

TOWNSHIP COMMITTEE WORKSHOP MEETING – MARCH 28, 2016 – 6:00 P.M.

Mayor McMillan 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	_____
Carol Rizzo	_____
Nicholas Williams	_____
Kevin B. McMillan	_____

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

Mayor McMillan 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 7, 2016, 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 – Dunbar property tree replacement/site restoration.

2. Discussion – Arbor Day tree plantings at Gables Park. (PW)

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

Res. # 16-166 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____

Vote: Bishop, _____; Brantley, _____; Rizzo, _____; Williams, _____; McMillan, _____.

TOWNSHIP COMMITTEE MEETING – MARCH 28, 2016 – 7:00 P.M.

Mayor McMillan 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	_____
Carol Rizzo	_____
Nicholas Williams	_____
Kevin B. McMillan	_____

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 McMillan 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 7, 2016 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.

REPORT OF THE CLERK

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

The following individuals/organizations received thank you letters for recent donations to the Senior Center: Kay Anctil, Dolly & Dick Driscoll, Betty & Mike Palermo, Michael Harrigan, Kathy Henry, Jean Bozarth, Catholic Men for Jesus Christ, Diane Curley & Susan Waters, Regina & Thomas Donohue, Patricia Fahey, Edgar Halpin, Michael Harrigan, Rich Kuchen, Mary's Place, Stuart Monk, Lois Mumie, Wanda Nebido, Candi Pisano, Estella Robinson, Barbara Tatulis and Tab Baker.

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. 16-09 – An ordinance to exceed the municipal budget appropriation limits and establish a cap bank for purposes of introducing the 2016 municipal budget - Final Reading

Explanatory Statement: This ordinance permits the introduction of the annual municipal budget with a maximum appropriations increase of 3.5%. This ordinance does not change or negate the 2% tax levy cap.

Public Hearing:

Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Rizzo, _____; Williams, _____; McMillan, _____.

ORDINANCE NO. 16-10 – An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding resident handicapped on-street parking zones on Lawrence Avenue and Surf Avenue - Final Reading

Explanatory Statement: This ordinance authorizes resident handicapped on-street parking zones adjacent to 148 Broadway and in front of 16 Surf Avenue.

Public Hearing:

Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Rizzo, _____; Williams, _____; McMillan, _____.

ORDINANCE NO. 16-11 – An ordinance authorizing a Deed of Easement for utility purposes with Jersey Shore University Medical Center, Block 1201, portion of Lot 3, as shown on the tax map of the Township of Neptune - Final Reading

Explanatory Statement: This ordinance authorizes a permanent 10 foot wide utility easement conveyed to Hope Tower from Neptune Township for purposes of installing, repairing and maintaining an underground communication/security conduits/cables system between the hospital and the Neptune Township Police Department.

Public Hearing:

Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Rizzo, _____; Williams, _____; McMillan, _____.

ORDINANCE NO. 16-12 – An ordinance authorizing acceptance of Assignment of Notes and Mortgages from Ridge Avenue, LLC concerning project known as “Schoolhouse Square” - First Reading

Explanatory Statement: This ordinance authorizes the assignment of six mortgages and promissory notes from Ridge Avenue, LLC to the Township of Neptune in connection with the Schoolhouse Square Neptune Housing Incentive Fund.

Offered by: _____ Seconded by: _____
Vote: Bishop, _____; Brantley, _____; Rizzo, _____; Williams, _____; McMillan, _____.

The Public Hearing on Ordinance 16-12 will be held on Monday, April 11th.

CONSENT AGENDA

Res. # 16-167 – Authorize the execution of an agreement with Interfaith Neighbors, Inc. to provide congregate meals at the Neptune Senior Center.

Res. # 16-168 – Authorize the use of Liberty Park by the Young Leaders of Neptune and Asbury Park for a community block party and garden clean-up.

Res. # 16-169 – Accept a maintenance guarantee and dedication of roadways in connection with the Schoolhouse Square development.

Res. # 16-170 – Authorize temporary closing and temporary no parking on various streets in connection with the New Jersey Marathon.

Res. # 16-171 – Authorize a public auction of surplus vehicles and trailers.

Res. # 16-172 – Support the St. Jude Children’s Research Hospital Walk/Run to End Childhood Cancer on September 24, 2016.

Res. # 16-173 – Authorize electrical installation materials and labor through the Middlesex Regional Education Services Commission Purchasing Program.

Res. # 16-174 – Employ on-call part-time Yard Attendant in the Department of Public Works.

Res. # 16-175 – Appoint alternate member to the Rent Leveling Board.

Res. # 16-176 – Release performance guarantee for sanitary sewer and roadway improvements at Embury Arms Condominiums (Whitefield Avenue).

CONSENT AGENDA Offered by:_____ Seconded by:_____
Vote: Bishop, _____; Brantley, _____; Rizzo, _____; Williams, _____; McMillan, _____.

Res. # 16-177 – Authorize the payment of bills.

Offered by:_____ Seconded by:_____
Vote: Bishop, _____; Brantley, _____; Rizzo, _____; Williams, _____; McMillan, _____.

Res. # 16-178 – Authorize tax appeal complaint against Jersey Shore University Medical Center’s exemption.

Offered by:_____ Seconded by:_____
Vote: Bishop, _____; Brantley, _____; Rizzo, _____; Williams, _____; McMillan, _____.

