

**TOWNSHIP COMMITTEE WORKSHOP MEETING – JUNE 8, 2015 – 6:00 P.M.**

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

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

Mayor Jahn announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 8, 2015, 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 – Police Department Annual Report.
  
2. Discussion – 2015 Capital Program.
  
3. Discussion – Traffic pattern at intersections of Route 33 and Wakefield/Oxford/Walnut. (PW)
  
4. Review Committee calendars/update on outstanding issues and capital items.  
- Various on-going capital improvement projects.

Res. # 15-238 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

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

**TOWNSHIP COMMITTEE MEETING – JUNE 8, 2015 – 7:00 P.M.**

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

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

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 Jahn announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 8, 2015, 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 May 11<sup>th</sup> and May 21<sup>st</sup>.

**REPORT OF THE CLERK**

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

A letter from Barry Johnson, retiring Director of the Monmouth County Division of Mental Health & Addiction Services commending Dawn Thompson for her efforts as the Township's Municipal Alliance Coordinator.

**COMMENTS FROM THE DAIS**

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. 15-22 – An ordinance to amend Volume I, Chapter VII, Section 7-9 of the Code of the Township of Neptune by designating Division Street as a one-way street- Final Reading

*Explanatory Statement: This ordinance designates Division Street as a one-way only street in a westbound direction.*

Public Hearing:

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

ORDINANCE NO. 15-23 – An ordinance to amend Volume I, Chapter III, Section 3-13 of the Code of the Township of Neptune by adopting an updated Drug-Free Zone Map - Final Reading

*Explanatory Statement: This ordinance updates the Township’s Drug Free Zone Map with a new map dated May 14, 2015*

Public Hearing:

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

ORDINANCE NO. 15-24 – 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 Seaview Avenue and removing handicapped parking zones on Milton Avenue and Clark Avenue - First Reading

*Explanatory Statement: This ordinance authorizes a resident handicapped on-street parking zone in front of 24 Seaview Avenue and the removal existing handicapped parking zones in front of 2040 Milton Avenue and 122 Clark Avenue.*

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

ORDINANCE NO. 15-25 – An ordinance providing for the sale of property, known as Block 503, Lot 7, with an address of 1308 Heck Avenue, owned by the Township of Neptune, no longer needed for the public use, being less than the minimum size required for development under the municipal zoning ordinance to owners of contiguous land - First Reading

*Explanatory Statement: This ordinance the sale of Township owned property at 1308 Heck Avenue. The property is less than the minimum lot size required for development and will be offered at auction to contiguous property owners only at a minimum bid of \$7,700.*

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

**ORDINANCE NO. 15-26** – An ordinance to amend Volume I, Chapter XII, of the Code of the Township of Neptune by adding to Section 12-5.2, entitled, “Definitions Relative to Abandoned Property, Actions Concerning Repair, Closing or Demolition, and relating to this Ordinance” - First Reading

*Explanatory Statement: This ordinance amends the definition of “vacant property” as it applies to the Vacant and Abandoned Properties Ordinance.*

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

The Public Hearings on Ordinances 15-24, 15-25 and 15-26 will be held on Monday, June 22, 2015.

**CONSENT AGENDA**

Res. # 15-239 – Authorize temporary no parking on certain streets in connection with Ocean Grove Camp Meeting Association events.

Res. # 15-240 – Place liens on various properties.

Res. # 15-241 – Authorize the execution of a Shared Service Agreement for Area Network Shore Water Emergency Response (ANSWER) Team.

Res. # 15-242 – Authorize the execution of a Shared Service Agreement for the purchase of liability, property, and workers compensation insurance.

Res. # 15-243 – Authorize an Employee Assistance Program and Work-Life Services.

Res. # 15-244 – Accept a maintenance guarantee and release a performance bond filed by Gilman Land, LLC in connection with improvements to 112 Robin Road.

Res. # 15-245 – Correct hourly rate for Violations Clerks hired on May 11, 2015.

Res. # 15-246 – Accept the resignation of Shirleen Dorman as a part-time Tourism Representative.

Res. # 15-247 – Accept a maintenance guarantee and release a performance bond filed by 66 Neptune Realty, LLC for site improvements in connection with Brickhouse Tap & Tavern on Route 66.

Res. # 15-248 – Authorize an amendment to the 2015 municipal budget to realize monies from a Division of Alcoholic Beverage Control Cops in Shops Grant.

Res. # 15-249 – Authorize extension of County of Monmouth Workforce Investment Board “Count Me In” Job Readiness Program.

Res. # 15-250 – Cancel checks outstanding for over ninety days.

Res. # 15-251 – Authorize replacement and installation of the pump control at the Beverly Way sanitary sewer lift station.

Res. # 15-252 – Employ temporary seasonal personnel for the Neptune Summer Recreation Program.

