corlies Avenue, LLC, has agreed to enter into a Developer's Agreement with the Township of Neptune to guarantee the faithful performance of the obligations and representations associated with the application before the Planning Board of Neptune Township; and

WHEREAS, it is in the best interest of the citizens of the Township of Neptune to enter this Developer's Agreement with 1318 Corlies Avenue, LLC, to ensure the proper development of the aforesaid parcel and guaranteed performance of items and improvements made on said parcel,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the Mayor and Clerk are hereby authorized to execute the aforesaid Developer' Agreement with 1318 Corlies Avenue, LLC, for compliance with the Planning Board of Neptune Township's Resolution No. 13-09, and representations upon submission and approval of all conditions arising from the aforesaid Resolution, and return the same to the Township Attorney for recording in the Clerk's office of Monmouth County; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Attorney, Planning Board 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 11/24/2014



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-534 - 11/24/14

AUTHORIZE THE REFUND OF TAXES  
AS A RESULT OF AN OVERPAYMENT

WHEREAS, the properties listed below reflect overpayments; and,

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

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

<b>BLOCK</b>	<b>LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
230	56	Le Beau	140 Oxonia Ave	2014	1,227.78
3051	21c431	Johnson	431 Lexington Ave	2014	1,059.80

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

CERTIFICATION  
I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF NEPTUNE ON 11/24/2014



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-535 – 11/24/14

AUTHORIZE THE REFUND OF SEWER RENT (606 ALPINE TRAIL)

WHEREAS, the properties listed below reflect overpayments; and,

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

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the Tax Collector be and hereby is authorized to refund the Sewer Rent as stated herein:

<b>BLOCK/LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
3000/37C0606	Langley	606 Alpine Trail	2014	214.98

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

CERTIFICATION  
I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF NEPTUNE ON 11/24/2014



Richard J. Cuttrell, Municipal Clerk



RESOLUTION #14-536 – 11/24/14

PROVIDE FOR THE COMBINATION OF CERTAIN ISSUES OF NOT EXCEEDING \$2,007,000 GENERAL OBLIGATION BONDS, SERIES 2014 OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF SUCH BONDS, AND PROVIDING FOR THE SALE OF SUCH BONDS TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY PURSUANT TO THE AUTHORITY'S 2014 POOLED GOVERNMENTAL LOAN PROGRAM

WHEREAS, the Township of Neptune (the "Township"), in the County of Monmouth, State of New Jersey, has determined that there exists a need within the Township to finance the costs of various capital improvements throughout the Township (the "General Improvements Project"); and

WHEREAS, the Township Committee has duly adopted various bond ordinances (the "Ordinances") to appropriate moneys and authorize the issuance of bonds or bond anticipation notes to undertake the General Improvements Project; and

WHEREAS, the Township has determined to finance the General Improvements Project with the proceeds of a loan (the "Loan") to be made to the Township by the Monmouth County Improvement Authority (the "MCIA") in connection with the 2014 Pooled Governmental Loan Program, currently scheduled to close on December 24, 2014 (the "2014 MCIA Bond Program"); and

WHEREAS, in order for the Township to receive the Loan from the MCIA, it is necessary to combine the bonds authorized under said Ordinances into one consolidated issue of general obligation bonds in the aggregate principal amount of \$2,007,000 (to be issued in one series or more separate series aggregating said amount and to memorialize the applicable obligations of the general or utility funds of the Township, as and if applicable), pursuant to the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"); and

WHEREAS, to evidence the Loan, the MCIA also requires the Township to authorize, execute, attest and deliver the Township's \$2,007,000 General Obligation Bonds, Series 2014 (to be issued in one or more separate series aggregating said amount and to memorialize the applicable obligations of the general or utility funds of the Township, as and if applicable) (the "Bonds") in accordance with the provisions hereof and pursuant to the terms of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law") and other applicable law; and

WHEREAS, section 27(a)(2) of the Local Bond Law allows for the sale of the Bonds to the MCIA without any public offering, all under the terms and conditions set forth herein and in a Bond Purchase Agreement by and between the Township and the MCIA to be dated as of the date of the sale of such Bonds; and

NOW THEREFORE, BE IT RESOLVED BY A TWO-THIRDS VOTE OF THE FULL MEMBERSHIP OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the bonds of the Township, authorized pursuant to the bond ordinances of the Township heretofore adopted and described in Section 2 hereof, shall be combined into a single issue of General Obligation Bonds, Series 2014 in the aggregate principal amount of not exceeding \$2,007,000 to be issued in one or more separate series aggregating said amount and to memorialize the applicable obligations of the general or utility funds of the Township.