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. 16-12

AN ORDINANCE AUTHORIZING ACCEPTANCE OF
ASSIGNMENT OF NOTES AND MORTGAGES FROM RIDGE
AVENUE, LLC CONCERNING PROJECT KNOWN AS
"SCHOOLHOUSE SQUARE"

WHEREAS, on February 9, 2009, Ridge Avenue, LLC executed and delivered its Note in the amount of \$400,000.00 in favor of the Township ("Original Note"), providing financing for Ridge Avenue LLC's acquisition from the Township of real estate located in Neptune Township comprising a for sale housing development known as "Schoolhouse Square;" and

WHEREAS, the original note contemplated that Ridge Avenue, LLC would construct and sell 58 homes at Schoolhouse Square and under the Original Note, Ridge Avenue, LLC became obligated to repay the \$400,000.00 principal from proceeds of the sale of the last 28 homes in the development, by paying the Township \$14,285.71 upon the closing of each sale; and

WHEREAS, between January 9, 2012 and January 6, 2014, the Township agreed to a number of Mortgage Modifications (for Amended Mortgages/Notes) of which the first Amended Note and first Mortgage Modification created a program for Schoolhouse Square known as "Neptune Housing Incentive Fund" ("NHIF"). Under the NHIF, Ridge Avenue, LLC was permitted to offer each purchaser of a Schoolhouse Square home the opportunity to reduce the purchase price of the home by \$20,000.00 in exchange for assuming \$20,000.00 of Ridge Avenue LLC's debt to the Township under the First Amended Note. Whenever a buyer assumed the portion of the Ridge Avenue LLC's debt, Ridge Avenue, LLC's per unit repayment obligation on the last 28 Schoolhouse Square homes was reduced by 1/28 of \$20,000.00 or \$714.29. The assumption of indebtedness was to be evidenced by the homeowner's execution and delivery of a Promissory Note and Mortgage in favor of the Township; and

WHEREAS, among the sales closed by Ridge Avenue, LLC between the inception of the NHIF and the date of this Ordinance, 6 Special Sales took place whereby the buyer did not assume \$20,000.00 of Ridge Avenue, LLC's debt to the Township under the NHIF, but instead, the buyer executed and delivered a Note and Mortgage in favor of Ridge Avenue, LLC or its assignee, in the amount of \$20,000.00, along with Promissory Notes of \$20,000.00 in favor of Ridge Avenue, LLC or its assignee; and

WHEREAS, in order to bring the Special Sales within the auspices of the NHIF, Ridge Avenue, LLC desires to exercise its unconditional right of assignment under the Special Notes and Special Mortgages to assign the Special Notes and Special Mortgages to the Township, and the Township desires to accept said assignments.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorizes the acceptance of an agreement between Ridge Avenue, LLC and the Township, for the Township to be assigned certain \$20,000.00 Mortgages and Promissory Notes set forth more fully in the Agreement, a true copy of which is attached hereto and made a part hereof as Exhibit "A," affecting mortgaged properties set forth more fully in Exhibit "A" and recording said assignments per the Agreement in the Clerk's Office of Monmouth County; and

BE IT FURTHER ORDAINED, that the Township Attorney is hereby authorized to do all that is legally necessary to make the aforesaid assignments and record the same with the Clerk's Office of Monmouth County; and,

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately upon final passage and publication as provided by law; and,

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Kevin B. McMillan,
Mayor

Prepared by: _____

SCHOOLHOUSE SQUARE
NEPTUNE HOUSING INCENTIVE FUND
AGREEMENT TO ASSIGN NOTES AND MORTGAGES

THIS ASSIGNMENT AGREEMENT (the "**Agreement**") between TRF DP RIDGE AVENUE, LLC, with offices at 1700 Market Street, 19th Floor, Philadelphia, PA 19103-3904 ("**Ridge Avenue LLC**") and the TOWNSHIP OF NEPTUNE NEW JERSEY, with offices at 25 Neptune Boulevard, P.O. Box 1125, Neptune, NJ 07754-1125 (the "**Township**") is entered into as of the date on which it has been executed by all parties, as indicated on the signature pages below.

BACKGROUND

- A. On February 9, 2009, Ridge Avenue LLC executed and delivered its Note in the principal amount of \$400,000.00 in favor of the Township (the "**Original Note**"). The Original Note provided financing for Ridge Avenue LLC's acquisition from the Township of the real estate located in Neptune, New Jersey, comprising a for-sale housing development project known as "**Schoolhouse Square**."
- B. The Original Note contemplated that Ridge Avenue LLC would construct and sell 58 homes at Schoolhouse Square. Under the Original Note, Ridge Avenue LLC became obligated to repay the \$400,000.00 principal from the proceeds of the sale of the last 28 homes in the development, by paying the Township \$14,285.71 upon the closing of each sale.
- C. To secure its repayment obligation under the Original Note, Ridge Avenue LLC granted to the Township, on February 9, 2009, a Mortgage and Security Agreement (the "**Mortgage**") with respect to all of the Schoolhouse Square realty. The Mortgage was recorded in Mortgage Book 8766 of the County of Monmouth, New Jersey, at Page 4660.
- D. On January 9, 2012, Ridge Avenue LLC, with the consent of the Township, executed and delivered an Amended Note in the principal amount of \$400,000.00 in favor of the Township (the "**First Amended Note**"), which First Amended Note replaced and superseded the Original Note.