Res. # 15-253 – Employ temporary seasonal personnel for the Municipal Alliance Summer Program.

Res. # 15-254 – Employ Special Law Enforcement Officer – Class I in the Police Department on a part-time

basis.

Res. # 15-255 – Authorize the use of Township owned property located at Block 5503, Lots 18 & 19 (formerly known as Block 563, Lots 1 & 2), on Seaview Circle, as a temporary dewatering site for materials dredged from the Shark River channels.

Res. # 15-256 – Authorize the execution of a Release of Part of Mortgaged Property with TRF DP Ridge Avenue, LLC in connection with the Schoolhouse Square Project.

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

**The Mayor announces the following appointments to the Environmental/Shade Tree Commission:**

**William Heyniger as the Alternate #1 member for an unexpired two year term.**

Res. # 15-257 – Confirm Mayor’s appointment to the Environmental/Shade Tree Commission.

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

Res. # 15-258 – Authorize the payment of bills.

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

Res. # 15-259 – Authorize termination of the Redevelopment Agreement between Neptune Township and Cityworks, West Lake, LLC, and authorize the Township to search for a new Redeveloper for the West Lake Redevelopment Area.

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

**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. 15-24

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 SEAVIEW AVENUE AND REMOVING HANDICAPPED PARKING ZONES ON MILTON AVENUE AND 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>
Seaview Avenue	1	South side of Seaview Avenue beginning 120 feet west of the southwest intersection of Seaview Avenue and Beach Avenue

SECTION 2

Volume I, Chapter VII, Section 7-21.1 - 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>
Milton Avenue	1	South side of Milton Avenue beginning 110 feet east of the southeast intersection of Milton Avenue and Neptune Boulevard
Clark Avenue	1	South side of Clark Avenue beginning 75 feet east of the southeast intersection of Whitefield Avenue and Clark 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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Mary Beth Jahn,  
Mayor

ORDINANCE NO. 15-25

AN ORDINANCE PROVIDING FOR THE SALE OF PROPERTY, KNOWN AS BLOCK 503, LOT 7, WITH AN ADDRESS OF 1308 HECK AVENUE, OWNED BY THE TOWNSHIP OF NEPTUNE, NO LONGER NEEDED FOR THE PUBLIC USE, BEING LESS THAN THE MINIMUM SIZE REQUIRED FOR DEVELOPMENT UNDER THE MUNICIPAL ZONING ORDINANCE TO OWNERS OF CONTIGUOUS LAND

BE IT ORDAINED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE IN THE COUNTY OF MONMOUTH THAT:

SECTION 1. The Township hereby determines to sell public land, no longer needed for public use, at private sale to owners of property contiguous to the land offered for sale. Said premises are sold pursuant to N.J.S.A. 40A:12-13B and N.J.S.A. 40A:12-13.2 at private sale at an amount no less than the minimum bid as set in Section 2.

SECTION 2. The premises offered for sale are less than the minimum size required for development under the Municipal Zoning Ordinance and are without any capital improvement thereon. The property offered for sale and the minimum allowable bid is as follows:

<b>BLOCK/LOT</b>	<b>ADDRESS</b>	<b>MINIMUM BID</b>
503/7	1308 Heck Avenue	\$7,700.00

SECTION 3. All owners of any real property contiguous to the premises offered for sale shall have the right of prior refusal to purchase said land at no less than the minimum bid. In the event that there is more than one owner with property contiguous to the premises offered for sale, the said property shall be sold to the highest bidder from among all such owners.

SECTION 4. Said premises are sold for the sole purpose of being used together with the adjoining or contiguous land and premises of the purchaser.

SECTION 5. No single or separate structure shall be erected on the subject premises, nor shall same be improved, unless the subject premises are combined, by means of subdivision, with adjoining or contiguous lands and premises of the Purchaser, all in accordance with the approval of the appropriate Board or Agency of the Township of Neptune and in accordance with the minimum requirements of the Zoning Ordinances and other applicable ordinances of the Township of Neptune.

SECTION 6. Ten (10%) percent of the purchase money is to be paid at the time the property is sold in the form of a certified check, cash, or money order. If the money is not paid at that time, the property may be put up and re-sold immediately. The balance is to be paid within ninety (90) days upon delivery of a bargain and sale deed.

SECTION 7. All right, title and interest of the Township in and to the lands offered for sale are being sold subject to all applicable federal, state and municipal laws and regulations including applicable ordinances, easements, conditions, restrictions and rights-of-way of record and such facts as an accurate survey may disclose.

SECTION 8. The description and location of said lands as set forth herein are for informational purposes only and prospective bidders should examine the property prior to building to verify this information.