Section 2. The principal amount of bonds authorized by each ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the ordinance number, description and date of final adoption, amount of issue and average period of usefulness determined in each of the bond ordinances are respectively as set forth in Exhibit B hereto:

Section 3. The following matters are hereby determined with respect to the combined issue of Bonds:

(a) The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average periods of usefulness therein determined, is not more than 26.428 years.

(b) The Bonds of the combined issue shall be designated "General Obligation Bonds, Series 2014" (or such other designation if such Bonds are issued in two separate series to memorialize the applicable obligations of the general or utility funds of the Township) and shall mature within the average period of usefulness hereinabove determined.

(c) The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law that are applicable to the sale and issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the Bonds described in Section 2 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded heretofore and now remain in full force and effect as authorizations for the respective amounts of bonds set opposite the descriptions of the bond ordinances set forth in Section 2 hereof.

(b) The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and some of such improvements or purposes, if applicable and permitted by law, a deduction may be taken in any annual or supplemental debt statement.

Section 5. In accordance with the provisions of N.J.S.A. 40A:2-27(a)(2), the Township hereby sells and awards the Township's \$2,007,000 General Obligation Bonds, Series 2014 (collectively, the "Bonds") to the MCIA in accordance with the provisions hereof and in accordance with the terms of a Bond Purchase Agreement by and between the Township and the MCIA (the "Bond Purchase Agreement"). The Mayor of the Township (the "Mayor") and Chief Financial Officer of the Township (the "Chief Financial Officer") are each hereby authorized and directed on behalf of the Township, in consultation with Bond Counsel (as hereinafter defined), to negotiate the terms of such Bond Purchase Agreement, to be dated the

date of sale of the Bonds, to approve the terms of aforesaid Bond Purchase Agreement and to execute and deliver said Bond Purchase Agreement to the MCIA. The Bonds have been referred to and described in the Ordinances being finally adopted at duly called and held meetings of the Township Committee and published as required by law and which Ordinances where combined for purposes of sale pursuant to this resolution, all pursuant to terms of the Local Bond Law and other applicable law.

Section 6. The Chief Financial Officer is hereby authorized and directed to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the MCIA and the terms and conditions hereof and set forth in the Bond Purchase Agreement, the following items with respect to the Bonds, except those terms and conditions which are set forth in the Bond Purchase Agreement:

- (a) The aggregate principal amount of the Bonds to be issued, provided that the total amount of Bonds issued shall not exceed the aggregate principal amount of \$2,007,000 (which may be issued in one series or two separate series aggregating said amount and to memorialize the applicable obligations of the general or utility funds of the Township);
- (b) The maturity and principal installments of the Bonds, which maturity shall not exceed 26.428 years;
- (c) The date of the Bonds;
- (d) The interest rates of the Bonds;
- (e) The purchase price of the Bonds; and
- (f) The terms and conditions under which the Bonds shall be subject to redemption prior to their stated maturities.

Section 7. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Bonds by the parties authorized under Section 8(c) hereof.

Section 8. The Township Committee hereby determines that certain terms of the Bonds shall be as follows:

- (a) The Bonds shall be issued in a single denomination and shall be numbered GO-1 (or such other designation if such Bonds are issued in two separate series to memorialize the applicable obligations of the general or utility funds of the Township);
- (b) The Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Clerk of the Township (the "Township Clerk").

Section 9. The Bonds shall be in the form set forth in Exhibit A attached hereto with such additions, deletions and omissions as may be necessary for the Township to comply with the requirements of the 2014 MCIA Bond Program, upon the advice of Bond Counsel.

Section 10. The law firm of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Township ("Bond Counsel"), the Township Engineer, the Township Attorney and the Township Auditor are each hereby authorized and directed to perform all actions necessary to consummate the issuance of the Bonds and the General Improvements Project for which the Bonds are issued, including but not limited to, drafting and arranging for the printing and execution of the Bonds and all applicable documentation necessary to memorialize and consummate the issuance of the Bonds and the undertaking of the General Improvements Project, preparing all necessary financial information, all engineering and design work, preparation of plans and specifications and conducting all necessary studies, searches and analysis in connection with the issuance of the Bonds and the undertaking of the General Improvements Project. The Mayor, the Chief Financial Officer, the Township Clerk, the Township Attorney and any other Township representative (including Bond Counsel or the Township Auditor) are each hereby authorized and directed to execute and deliver any certificates necessary or desirable in connection with the financial and other information.