- E. On January 9, 2012, Ridge Avenue LLC and the Township entered into a Mortgage Modification Agreement (the "**First Mortgage Modification**") with respect to the First Amended Note. The First Mortgage Modification was subsequently recorded in Mortgage Book 8933 of the County of Monmouth, at page 1860.
- F. The First Amended Note and the First Mortgage Modification created a program for Schoolhouse Square known as the "Neptune Housing Incentive Fund" ("NHIF"). Under the NHIF, Ridge Avenue LLC was permitted to offer each purchaser of a Schoolhouse Square home the opportunity to reduce the purchase price of the home by \$20,000.00 in exchange for assuming \$20,000.00 of Ridge Avenue LLC's debt to the Township under the First Amended Note. Whenever a buyer assumed this portion of Ridge Avenue LLC's debt, Ridge Avenue LLC's per-unit repayment obligation on the last 28 Schoolhouse Square homes was reduced by 1/28 of \$20,000.00 or \$714.29. The assumption of indebtedness was to be evidenced by the homebuyer's execution and delivery of a promissory note and mortgage in favor of the Township. The NHIF was set to expire on June 30, 2012.
- G. On July 1, 2012, Ridge Avenue LLC, with the consent of the Township, executed and delivered a Second Amended Note in the principal amount of \$400,000.00 in favor of the Township (the "**Second Amended Note**"), which Second Amended Note replaced and superseded the Original Note and the First Amended Note. The Second Amended Note extended the NHIF expiration date to December 31, 2012.
- H. On July 1, 2012, Ridge Avenue LLC and the Township entered into a Mortgage Modification Agreement (the "**Second Mortgage Modification**") with respect to the Second Amended Note, which Second Mortgage Modification was not recorded.
- I. On April 10, 2013, Ridge Avenue LLC, with the consent of the Township, executed and delivered a Third Amended Note in the principal amount of \$400,000.00 in favor of the Township (the "**Third Amended Note**"), which Third Amended Note replaced and superseded the Original Note and the First and Second Amended Notes. The Third Amended Note extended the NHIF expiration date to December 31, 2013.
- J. On April 10, 2013, Ridge Avenue LLC and the Township entered into a Mortgage Modification Agreement (the "**Third Mortgage Modification**") with respect to the Third Amended Note, which Third Mortgage Modification was not recorded.
- K. On January 6, 2014, Ridge Avenue LLC, with the consent of the Township, executed and delivered a Fourth Amended Note in the principal amount of \$400,000.00 in favor of the Township (the "**Fourth Amended Note**"), which Fourth Amended Note replaced and superseded the Original Note and the First, Second and Third Amended Notes. The Fourth Amended Note extended the NHIF expiration date to December 31, 2014.

- L. On January 6, 2014, Ridge Avenue LLC and the Township entered into a Mortgage Modification Agreement (the "**Fourth Mortgage Modification**") with respect to the Fourth Amended Note, which Fourth Mortgage Modification was not recorded.
- M. Ridge Avenue LLC, with the consent of the Township, has executed and delivered a Fifth Amended Note, of even date herewith, in the principal amount of \$400,000.00 in favor of the Township (the "**Fifth Amended Note**"), which Fifth Amended Note has replaced and superseded the Original Note and the First, Second, Third and Fourth Amended Notes. The Fifth Amended Note has extended the NHIF expiration date to December 31, 2015.
- N. Ridge Avenue LLC and the Township have entered into a Mortgage Modification Agreement (the "**Fifth Mortgage Modification**"), of even date herewith, with respect to the Fifth Amended Note. The parties hereto intend to record the Fifth Mortgage Modification.
- O. Among the sales closed by Ridge Avenue LLC between the inception of the NHIF and the date of this Agreement, are the following (the "**Special Sales**"):
- (i) 1511 Cherry Lane
 - (ii) 1512 Embury Avenue
 - (iii) 150 Myrtle Avenue
 - (iv) 160 Myrtle Avenue
 - (v) 29 Ridge Avenue
 - (vi) 31 Ridge Avenue

Each of the above properties (the "**Mortgaged Properties**") is described more fully on Exhibit A hereto.

- P. In each of the Special Sales, the buyer did not assume \$20,000.00 of Ridge Avenue LLC's debt to the Township under NHIF, but instead the buyer executed and delivered a note and mortgage in favor of Ridge Avenue LLC or its assignee in the amount of \$20,000.00.
- Q. The Special Sales produced the following promissory notes of \$20,000.00 in favor of Ridge Avenue LLC or its assignee from the following buyers:
- (i) Tonika S. Moore, June 14, 2013
 - (ii) Nicole Gathers-Richardson, January 18, 2013
 - (iii) Marie A. Narcisse, January 2, 2013
 - (iv) Yvonne Cordes, March 5, 2014
 - (v) Christina Crudup and Asia Wilson, April 11, 2014
 - (vi) Latoya Wright and Penel Charles, March 7, 2014

The above promissory notes are hereinafter referred to as the “**Special Notes.**” Each of the Special Notes was secured by a mortgage on a Mortgaged Property in favor of Ridge Avenue LLC or its assignee (the “**Special Mortgages**”).