SECTION 9. The Township represents title to said property is good and marketable, insurable by a reputable title insurance company at its regular rates except for restrictions and easements of record. In the event that the Township cannot convey marketable title to said premises, its sole liability shall be to return without interest all monies paid by the Purchaser to the Township. Objections to the marketability of title must be made in writing to the Township at least thirty (30) days prior to delivery of the Bargain and Sale Deed or any such objection shall be deemed waived.

SECTION 10. The Purchaser shall be required at the time of closing, to pay as an additional purchase price, equal to all Township legal fees associated with the conveyance of the property. Any bidder who fails to complete his purchase will forfeit to the Township any deposit paid. Closing will take place at the Neptune Municipal Offices. All closing costs including the balance of the purchase price shall be made in the form of cash, certified check or money order.

SECTION 11. The Township reserves the following rights with regard to this sale:

A. To adjourn the sale in whole or in part at the time of sale for not more than one week without readvertising the sale.

B. To reject any and all bids received.

C. To waive such conditions of this sale as are deemed in the best interest of the Township.

SECTION 12. Closing on the subject premises shall take place no later than ninety (90) days from the date the premises are sold to the highest bidder.

SECTION 13. In the event that the Purchaser fails to comply with the terms and conditions of the sale or otherwise fails to close on the subject premises, liquidated damages in the amount of the deposit shall be retained by the Township and upon written notice by the Township to the Purchaser, the sale shall be terminated.

SECTION 14. The within premises are sold strictly in an "as is" condition. The Purchaser acknowledges bidding on the subject premises with knowledge as to the value of the land, and not on any representations made as to the character or quality by the Township.

SECTION 15. The deed shall be conveyed subject to all of the conditions hereinabove set forth.

SECTION 16. The Township Clerk is authorized to fix the date of the public auction and advertise for the notice of public auction pursuant to N.J.S.A. 40A:12-13.

SECTION 17. That 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 18. This ordinance shall become effective immediately upon its adoption and publication according to law.

APPROVED ON FIRST READING:

APPROVED, PASSED AND ADOPTED:

ATTEST:

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Richard J. Cuttrell,  
Municipal Clerk

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Mary Beth Jahn,  
Mayor

ORDINANCE NO. 15-26

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XII, OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING TO SECTION 12-5.2, ENTITLED, "DEFINITIONS RELATIVE TO ABANDONED PROPERTY, ACTIONS CONCERNING REPAIR, CLOSING OR DEMOLITION, AND RELATING TO THIS ORDINANCE"

BE IT ORDAINED by the Township Committee of the Township of Neptune that Volume I, Chapter XII of Code of the Township of Neptune entitled, "Vacant and Abandoned Properties" be and is hereby amended with regard to the Definition Section 12-5.2 to include the following:

12-5 – VACANT AND ABANDONED PROPERTIES

12-5.2 – Definitions Relative to Abandoned Property, Actions Concerning Repair, Closing or Demolition, and relating to this Ordinance.

A) As used herein;

12) "Vacant Property" shall mean any building to be used as a residence or for commercial or industrial purposes, which is unoccupied and lacks habitual presence of human beings for a period of six months or more. Property which is used on a seasonal basis shall not be deemed vacant for purposes of this Ordinance. Property determined to be "abandoned" under this Ordinance must be determined to be "vacant" for purposes of this Ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon final adoption and publication of the notice of the adoption as required by law; and

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

APPROVED ON FIRST READING:

APPROVED, PASSED AND ADOPTED:

ATTEST:

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Richard J. Cuttrell,  
Municipal Clerk

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Mary Beth Jahn,  
Mayor

RESOLUTION #15-238 – 6/8/15

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

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

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

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

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.

2. The general nature of the subject matter to be discussed is as follows:

Potential Litigation – Request for refund of Application for Development fees  
Contract negotiations – Municipal Consent to NJDOT for Shark River dredging  
Personnel – Public Safety Officer Program

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.

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-239 - 6/8/15

AUTHORIZE TEMPORARY NO PARKING ON CERTAIN STREETS IN  
CONNECTION WITH OCEAN GROVE CAMP MEETING ASSOCIATION EVENTS

WHEREAS, the Ocean Grove Camp Meeting Association has numerous events scheduled during the late Spring and Summer that will require temporary no parking restrictions for pedestrian safety and access by large buses; and,

WHEREAS, the Police Department has reviewed and approved this action,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the posting of temporary no parking at the following locations during the dates and times indicated:

Auditorium Events

Date & Time: July 17<sup>th</sup> - 11:00 p.m. to July 18<sup>th</sup> - 11:00 p.m.  
July 23<sup>rd</sup> - 11:00 p.m. to July 24<sup>th</sup> - 11:00 p.m.  
July 31<sup>st</sup> - 11:00 p.m. to August 1<sup>st</sup> - 11:00 p.m.  
August 7<sup>th</sup> - 11:00 p.m. to August 8<sup>th</sup> - 11:00 p.m.  
August 21<sup>st</sup> - 11:00 p.m. to August 22<sup>nd</sup> - 11:00 p.m.