Section 11. The Mayor, the Chief Financial Officer, the Township Clerk and any other Township representative, are each hereby authorized and directed to (i) execute any certificates or documents necessary or desirable in connection with the sale of the Bonds, including the Bond Purchase Agreement, or the undertaking of the General Improvements Project, and each are hereby further authorized and directed to deliver same to the County and/or MCIA, as applicable, upon delivery of the Bonds and the applicable receipts of payment therefore, or in accordance with the 2014 MCIA Bond Program and (ii) perform such other actions as they deem necessary, desirable or convenient, in consultation with Bond Counsel, in relation to the execution and delivery thereof.

Section 12. Upon the adoption hereof, the Township Clerk shall forward certified copies of this resolution: (a) via facsimile, to (i) Marion Masnick of the MCIA at facsimile number 732-409-4821, and (ii) Anthony J. Pannella, Esq., of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Township, at facsimile number 732-726-6528; and (b) via certified first class mail, to (i) Marion Masnick of the MCIA at The Monmouth County Improvement Authority, Hall of Records, Main Street, Freehold, New Jersey 07728, and (ii) Anthony J. Pannella, Esq., of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Township at 90 Woodbridge Center Drive, Woodbridge, New Jersey 07095.

Section 13. This resolution shall take effect immediately.

**EXHIBIT A**

**UNITED STATES OF AMERICA  
TOWNSHIP OF NEPTUNE  
IN THE COUNTY OF MONMOUTH  
STATE OF NEW JERSEY**

**GENERAL OBLIGATION BOND, SERIES 2014**

**NUMBER GO-1**

**DATE OF ORIGINAL ISSUE:** December 24, 2014

**REGISTERED OWNER:** Monmouth County Improvement Authority

**PRINCIPAL SUM:** Two Million Seven Thousand Dollars  
(\$2,007,000)

**THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH**, a body politic and corporate of the State of New Jersey (the "Township"), hereby acknowledges itself indebted and for value received promises to pay to the order of the Monmouth County Improvement Authority (the "Authority"), c/o \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ (the "Trustee"), Account Number \_\_\_\_\_, the Principal Sum specified above payable in the amounts and on the dates specified and set forth on Schedule A attached hereto and by this reference made a part hereof, and to pay interest on such sum from the Date of Original Issue of this Bond until payment in full at the interest rates per annum and in the amounts and dates specified and set forth on Schedule A attached hereto and by this reference made a part hereof. Interest is payable to the Authority at the corporate trust office of the Trustee five Business Days prior to each June 1 and December 1, commencing June 1, 2015, in an amount equal to the interest accruing to each such June 1 and December 1. This Bond as to principal will be payable five Business Days prior to the due date therefor at the corporate trust office of the Trustee. Upon the occurrence of an event of default by the Authority under the bond resolution adopted by the Authority on \_\_\_\_\_, 2014 (as the same may be supplemented and amended, the "Resolution") which event of default is directly attributable to a default hereunder or to a default by the Township under its Bond Purchase Agreement with the Authority relating

to the Authority's purchase of this Bond, or in the event of default in any payments of principal or interest on this Bond, the Trustee may by notice to the Chief Financial Officer of the Township at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, New Jersey 07753, accelerate the principal amount of this Bond all as provided in the Resolution. Amounts not paid when due hereunder shall bear interest at the Late Payment Rate until paid. This Bond shall be prepayable as set forth in Section 1303 of the Resolution.

Both principal of and interest on this Bond is payable in lawful money of the United States of America and in immediately available funds.

As used herein, "Business Day" shall mean any day that is not a Saturday, a Sunday or a legal holiday in the State of New Jersey or the State of New York or a day on which the Trustee is legally authorized to close. "Late Payment Rate" shall mean a rate per annum equal to the lower of (i) the greater of (a) three percent above the interest rate that JPMorgan Chase publicly announces from time to time as its prime lending rate, such interest rate to change on the effective date of each announced change in such rate, and (b) the rate then payable on this bond, and (ii) the maximum interest rate allowed by law.

This Bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), and is one of the General Obligation Bonds referred to in and issued pursuant to a resolution duly adopted by the Township Committee on November 24, 2014 entitled, "RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF NOT EXCEEDING \$2,007,000 GENERAL OBLIGATION BONDS, SERIES 2014 OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF SUCH BONDS, AND PROVIDING FOR THE SALE OF SUCH BONDS TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY PURSUANT TO THE AUTHORITY'S 2014 POOLED GOVERNMENTAL LOAN PROGRAM" and the various bond ordinances referred to therein, all finally adopted and published as required by law.