- R. In order to bring the Special Sales within the auspices of the NHIF, Ridge Avenue LLC desires to exercise its unconditional right of assignment under the Special Notes and Special Mortgages to assign the Special Notes and Special Mortgages to the Township. The Township desires to accept the assignment.

TERMS AND CONDITIONS

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties to this Agreement agree as follows:

1. Recitals. The recitals in Paragraphs A-R above are hereby made a part of this Agreement.
2. Assignment. Ridge Avenue LLC hereby assigns all of its right, title and interest in and to the Special Notes and the Special Mortgages to the Township (the “**Assignment**”). The Township accepts the Assignment. No later than ten days after the effective date of this Agreement, Ridge Avenue LLC shall:
 - a. Provide each of the obligors under the Special Notes and Special Mortgages with written notice of the Assignment;
 - b. Cause this Agreement to be recorded in the appropriate Mortgage Book of the County of Monmouth, New Jersey; and
 - c. Deliver to the Township:
 - i. Original copies of all of the Special Notes;
 - ii. True copies of the recorded Special Mortgages;
 - iii. A recorded copy of this Agreement; and
 - iv. Evidence of the delivery of the notices required under Section 2a above.
3. Reduction of Principal. Within ten days of receipt of the instruments and documents required in Section 2.c above, the Township shall reduce the principal due and owing on the Fifth Amended Note by the amount of ONE HUNDRED TWENTY THOUSAND DOLLARS (\$120,000.00) and provide Ridge Avenue LLC with written confirmation thereof.

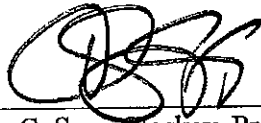
4. Severability. If any provision or term of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable for any reason whatsoever, the remainder of this Agreement or the application of such provision to such person or circumstances, other than those as to which it is so determined invalid or unenforceable, shall not be affected thereby, and each provision hereof shall be valid and shall be enforced to the fullest extent of law.
5. Headings. All headings herein are inserted only for convenience and ease of reference and are not to be considered in the construction or interpretation of any provision of this Agreement.
6. Representations. The parties hereto each represent and warrant that each has full power and authority to enter into this Agreement and discharge their duties hereunder.
7. Assignment. Neither party may assign this Agreement without the prior written approval of the other party.
8. Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes all prior oral and written agreements between the parties hereto.
9. Amendments. Any modification, change or amendment of this Agreement shall be in writing and executed by authorized representatives of the parties hereto.
10. Governing Law. This Agreement shall be construed, interpreted and enforced in accordance with the laws of the State of New Jersey.
11. Counterparts. This Agreement may be executed in a number of identical counterparts, each of which for all purposes is deemed an original, and all of which constitute collectively one agreement; but in making proof of this Agreement, it shall not be necessary to produce or account for more than one such counterpart.

[SIGNATURES ON FOLLOWING PAGE.]

IN WITNESS WHEREOF, Ridge Avenue LLC has executed this agreement on the date set forth below.

TRF DP RIDGE AVENUE, LLC

By: TRF Development Partners, Inc., its sole member

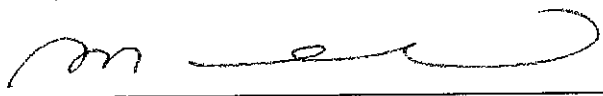
By: 
C. Sean Closkey, President *JM*

Date: March 11, 2016

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :
:SS
COUNTY OF PHILADELPHIA :

BE IT REMEMBERED that on this 11th day of March, 2016, before me, the subscriber, personally appeared C. Sean Closkey, President of TRF Development Partners, Inc., the Sole Member of TRF DP Ridge Avenue, LLC, a New Jersey limited liability company, and who acknowledged that he, as such President of the Sole Member aforesaid, being authorized to do so, executed the foregoing instrument on behalf of said Company for the purposes therein contained and that the instrument is the voluntary act and deed of such company.



COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
MARYANN TANCREDI
Notary Public
CITY OF PHILADELPHIA, PHILADELPHIA CNTY
My Commission Expires Oct 5, 2018

EXHIBIT A – THE MORTGAGED PROPERTIES

29 Ridge Avenue
block no. 197.04, Lot no. 8

SCHEDULE A
(Continued)
LEGAL DESCRIPTION

File No LY-3222

ALL that certain lot, parcel or tract of land, situate and lying in the Township of Neptune, County of Monmouth, State of New Jersey, and being more particularly described as follows:

BEGINNING at a point in the westerly sideline of Ridge Avenue (50 feet wide), said point being distant 137.33 feet southerly, from the intersection of said westerly sideline of Ridge Avenue extended, with the southerly sideline of Embury Avenue (60 feet wide) extended, and from said beginning point running, thence

- 1 South 10 degrees 48' 27" East, along said westerly sideline of Ridge Avenue, a distance of 11.05 feet to a point, thence
- 2 South 03 degrees 30' 00" East, along the same, a distance of 7.04 feet to a point, thence
- 3 South 86 degrees 30' 00" West, partially along a common party wall between Lot 8 and Lot 9, Block 197.04, a distance of 102.00 feet to a point in the easterly sideline of Cherry Lane (width varies), thence
- 4 North 03 degrees 30' 00" West, along the said easterly sideline of Cherry Lane, a distance of 18.00 feet to a point, thence
- 5 North 86 degrees 30' 00" East, partially along a common party wall between Lot 8 and Lot 7, Block 197.04, a distance of 100.60 feet to the point and place of BEGINNING

In accordance with a survey prepared by Thomas J. Murphy, PLS, DW Smith Associates, LLC, dated April 3, 2013 and last updated on April 4, 2014

BEING known as Block 197.04, Lot 8, as shown on a certain map entitled "Final Plat – Schoolhouse Square", said map was filed in the Monmouth County Clerk's Office on April 1, 2009, as Map #308-15

FOR INFORMATIONAL PURPOSES ONLY. Also known as Lot 8 in Block 197.04 on the Township of Neptune Tax Map

EXHIBIT A – THE MORTGAGED PROPERTIES (cont.)