Location: Northside of McClintock Street between Pilgrim Pathway and Central Avenue

Annual Choir Festival

Date: July 12th  
Time: 5:00 pm to 10:00 p.m.  
Locations: Southside of westbound Ocean Pathway from Ocean Avenue to Central Avenue and Westside of Central Avenue between the Ocean Pathways.

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-240 - 6/8/15

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>
1513/5	505 Mayfair Lane	345.00
713/17	505 Fisher Place	345.00
415/30	604 Ridge Avenue	270.00
1507/7	10 Brixton Place	121.50
601/13	404 Myrtle Avenue	345.00
175/516	1205 Embury Avenue	270.00
1111/26	1517 7 <sup>th</sup> Avenue	135.00
1111/26	1517 7 <sup>th</sup> Avenue	614.00
618/6	1805 Columbus Avenue	270.00
611/40	1710 West Lake Avenue	345.00
605/12	229 Myrtle Avenue	270.00
611/13	225 Fisher Avenue	270.00

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  
HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        

  
Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-241 – 6/8/15

AUTHORIZE THE EXECUTION OF A SHARED SERVICE AGREEMENT FOR  
AREA NETWORK SHORE WATER EMERGENCY RESPONSE (ANSWER) TEAM

WHEREAS, the Township of Neptune and several neighboring municipalities have developed a joint offshore water rescue group known as Area Network Shore Water Emergency Response Team (“ANSWER”) for the purpose of providing a joint rescue effort in response to any offshore water emergency within the boundaries of the respective municipalities; and,

WHEREAS, the Township of Neptune, the Borough of Avon-By-The-Sea, the Borough of Bradley Beach and the Borough of Neptune City desire to enter into a Shared Service Agreement pursuant to N.J.S.A. 40A:65-1 et seq. to allow the four municipalities to provide this emergency service to its residents; and,

WHEREAS, this Shared Service Agreement shall remain in full force and effect until specifically repealed by an affirmative act of the respective governing bodies,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Shared Service Agreement with the Borough of Avon-By-The-Sea, the Borough of Bradley Beach, and the Borough of Neptune City, a copy of which is on file in the Office of the Municipal Clerk, which provides for a joint rescue effort in response to any offshore water emergency within the boundaries of the respective municipalities; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Emergency Management Coordinator, Business Administrator, Grant Coordinator, the Borough of Avon-By-The-Sea, the Borough of Bradley Beach, and the Borough of Neptune City.

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-242 – 6/8/15

AUTHORIZE THE EXECUTION OF A SHARED SERVICE AGREEMENT  
FOR THE PURCHASE OF LIABILITY, PROPERTY,  
AND WORKERS COMPENSATION INSURANCE

WHEREAS, the Township of Neptune and the two Neptune Township Fire Districts desire to coordinate the purchase of liability, property and workers compensation insurance to achieve economies of scale for the taxpayers of the Township; and,

WHEREAS, the Township of Neptune, Neptune Township Fire District #1 and Neptune Township Fire District #2 desire to enter into a Shared Service Agreement pursuant to N.J.S.A. 40A:65-1 et seq. for the purchase of liability, property and workers compensation insurance; and,

WHEREAS, this Shared Service Agreement shall remain in full force and effect until specifically repealed by an affirmative act of the respective governing bodies,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Shared Service Agreement with Neptune Township Fire District #1 and Neptune Township Fire District #2, a copy of which is on file in the Office of the Municipal Clerk, which provides for the purchase liability, property and workers compensation insurance for the Township and fire districts; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Business Administrator, Grant Coordinator, Neptune Township Fire District #1 and Neptune Township Fire District #2.

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-243 – 6/8/15

AUTHORIZE AN EMPLOYEE ASSISTANCE PROGRAM AND WORK-LIFE SERVICES

WHEREAS, the Township Committee desires to provide an Employee Assistance Program and Work-Life Services to its employees; and,

WHEREAS, the Business Administrator recommends that Mental Health Consultants, Inc. be authorized to provide an Employee Assistance Program at a cost of \$20.16 per employee per year and Work-Life Services at a cost of \$7.32 per year for a three year period; and,

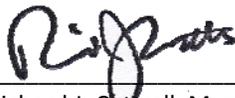
WHEREAS, funds will be provided in the 2015 municipal budget in the appropriation entitled Employee Group Insurance O.E. and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Mental Health Consultants, Inc. be and is hereby authorized to provide an Employee Assistance Program at a cost of \$20.16 per employee per year and Work-Life Services at a cost of \$7.32 per year for a three year period effective July 1, 2015; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-244 - 6/8/15