The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal of and the interest on, and all other amounts due under, this Bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this Bond exist, have happened and have been performed and that this Bond, together with all other indebtedness of the Township, is within every debt and other limit prescribed by such Constitution or statutes.

The Township agrees to pay (i) all costs and expenses, including legal fees, in connection with the administration and enforcement of this Bond, and (ii) its share of the amounts payable pursuant to Section 9(vi)(C) of the Bond Purchase Agreement between the Township and the Authority.

**IN WITNESS WHEREOF**, the Township of Neptune, in the County of Monmouth, State of New Jersey has caused this Bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this Bond and the seal to be attested to by the manual signature of the its Clerk, and this Bond to be dated the Date of Original Issue as specified above.

**TOWNSHIP OF NEPTUNE,  
IN THE COUNTY OF MONMOUTH,  
STATE OF NEW JERSEY**

ATTEST:  
  
(SEAL)

\_\_\_\_\_  
DR. MICHAEL BRANTLEY,  
Mayor

\_\_\_\_\_  
RICHARD J. CUTTRELL,  
Clerk

\_\_\_\_\_  
MICHAEL J, BASCOM,  
Chief Financial Officer

**ASSIGNMENT**

FOR VALUE RECEIVED \_\_\_\_\_ hereby sells, assigns and transfers unto \_\_\_\_\_ (Please Print or Type Name and Address of Assignee) the within Bond and irrevocably appoints \_\_\_\_\_ as Attorney to transfer this Bond on the registration books of the \_\_\_\_\_ with full power of substitution and revocation.

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**NOTICE**

The signature of this assignment must correspond with the name as it appears on the face of the within Bond in every particular.

Dated:

Signature of Guarantee:

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**SCHEDULE A**

TOWNSHIP OF NEPTUNE  
IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY

GENERAL OBLIGATION BOND, SERIES 2014

Schedule of Principal and Interest Payments

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest</u>	<u>Principal and Interest</u>
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**EXHIBIT B**

Township of Neptune,  
in the County of Monmouth, State of New Jersey  
\$2,007,000 General Obligation Bonds, Series 2014  
List of Bond Ordinances Combined for Sale Purposes

<b>Ordinance Number</b>	<b>Description and Date of Final Adoption</b>	<b>Useful Life</b>	<b>Authorization</b>	<b>History of Notes Being Refunded</b>	<b>Other Outstanding Obligations</b>	<b>Proceed Reimburse</b>	<b>Paydowns</b>	<b>New Money</b>	<b>Amount of Notes</b>
08-51, as amended by 09-21	Upgrades to Pennsylvania Avenue Sanitary Sewer Pumping Station, finally adopted 12/1/08 (08-51) and 6/22/09 (09-21)	30 years	\$950,000 (08-51) + \$3,557,000 (09-21) = \$4,507,000	\$294,500 of \$4,585,000 BAN dated 9/13/13, maturing 9/12/14, with date of first issue being 9/15/11 as to \$300,000	N/A	\$0.00	<u>2014</u> \$5,500	N/A	<b>\$294,500.00</b>
09-37	Acquisition and installation of various vehicles and equipment for Sewer Utility, finally adopted 08/24/09	5 years	\$166,250	\$147,500 of \$4,585,000 BAN dated 9/13/13, maturing 9/12/14, with date of first issue being 9/15/11 as to \$166,000	N/A	\$0.00	<u>2014</u> \$18,500	N/A	<b>\$147,500.00</b>

**EXHIBIT B**

Township of Neptune,  
in the County of Monmouth, State of New Jersey  
\$2,007,000 General Obligation Bonds, Series 2014  
List of Bond Ordinances Combined for Sale Purposes

<b>Ordinance Number</b>	<b>Description and Date of Final Adoption</b>	<b>Useful Life</b>	<b>Authorization</b>	<b>History of Notes Being Refunded</b>	<b>Other Outstanding Obligations</b>	<b>Proceed Reimburse</b>	<b>Paydowns</b>	<b>New Money</b>	<b>Amount of Notes</b>
12-14	Various sewer utility improvements and acquisition of utility truck, finally adopted 6/11/12	37.50 years	\$665,000	\$665,000 of \$4,585,000 BAN dated 9/13/13, maturing 9/12/14, with date of first issue being 9/14/12 as to \$665,000	N/A	\$0.00	N/A	N/A	<b>\$665,000.00</b>
13-18	Various 2013 Marina Utility Improvements, finally adopted 5/13/13	20.59 years	\$900,000	\$900,000 of \$4,585,000 BAN dated 9/13/13, maturing 9/12/14, with date of first issue being 9/13/13 as to \$900,000	N/A	\$0.00	N/A	N/A	<b>\$900,000</b>