**31 Ridge Avenue
Block no. 197.04, Lot no. 09**

North American Title Insurance Company

**SCHEDULE A
(Continued)
LEGAL DESCRIPTION**

File No. LT-3228

ALL that certain lot, parcel or tract of land, situate and lying in the Township of Neptune, County of Monmouth, State of New Jersey, and being more particularly described as follows:

BEING known as Block 197.04, Lot 9, as shown on a certain map entitled 'Final Plat – Schoolhouse Square', said map was filed in the Monmouth County Clerk's Office on April 1, 2009, as Map #308-15.

Beginning at a point in the westerly sideline of Ridge Avenue (50 feet wide), said point being distant 155.42 feet southerly, from the intersection of the said westerly sideline of Ridge Avenue extended, with the southerly sideline of Embury Avenue (60 feet wide), extended and from said beginning point running; thence

1. South 03 degrees 30' 00" East, along the said westerly sideline of Ridge Avenue, a distance of 38.98 feet to a point; thence
2. South 86 degrees 30' 00" West, a distance of 102.00 feet to a point in the easterly sideline of Cherry Lane (width varies); thence
3. North 03 degrees 30' 00" West, along the said easterly sideline of Cherry Lane, a distance of 38.98 feet to a point; thence
4. North 86 degrees 30' 00" East, partially along a common party wall between Lot 9 and Lot 8, Block 197.04, a distance of 102.00 feet to the point and place of BEGINNING.

In accordance with a survey prepared by DW Smith Associates, LLC, dated April 3, 2013.

FOR INFORMATIONAL PURPOSES ONLY: Also known as Lot 9 in Block 197.04 on the Township of Neptune Tax Map.

EXHIBIT A – THE MORTGAGED PROPERTIES (cont.)

150 Myrtle Avenue
Block no. 197.05, Lot no. 11

TITLE INSURANCE COMMITMENT
Issued by Trident Abstract Title Agency, LLC
AGENT FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

Commitment Number: TA-121063

**SCHEDULE C
LEGAL DESCRIPTION**

ALL that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Township of Neptune, in the County of Monmouth, State of New Jersey:

BEING known and designated as Lot(s) 11 Block 197.05 as set forth on a certain map entitled, "Final Plat Schoolhouse Square" situated in the Township of Neptune, County of Monmouth, State of New Jersey, said map being duly filed on April 1, 2009 in the Monmouth County Clerk's Office as Case No. 308-15.

Note for Information Only:

Also known as Lot(s) 11, Block 197.05 in the Township of Neptune, in the County of Monmouth, also known as 150 Myrtle Avenue.

1 Copy

EXHIBIT A – THE MORTGAGED PROPERTIES (cont.)

160 Myrtle Avenue
Block no. 197.01, Lot no. 3

North American Title Insurance Company

SCHEDULE A
(Continued)
LEGAL DESCRIPTION

File No. LT-3231

ALL that certain lot, parcel or tract of land, situate and lying in the Township of Neptune, County of Monmouth, State of New Jersey, and being more particularly described as follows:

BEING known as Block 197.01 Lot 3, as shown on a certain map entitled "Final Plat - Schoolhouse Square", said map was filed in the Monmouth County Clerk's Office on April 1, 2008, as Map #G08-15.

BEGINNING at a point in the westerly sideline of Plum Lane (24 feet wide) said point being distant 58.00 feet northerly from the intersection of said westerly sideline of Plum Lane extended, with the northerly sideline of Embury Avenue (60 feet wide), extended and from said beginning point running, thence:

1. North 84 degrees 49' 35" West, a distance of 78.58 feet to a point in the easterly sideline of Myrtle Avenue (50 feet wide), thence;
2. North 02 degrees 05' 40" East, along said easterly sideline of Myrtle Avenue, a distance of 28.04 feet to a point; thence;
3. South 84 degrees 49' 35" East, a distance of 80.10 feet to a point in the westerly sideline of Plum Lane, thence;
4. South 05 degrees 10' 25" West, along said sideline of Plum Lane a distance of 28.00 feet to the point and place of BEGINNING.

In accordance with a survey prepared by DW Smith Associates, LLC, dated November 6, 2013.

FOR INFORMATIONAL PURPOSES ONLY. Also known as Lot 3 in Block 197.01 on the Township of Neptune Tax Map.

EXHIBIT A – THE MORTGAGED PROPERTIES (cont.)