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY GILMAN LAND, LLC IN CONNECTION WITH IMPROVEMENTS AT 112 ROBIN ROAD

WHEREAS, on May 30, 2014, Gilman Land, LLC filed a cash performance bond in the amount of \$35,883.60, guaranteeing site improvements at 112 Robin Road (Block 802, Lot 30); and,

WHEREAS, said performance bond was subsequently reduced and currently is in the amount of \$11,550.78; and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of May 22, 2015 and said performance bond can be released; and,

WHEREAS, Gilman Land, LLC has provide authorization to hold the amount of \$5,537.34 in escrow to serve as a Maintenance Guarantee to guarantee said site improvements for a period of two years,

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

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee and inspection fee escrow deposited with the Township be and is hereby authorized to be refunded (with \$5,537.34 being retained for the two year maintenance period); and,

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

CERTIFICATION  
HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        

  
\_\_\_\_\_

Richard J. Cuttrel, Municipal Clerk

RESOLUTION #15-245 - 6/8/15

CORRECT HOURLY RATE FOR VIOLATIONS CLERKS HIRED ON MAY 11, 2015

WHEREAS, on May 11, 2015, the Township Committee adopted Resolutions #15-218 & 15-219 which authorized the employment of Deanna Owens and Erin Mascarelli as Violations Clerks in the Municipal Court; and,

WHEREAS, the hourly rate in both resolutions was stated as \$12.00 per hour; however, the correct hourly rate for Violations Clerk in 2015 is \$12.24 per hour,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the hourly rates in Resolutions #15-218 & 15-219, which authorized the employment of Deanna Owens and Erin Mascarelli as Violations Clerks in the Municipal Court, is hereby corrected to \$12.24 per hour; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        



Richard J. Cuttrell, Municipal Clerk



RESOLUTION #15-246 - 6/8/15

ACCEPT THE RESIGNATION OF SHIRLEEN DORMAN AS A  
PART-TIME TOURISM REPRESENTATIVE

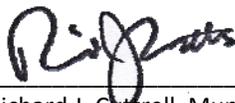
WHEREAS, the Township Committee has received a letter from Shirleen Dorman resigning as a part-time Tourism Representative effective June 9, 2015,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Shirleen Dorman as a part-time Tourism Representative is hereby accepted effective June 9, 2015; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-247 - 6/8/15

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND  
FILED BY 66 NEPTUNE REALTY, LLC FOR SITE IMPROVEMENTS IN  
CONNECTION WITH BRICKHOUSE TAP & TAVERN ON ROUTE 66

WHEREAS, on May 2, 2013, 66 Neptune Realty, LLC filed performance bond FP0018879, written by First Indemnity of America Insurance Company in the amount of \$831,492.00, guaranteeing site improvements at Brickhouse Tap & Tavern on Route 66 (Block 1508, Lot 1); and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of May 6, 2015 and said performance bond can be released; and,

WHEREAS, 66 Neptune Realty, LLC has filed Maintenance Bond #FP0018879M written by First Indemnity of America Insurance Company guaranteeing said site improvements for a period of two years; and,

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

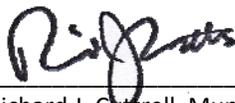
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Maintenance Guarantee as stated above be and is hereby accepted and the performance bond is authorized to be released; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee and inspection fee escrow deposited with the Township be and is hereby authorized to be refunded (with \$1,000.00 being retained for final inspection at the end of the maintenance period; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-248 - 6/8/15

AUTHORIZE AN AMENDMENT TO THE 2015 MUNICIPAL BUDGET TO REALIZE  
MONIES FROM A DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
COPS IN SHOPS GRANT

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 2015 in the sum of \$2,000.00 which is now available from a NJDL&PS Division of Alcoholic Beverage Control Cops in Shops – Summer Shore Initiative 2015 Grant in the amount of \$2,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$2,000.00 is hereby appropriated under the caption of Cops in Shops - Summer Shore Initiative 2015; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a NJDL&PS Division of Alcoholic Beverage Control Cops in Shops 2015 Summer Shore Initiative Grant in the amount of \$2,000.00; and,

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

Vote:

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-249 - 6/8/15

AUTHORIZE EXTENSION OF COUNTY OF MONMOUTH WORKFORCE  
INVESTMENT BOARD "COUNT ME IN" JOB READINESS PROGRAM

WHEREAS, the Township of Neptune/Midtown Urban Renaissance Corporation is presently under contract with the County of Monmouth Workforce Investment Board to provide a "Count Me In" Job Readiness Program (the "Contract"); and,

WHEREAS, the Contract expires on June 30, 2015; and,

WHEREAS, it would be in the best interest of those served under this Contract to extend the Contract through September 30, 2015,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the contract with the County of Monmouth Workforce Investment Board for the "Count Me In" Job Readiness Program be and is hereby extended from June 30, 2015 through September 30, 2015; and,

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute an agreement to effectuate said extension and that all remaining aspects of the existing Contract remain unchanged.