**TOTAL:**

**\$2,007,000**

**CERTIFICATION**

I, RICHARD J. CUTTRELL, Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF NOT EXCEEDING \$2,007,000 GENERAL OBLIGATION BONDS, SERIES 2014 OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF SUCH BONDS, AND PROVIDING FOR THE SALE OF SUCH BONDS AND NOTES TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY PURSUANT TO THE AUTHORITY'S 2014 POOLED GOVERNMENTAL LOAN PROGRAM", is a copy of a resolution which was duly adopted by the Township Committee at a meeting duly called and held on November 24, 2014 in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., at which meeting a quorum was present and acting throughout and which resolution has been compared by me with the original thereof as contained in the minutes as officially recorded in my office in the Minute Book of such governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to within and aforesaid resolution has not been repealed, amended or rescinded but remains in full force and effect on and as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Township this \_\_\_ day of \_\_\_\_\_, 2014.

(SEAL)

\_\_\_\_\_  
RICHARD J. CUTTRELL,  
Clerk of the Township of Neptune

RESOLUTION #14-537 - 11/24/14

RELEASE ALL SURETY GUARANTEES AND DEVELOPERS ESCROW FOR  
IMPROVEMENTS AT SURF AVENUE HOUSE (27 SURF AVENUE)

WHEREAS, PH Surf Avenue, LLC filed a cash performance guarantee in the amount of \$24,000.00, guaranteeing the site improvements at Surf Avenue House condominiums, located at 27 Surf Avenue (Block 27, Lots 370, 372 & 384); and,

WHEREAS, on November 19, 2014, the Township Engineering Consultant certified that all site work has been completed and said performance guarantee may be released; and,

WHEREAS, the Township Engineering Consultant also recommends the waiver of the posting of a two year maintenance guarantee because the required site work was completed well over two years ago,

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

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

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

CERTIFICATION  
I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF NEPTUNE ON 11/24/2014



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-538 - 11/24/14

REQUEST THE DIVISION OF LOCAL GOVERNMENT SERVICES TO GRANT  
APPROVAL OF A DEDICATION BY RIDER OF REVENUES RECEIVED FOR  
WESLEY LAKE IMPROVEMENTS

WHEREAS, the Township has undertaken projects to make improvements to Wesley Lake and receives donations from time to time in support of these efforts; and,

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance: and,

WHEREAS, N.J.S.A. 40A:5-29 et seq. authorizes a municipality to accept donations and utilize same so long as the use is consistent with the laws of this State and of the United States; and,

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of said monies by dedication by rider;

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

- 1) The Township Committee does hereby request permission of the Director of the Division of Local Government Services to utilize donated funds received for Wesley Lake Improvements.
- 2) The Township Clerk is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.
- 3) The Township Clerk shall forward certified copies of this resolution to the Business Administrator, Chief Financial Officer and Assistant C.F.O.

CERTIFICATION  
I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF NEPTUNE ON 11/24/2014



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-539 - 11/24/14

CONFIRM MAYOR'S APPOINTMENT TO THE PLANNING BOARD

BE IT RESOLVED, that the Township Committee hereby confirms the Mayor's appointment of Mychal Mills to the Neptune Township Planning Board as a Class IV member for an unexpired four year term expiring December 31, 2015; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution will be forwarded to the Administrative Officer of the Neptune Township Planning Board.

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 11/24/2014

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #14-540 – 11/24/14

AUTHORIZE THE PAYMENT OF BILLS

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

CURRENT FUND	6,542,807.25
FEDERAL & STATE GRANT FUND	16,178.44
TRUST OTHER	29,605.56
GENERAL CAPITAL FUND	139,868.28
SEWER OPERATING FUND	74,655.55
MARINA OPERATING FUND	40,633.29
MARINA CAPITAL FUND	321.30
DOG TRUST	7,587.40
LIBRARY TRUST	1,223.13
BILL LIST TOTAL	\$6,852,880.20

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 11/24/2014



Richard J. Cuttrell, Municipal Clerk