**1511 Cherry Lane
Block no. 197.05, Lot no. 6**

**LEGAL DESCRIPTION
EXHIBIT "A"**

All that certain tract or parcel of land, situated, lying and being in the Township of Neptune in the County of Monmouth and the State of New Jersey, more particularly described as follows:

Being known and designated as Lot 6 in Block 197.05 as shown on a certain map entitled "School House Square", duly filed in the Monmouth County Clerk's Office on April 1, 2009 as Case No. 308, Sheet 15.

FOR INFORMATIONAL PURPOSES ONLY. BEING known as Lot 6, Block 197.05 of the official Tax Map of the Township of Neptune

copy

EXHIBIT A – THE MORTGAGED PROPERTIES (cont.)

**1512 Embury Avenue
Block no. 197.03, Lot no. 2**

North American Title Insurance Company

**SCHEDULE A
(Continued)
LEGAL DESCRIPTION**

File No. LT-3105

ALL that certain lot, parcel or tract of land situate and lying in the Township of Neptune, County of Monmouth, State of New Jersey and being more particularly described as follows:

BEGINNING at a point in the southerly sideline of Embury Avenue (60 feet wide), said point being distant 96.00 feet from the intersection of the said southerly sideline of Embury Avenue extended with the westerly sideline of Cherry Lane extended (24 feet wide), and from said beginning point running; thence

1. South 05 degrees 10' 25" West, a distance of 63.93 feet to a point, thence
2. South 03 degrees 30' 00" East, a distance of 30.67 feet to a point in the northerly sideline of Cherry Lane, thence
3. South 86 degrees 35' 00" West, along the said northerly sideline of Cherry Lane, a distance of 18.00 feet, thence
4. North 03 degrees 30' 00" West, a distance of 32.04 feet to a point, thence
5. North 05 degrees 10' 25" East, a distance of 65.30 feet to a point in the southerly sideline of Embury Avenue, thence
6. South 84 degrees 49' 35" East, along the said southerly sideline of Embury Avenue, a distance of 18.00 feet to the point and place of BEGINNING

In accordance with a survey prepared by DW Smith Associates, dated November 24, 2010

BEING known as Block 197.03, Lot 2, as shown on a certain map entitled 'Final Plat – Schoolhouse Square', said map was filed in the Monmouth County Clerk's Office on April 1, 2009, as Map #308-15

FOR INFORMATIONAL PURPOSES ONLY: Also known as Lot 2 in Block 197.03 on the Township of Neptune Tax Map.

RESOLUTION #16-167 - 3/28/16

AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH INTERFAITH NEIGHBORS,
INC. TO PROVIDE CONGREGATE MEALS AT THE NEPTUNE SENIOR CENTER

WHEREAS, Interfaith Neighbors, Inc., provides noon-time meal services to senior citizens at the Neptune Senior Center; and,

WHEREAS, Interfaith Neighbors, Inc., wishes to continue the engagement of services of Neptune Township and Neptune Township wishes to continue to provide services to Interfaith Neighbors and to the senior citizens who participate in this program at the Neptune Senior Center; and,

WHEREAS, Interfaith Neighbors, Inc. will provide payment to the Township of Neptune in the amount of \$1,859.00 per month for kitchen staff,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk are hereby authorized to execute an agreement with Interfaith Services, Inc. to provide payment in the amount of \$1,859.00 per month to the Township of Neptune for noon-time meals to senior citizens at the Neptune Senior Center for the year 2016; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Acting Senior Center Director, Chief Financial Officer, and Grant Coordinator.

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 03/28/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-168 – 3/28/16

AUTHORIZE USE OF LIBERTY PARK BY THE YOUNG LEADERS OF NEPTUNE
AND ASBURY FOR A COMMUNITY BLOCK PARTY AND GARDEN CLEAN-UP

WHEREAS, the Young Leaders of Neptune and Asbury has requested the use of Liberty Park for a Community Block Party and Garden Clean-Up on Saturday, April 9, 2016; and,

WHEREAS, the Township is a co-sponsor and desires to grant approval to conduct this community event,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby approves the use of Liberty Park on Monroe Avenue by the Young Leaders of Neptune and Asbury for a Community Block Party and Garden Clean-Up on April 9, 2016 from 10:00 A.M. to 2:00 P.M.; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Sgt. Zarro, and Police Director.

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 03/28/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-169 - 3/28/16

ACCEPT MAINTENANCE GUARANTEE AND DEDICATION OF ROADWAYS
IN CONNECTION WITH THE SCHOOLHOUSE SQUARE DEVELOPMENT

WHEREAS, TRF DP Ridge Avenue, LLC constructed Cherry Lake, Plumb Lane, and an extension to Embury Avenue, in connection with the Schoolhouse Square development within Blocks 504, 519 & 520; and,

WHEREAS, the Township Engineer has inspected these roadways and has certified that they were constructed as required and recommends they be accepted by the Township; and,

WHEREAS, TRF DP Ridge Avenue, LLC has posted a cash maintenance bond in the amount of \$4,517.75 to guarantee the maintenance of these roadways for a two year period,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the roadways known as Cherry Lane, Plum Lane, and extension of Embury Avenue be and hereby accepted and dedicated to the Township of Neptune as public roadways under the control and jurisdiction of the Township; and,

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

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 03/28/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-170 – 3/28/16

AUTHORIZE TEMPORARY CLOSING AND TEMPORARY NO PARKING
ON VARIOUS STREETS IN CONNECTION WITH THE NEW JERSEY MARATHON

WHEREAS, the New Jersey Marathon is scheduled for Sunday, May 1, 2016 and,

WHEREAS, it is necessary to temporarily close a portions of roadways and designate no parking in the same areas; and,

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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates the following temporary street closures and temporary no parking on May 1, 2016 from 6:00 A.M. to 1:00 P.M. for the New Jersey Marathon:

- 1) Pilgrim Pathway between Asbury Avenue and Great Auditorium
- 2) northbound side of Ocean Avenue between Ocean Pathway and Broadway
- 3) eastbound side of Broadway between Ocean Avenue to Central Avenue
- 4) Central Avenue between Broadway and Pilgrim Pathway

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 and Business Administrator.