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-250 - 6/8/15

CANCEL CHECKS OUTSTANDING FOR OVER NINETY DAYS

WHEREAS, the Finance Department has advised that there are a number of outstanding checks that are over ninety (90) days old; and,

WHEREAS, the cancellation of said checks must be approved by resolution of the Township Committee,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following checks outstanding for greater than ninety (90) days be and are hereby approved for cancellation:

General Account <b>CHECK NO.</b>	<b>PAYABLE TO</b>	<b>AMOUNT</b>
020061	Cablevision	\$ 234.88
020833	NJ MVC	60.00
021438	Tom Arnone Plumbing	185.00
021540	Gold Crest Abstract LLC	1,163.65

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-251 - 6/8/15

AUTHORIZE REPLACEMENT AND INSTALLATION OF THE PUMP CONTROL  
AT BEVERLY WAY SANITARY SEWER LIFT STATION

WHEREAS, the Purchasing Agent solicited quotes for the replacement and installation of the pump control at the Beverly Way sanitary sewer lift station; and,

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

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

WHEREAS, funds for this purpose will be provided in Ordinance No. 12-14 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 replacement and installation of the pump control at the Beverly Way sanitary sewer lift station be and is hereby authorized through Pumping Services pursuant to their quote of not to exceed \$25,000.00; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-252 - 6/8/15

EMPLOY TEMPORARY SEASONAL PERSONNEL FOR  
THE NEPTUNE SUMMER RECREATION PROGRAM

WHEREAS, the Township of Neptune Recreation Department will be sponsoring a Summer Recreation Program; and,

WHEREAS, applications were received and the following qualified applicants have been recommended for hire by the Recreation Director; and,

WHEREAS, funds will be provided in the 2015 Municipal Budget in the appropriation entitled Recreation 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 the following persons be and are hereby employed in the Neptune Summer Recreation Program from June 25, 2015 through August 10, 2015, for the number of hours and days as specified herein, with the understanding that staffing levels will be based on final enrollment and this resolution does not guarantee either employment or number of hours; and,

Camp Co-Directors / Nurse    \$12.50/hour                    6.5 hours/day 30 days

Teesha Robinson                    Monik Suit                    Eileen L'Heureux (sub)

Bus Drivers                                    \$12.00/hour                    6.5 hours/day 30 days

Janiesue Masco                    Betty Andrews (sub)

Role Models                                    \$10.50/hour                    6.5 hours/day 30 days

Barbara Carter                    Andrew Wildeman            Bruce Hodges  
Miles Daniels                    Asya Robinson                Alison Curry  
Kai Inman

Role Models                                    \$10.00/hour                    6.5 hours/day 30 days

Nykell Lane                                Lemuel Walker                Kaitlyn Oates  
Kerryn Hughley

Substitute Role Models            \$10.50/hour                    6.5 hours/day 30 days

Jacob Thompson

Substitute Role Models      \$10.00/hour      6.5 hours/day 30 day

Kyle Lewis  
Caityln Coyle

Victoria Wildeman      Ayana Williams  
Kayla Archer-Buckley      Brianna Bell

CITs (Counselors / Role Models in Trailing) no pay / experience only

Alaina Cooper  
Mylah Eammons

Aaliyah Harris      Jaidin Jones

(Substitutes will be employed based on enrollment)

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-253 - 6/8/15

EMPLOY TEMPORARY SEASONAL PERSONNEL FOR  
THE MUNICIPAL ALLIANCE SUMMER PROGRAM

WHEREAS, the Municipal Alliance Against Alcoholism and Drug Abuse will be sponsoring a Summer Program; and,

WHEREAS, applications were received and the following qualified applicants were recommended for hire by the Alliance Coordinator; and,

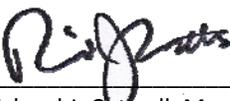
WHEREAS, funds will be provided in the 2015 Municipal Budget in the appropriation entitled DEDR – Drug and Alliance Grant and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following persons be employed in the Municipal Alliance Summer Program from June 29, 2015 to July 28, 2015 for the number of hours as specified herein,

<u>Coordinator</u>	<u>\$15.00/hour</u>	<u>67 hours</u>
Tom Shields		
<u>Bus Driver</u>	<u>\$14.00/hour</u>	<u>60 hours</u>
Danny Theliska	Janie Sue Masco (sub)	
<u>Role Models</u>	<u>\$14.00/hour</u>	<u>60 hours</u>
Kyle Lewis Teesha Robinson	Andrew Wildeman Miles Daniels	Rodney Taylor Bruce Hodges
<u>Substitute Role Models</u>	<u>\$14.00/hour</u>	<u>3 hours per day</u>
Barbara Carter Kai Inman	Kerryn Hughley Eileen L'Heureux	Allison Curry

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

CERTIFICATION  
HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        

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

RESOLUTION #15-254 - 6/8/15

EMPLOY SPECIAL LAW ENFORCEMENT OFFICER – CLASS I  
IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

WHEREAS, there is a need for an additional Special Law Enforcement Officer – Class I in the Police Department on a part-time hourly basis; and,

WHEREAS, the positions were duly posted and applicants have been interviewed; and,

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

WHEREAS, funds will be provided in the 2015 municipal budget in the appropriation entitled Police 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 Jordan Loiodice be and is hereby employed as a part-time Special Law Enforcement Officer - Class I, effective June 16, 2015, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, at an hourly rate as established by prior resolution of the Township Committee; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-255 – 6/8/15

AUTHORIZE THE USE OF TOWNSHIP OWNED PROPERTY LOCATED AT BLOCK 5503, LOTS 18 & 19 (FORMERLY BLOCK 563, LOTS 1 & 2), ON SEAVIEW CIRCLE, AS A TEMPORARY DEWATERING SITE FOR MATERIALS DREDGED FROM THE SHARK RIVER CHANNELS

WHEREAS, the New Jersey Department of Transportation has indicated their willingness to seek a contract under the Public Contract Law for the dredging of the Shark River Channels, subject to the use and consent of use of Township Property to dewater the materials dredged; and

WHEREAS, the recommended site is municipal owned property located at Block 5503, Lots 18 & 19 on Seaview Circle; and

WHEREAS, the authorized consent letter requested by the NJDEP/OMR is to allow a dredging plan between September 7, 2015 through December 31, 2016 in the Shark River; and

WHEREAS, the contractor hired by the State will be required to return the site to the preexisting conditions as part of the NJDOT contract, and will protect the site under the supervision of the NJDOT during all activities,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, hereby authorizes and consents to the use by NJDOT/OMR or its contractor, Block 5503, Lots 18 & 19 of Neptune Township (Seaview Circle), which is Neptune Township owned property, as a dewatering site based on the conditions and assurances set forth above; and,

BE IT FURTHER RESOLVED, that the Township Committee hereby authorizes the Mayor or Deputy Mayor to execute a letter of consent setting forth the aforesaid conditions and expectations of this Resolution, and to supply the Resolution along with the letter of consent to the New Jersey Department of Transportation/OMR.

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        

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



# TABLED

RESOLUTION #15-257 - 6/8/15

CONFIRM MAYOR'S APPOINTMENT TO THE  
ENVIRONMENTAL/SHADE TREE COMMISSION

WHEREAS, due the resignation of Shane Toohey, there is a vacancy in the Alternate #1 position on the Environmental/Shade Tree Commission,

THEREFORE, BE IT RESOLVED, that the Township Committee confirms the Mayor's appointment of William Heyniger as the Alternate #1 member to the Environmental/Shade Tree Commission for an unexpired two year term expiring December 31, 2016; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Secretary to the Environmental/Shade Tree Commission.

RESOLUTION #15-258 – 5/21/15

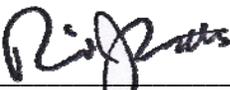
AUTHORIZE THE PAYMENT OF BILLS

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

CURRENT FUND	\$1,683,338.64
FEDERAL & STATE GRANT FUND	50,281.96
TRUST OTHER	52,085.19
GENERAL CAPITAL FUND	147,420.67
SEWER OPERATING FUND	82,127.37
MARINA OPERATING FUND	31,904.28
DOG TRUST	930.60
LIBRARY TRUST	1,045.36
BILL LIST TOTAL	\$2,049,134.07

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

CERTIFICATION  
HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        

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

RESOLUTION #15-259 – 6/8/15

AUTHORIZE TERMINATION OF THE REDEVELOPMENT AGREEMENT BETWEEN NEPTUNE TOWNSHIP AND CITYWORKS, WEST LAKE, LLC, AND AUTHORIZE THE TOWNSHIP TO SEARCH FOR A NEW REDEVELOPER FOR THE WEST LAKE REDEVELOPMENT AREA

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (“Redevelopment Law”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, in order to stimulate redevelopment, by Resolution #05-212, the Township designated certain properties in the Township known as the West Lake Avenue Redevelopment Area as a redevelopment area in accordance with the Redevelopment Law referred to herein as the “Redevelopment Area”; and

WHEREAS, by Ordinance #05-20, the Township adopted the West Lake Avenue Redevelopment Plan to address the redevelopment of the properties within the Redevelopment Area (as may be amended, the “Redevelopment Plan”); and

WHEREAS, the Township Committee adopted Resolution #05-258 designating the Committee as the Redevelopment Entity for the West Lake Avenue Redevelopment Zone; and