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 03/28/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-171 - 3/28/16

AUTHORIZE A PUBLIC AUCTION OF SURPLUS VEHICLES AND TRAILERS

WHEREAS, there are vehicles and trailers owned by the Township of Neptune which are no longer of use to the Township and the Director of Public Works, Purchasing Agent and Business Administrator have recommended that they be sold; and,

WHEREAS, the Township of Neptune will auction said vehicles through an on-line auction in compliance with state rules and regulations for a period of five days; and,

WHEREAS, the Municipal Clerk shall provide proper advertisement and notice in accordance with state statute in addition to posting the auction information on the Township's web site; and,

WHEREAS, said vehicles and trailers to be sold are as follows:

VIN #	YEAR	MAKE
2G1WD5EM8B1144337	2011	Chevy Impala
2G1WD5EM8B1143494	2011	Chevy Impala
2G1WS553081351150	2008	Chevy Impala
2G1WS553189231942	2008	Chevy Impala
2G1WS553489231692	2008	Chevy Impala
2G1WS57MO91267918	2009	Chevy Impala
2G1WS57MX91266081	2009	Chevy Impala
1GCDT19W41K172219	2001	Chevy Pick Up
1GNGK26K5NJ356093	1992	Chevy Suburban
1F7DF15Y6SNA78521	1995	Ford F-150 Pick Up
1FTEE14N6SHA86308	1995	Ford Van
1B7KE2626LS737966	1990	Dodge Box Truck
JJGO221967	1995	Case Tri NCV - Backhoe
1G6KD54Y42U113751	2001	Cadillac
1FTSF21P86ED26641	2006	Ford Pick Up
1FTRF172X2KA83141	2002	Ford Pick Up
1M2ACO7C11M005175	2001	MAC Truck
1B6MM3653LS769647	1990	Dodge Ram Pick Up
Portable Changeable Message Signs		Message Sign Models 20 CMST 330 Series & GP 232-GP 432
Police Box Trailer		
SOV Box Trailer		
1FMPU162042LA88476	2004	Ford Explorer (OGFD vehicle)
1K9AK17233C172089	2003	KASI Inferred machine
43003276	2002	Tennant vacuum 4300-1854

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

1. that the above listed vehicles are declared as surplus and not needed for public use,
2. that the execution of a contract with Auction Liquidation Services to provide on-line auction services is hereby approved,
3. that the sale of the above vehicles is hereby authorized through an on-line auction at www.usgovbid.com, the details of which will be provided in the required legal advertisements and on the Township web site,
4. that the said vehicles are being offered "as is - where is";
5. that should any vehicle be unsuccessfully sold at auction, disposal of such vehicle is hereby authorized in accordance with state law,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Purchasing Agent, Chief Financial Officer, and Director of Public Works.

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 03/28/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-172 - 3/28/16

SUPPORT THE ST. JUDE CHILDREN'S RESEARCH HOSPITAL WALK/RUN
TO END CHILDHOOD CANCER ON SEPTEMBER 24, 2016

WHEREAS, each year, the parents of approximately 15,700 kids will hear the words "your child has cancer." Across all ages, ethnic groups and socio-economics, this disease remains the number one cause of death by disease in children. Despite major advances – from an overall survival rate of 10 percent just fifty years ago to nearly 90 percent today, for many rare cancers, the survival rate is much lower. Furthermore, the number of diagnosed cases annually has not declined in nearly 20 years; and,

WHEREAS, the mission of St. Jude Children's Research Hospital is to advance cures, and means of prevention, for pediatric catastrophic diseases through research and treatment. Consistent with the vision of founder Danny Thomas, no child is denied treatment based on race, religion or a family's ability to pay; and,

WHEREAS, A group of dedicated supporters and volunteers will gather in Asbury Park on Saturday, September 24, 2016, joining supporters in 60 other US cities for the Annual St. Jude Walk/Run to End Childhood Cancer; and,

WHEREAS, the Township Committee wishes to convey its support for this event and encourage Neptune Township and Monmouth County residents to participate in this important fund raising event,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby expresses its full support of the St. Jude Walk/Run to End Childhood Cancer, event on September 24, 2016 and urges all citizens of the Township of Neptune and County of Monmouth to participate in this important event which benefits efforts to combat childhood cancer.