WHEREAS, the Township Committee desired that the redevelopment of the area be redeveloped by CityWorks West Lake, LLC in accordance with the Redevelopment Plan; and

WHEREAS, on June 13, 2005 the Neptune Township Committee adopted Resolution #05-306 which authorized the execution of the Redevelopment Agreement with CityWorks West Lake, LLC; and

WHEREAS, said Redevelopment Agreement was amended by Resolution #06-157 on February 27, 2006 to add additional properties to the agreement that were already included in the West Lake Avenue Redevelopment Zone; and

WHEREAS, said Redevelopment Agreement was amended a second time by Resolution #07-64 on January 8, 2007 to provide for an alternative ownership structure for the planned office building; and

WHEREAS, the Redevelopment Agreement was amended a third time on September 13, 2010 to provide for the incorporation of specific affordable housing units in accordance with the Third Round Housing Plan Element and Fair Share Plan adopted by the Township Committee by Resolution #09-457 on October 26, 2009 as part of the Township’s petition to the New Jersey Committee on Affordable Housing for substantive certification; and

WHEREAS, since the adoption of the Redevelopment Agreement, as amended, closing documents for two parcels of the West Lake Redevelopment Area, namely 1820 West Lake Avenue and 232 Highway 35 were completed in August, 2008, and there were some property transfers to the Redeveloper in September, 2008 with a mixed use building completed (Midtown Commons) at 1820 West Lake Avenue in July of 2012; and

WHEREAS, in 2011 the Township Committee did pass a Resolution on January 10, 2011 concerning the sublease to the State of New Jersey with regard to the property located at 1820 West Lake Avenue; and

WHEREAS, other than the aforesaid development, little development has taken place pursuant to the Redevelopment Agreement between the parties, as amended, with the Redeveloper failing to follow the project schedule for commencement of construction on Phase 2 properties within one year of commencement of construction on an office building; failure for completion of the project improvements on the office building pursuant to project schedule; failure to complete the project improvements on Phase 2 properties within three years of commencement of construction of Phase 2 properties and failing to pay on a UDAG Loan from the Township since November, 2014; and

WHEREAS, the Township sent to CityWorks a Default Notice on the UDAG Loan on February 17, 2015 for the months of November, 2014 through February, 2015 and late fees totaling \$2,609.48; and

WHEREAS, the Township Committee of Neptune Township has requested CityWorks on a number of occasions provide status reports as to the progress and scheduling of the redevelopment of the balance of West Lake, and as of October 7, 2014, they indicated financial issues concerning continued redevelopment of the area, with a proposed schedule stretched to March 31, 2017; totally dependent upon uncertain financing and uncertain progress on the final redevelopment of the area; and

WHEREAS, due to the fact that the governing body had no further confidence in CityWorks West Lake, LLC in completing the project at any time in the foreseeable future, and due to the fact that the Redeveloper was in violation of the agreement in terms of the schedule and continuation of redevelopment and payment of the UDAG Loan, which represented a default in the agreement, the Township Committee adopted Resolution #15-116 on February 23, 2015, authorizing a Notice of Default and authorizing the Township Attorney to send said Notice of Default to the Redeveloper to allow the Redeveloper ninety (90) days to remedy and cure the default as required by Article II, Section 11.1 of the Redevelopment Agreement; and

WHEREAS, the Township Attorney sent out a Notice of Default and Termination on February 24, 2015 by certified mail/rrr to President David Scheck of CityWorks, which based on the greed card receipt was received on March 3, 2015. The ninety (90) day time period for the Redeveloper to cure the default has passed without any action, and therefore, a Notice of Termination would be appropriate.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey hereby authorizes termination of the Redevelopment Agreement between the Township of Neptune and CityWorks West Lake, LLC, entered into on June 13, 2005 as a result of the Redeveloper not curing and remedying the defaults on the aforesaid agreement as set forth by Resolution #15-116, adopted by the Township Committee on February 23, 2015.

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey hereby authorizes the Township Attorney to send a Notice of Termination to the Redeveloper, City Works West Lake, LLC, and authorizes the Township Administrator to proceed in supervising the efforts to take action to

seek a new Redeveloper in such a manner as the Township shall find feasible and consistent with the objectives of State Law and the Redevelopment Plan, make a recommendation to the Township Committee on the qualified, responsible new Redeveloper to assume the obligations of completing the project, and to make all reasonable efforts to recommend a replacement Redeveloper for the project.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Chief Financial Officer, Township Planner, Business Administrator, Director of Engineering and Planning, Planning Board Administrator, Township Attorney and to the Redeveloper, CityWorks West Lake, LLC.

CERTIFICATION  
HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
NEPTUNE ON         JUNE 08, 2015        

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