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 03/28/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-173 - 3/28/16

AUTHORIZE ELECTRICAL INSTALLATION MATERIALS AND LABOR THROUGH THE MIDDLESEX REGIONAL EDUCATION SERVICES COMMISSION PURCHASING PROGRAM

WHEREAS, the Township Committee wishes to authorize the purchase of materials and labor for electrical installations at multiple Township owned facilities utilizing pricing through the Middlesex Regional Education Services Commission Cooperative Purchasing Program; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Laws, N.J.S. 40A:11-12; and,

WHEREAS, the Township of Neptune, is authorized pursuant to N.J.S.A. 52:34-6.2(b)(3) to use procurement methods by entering into a nationally or state recognized cooperative agreement; and;

WHEREAS, the Middlesex Regional Education Services Commission Cooperative Purchasing Program is recognized purchasing cooperative (#65MCESCCPS) and has awarded Contract No. 14/15-19 GC3 to Ascend Construction Management, Inc. for this item; and,

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

WHEREAS, the amount of the purchase of materials and labor not exceed \$63,984.74; and,

WHEREAS, funds for this purpose are available from various Township bond ordinances, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township of Neptune Committee of the Township of Neptune that the purchase of materials and labor for electrical installations at multiple Township owned facilities be and is hereby authorized through Ascend Construction Management, Inc., an approved vendor through the Middlesex Regional Education Services Commission Cooperative Purchasing Program – Contract No. 14/15-19 GC3, at an amount not to exceed \$63,984.74; and,

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

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 03/28/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-174 - 3/28/16

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

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

WHEREAS, Walter Thomas Taylor was employed in this capacity in the past, but has not worked for several years; and,

WHEREAS, the Public Works Director recommends that he be returned to active employee status; and,

WHEREAS, funds will be provided for the first three months of 2016 in the 2016 Temporary Budget and funds for the balance of 2016 will be provided in the Budget for the year 2016, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes Walter Thomas Taylor to be returned to active employee status as an on-call part-time Yard Attendant in the Department of Public Works effective April 3, 2016, at an hourly salary as established by prior resolution of the Township Committee; and,

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

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 03/28/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-175 - 3/28/16

APPOINT ALTERNATE MEMBER TO THE RENT LEVELING BOARD

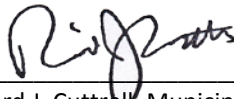
WHEREAS, there is a vacancy in the Alternate #2 position on the Rent Leveling Board,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Jeff Klein be and is hereby appointed to the Rent Leveling Board as the Alternate #2 member to an unexpired one 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 Rent Leveling Board.

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON MARCH 28, 2016



Richard J. Cuttrel, Municipal Clerk

RESOLUTION #16-176 - 3/28/16

RELEASE PERFORMANCE GUARANTEE FOR SANITARY SEWER AND ROADWAY
IMPROVEMENTS AT EMBURY ARMS CONDOMINIUMS (WHITEFIELD AVENUE)

WHEREAS, on March 17, 2014, 3119 Embury Arms Condominium Association filed Performance Bond #SNN0000028, written by Nationwide Mutual Insurance Company in the amount of \$75,094.50, guaranteeing sanitary sewer and roadway improvements at Embury Arms Condominiums (Whitefield Avenue between Heck Avenue and Abbott Avenue); and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of March 24, 2016 and said performance guarantee can be released; and,

WHEREAS, the release of said bond is contingent upon the posting of a maintenance bond in the amount of \$12,515.75 to serve as a maintenance guarantee of said site improvements for a period of two years,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Performance Bond as stated above be and is hereby authorized for release contingent upon the posting of a two year maintenance bond in the amount of \$12,515.75 with the Municipal Clerk; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee in the amount of \$8,358.00 deposited with the Township be and is hereby authorized to be refunded; and,

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

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 03/28/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-177 – 3/28/16

AUTHORIZE THE PAYMENT OF BILLS

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

CURRENT FUND	\$4,875,255.56
FEDERAL & STATE GRANT FUND	4,832.48
TRUST FUND	39,957.22
GENERAL CAPITAL FUND	5,585.30
SEWER OPERATING FUND	1,028,995.65
MARINA OPERATING FUND	4,282.65
MARINA CAPITAL FUND	229,462.53
UDAG TRUST	5,000.00
BILL LIST TOTAL	\$6,193,371.39

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

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 03/28/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-178 – 3/28/16

AUTHORIZE TAX APPEAL COMPLAINT AGAINST
JERSEY SHORE UNIVERISTY MEDICAL CENTER'S EXEMPTION

WHEREAS, the case of AHS Hospital Corp, d/b/a Morristown Memorial Hospital v. Town of Morristown, many not-for-profit hospitals are operating for profit and are losing their exemption status; and,

WHEREAS, it is the belief of the Township that Jersey Shore University Medical Center may be a not-for-profit hospital acting for profit,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorizes the Municipal Attorney, Gene J. Anthony, Esq., 48 South Street, Eatontown, New Jersey to file a Complaint in the Tax Court of New Jersey, appealing the present not-for-profit exemption status of Jersey Shore University Medical Center; and,

BE IT FURTHER RESOLVED, that the Township Committee authorizes legal fees not to exceed Ten Thousand Dollars (\$10,000.00) without additional approval for the purposes of this litigation; and,

BE IT FURTHER RESOLVED, that funds will be provided for the first three months of 2016 in the 2016 Temporary Budget and funds for the balance of 2016 will be provided in the Budget for the year 2016, when finally adopted, and the Chief Financial Officer has so certified in writing; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Chief Financial Officer, Tax Assessor and Township Attorney.

CERTIFICATION

I HERBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 03/28/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK