

**TOWNSHIP COMMITTEE WORKSHOP MEETING – SEPTEMBER 12, 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> |
|----------------------|-----------------------|
| Dr. Michael Brantley | _____                 |
| Robert Lane, Jr.     | _____                 |
| 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. Cuttrel, 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. Ocean Grove Parking Task Force status report.
  
2. Review Committee calendars/update on outstanding issues and capital items.  
- Various on-going capital improvement projects.

Res. # 16-395 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

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

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_; McMillan, \_\_\_\_\_.

**TOWNSHIP COMMITTEE MEETING – SEPTEMBER 12, 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> |
|----------------------|-----------------------|
| Dr. Michael Brantley | _____                 |
| Robert Lane, Jr.     | _____                 |
| Carol Rizzo          | _____                 |
| Nicholas Williams    | _____                 |
| Kevin B. McMillan    | _____                 |

Also present at the dais: Vito D. Gadaleta, Business Administrator; Michael J. Bascom, Chief Financial Officer; Gene 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](http://www.neptunetownship.org).

**OATH OF OFFICE – ROBERT LANE, JR.**

State Assemblyman Eric J. Houghtaling will administer the Oath of Office to Robert Lane, Jr. who was appointed to the Neptune Township Committee on August 29, 2016. Mr. Lane will complete the balance of a three year term that expires on December 31, 2016.

**APPROVAL OF MINUTES**

Motion offered by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve the minutes of the meetings held on July 25<sup>th</sup>, July 27<sup>th</sup>, August 8<sup>th</sup>, and August 29<sup>th</sup>. (Mr. Lane not eligible to vote)

**PRESENTATION – MAYOR’S TROPHY REGATTA**

The Mayor will present the Mayor’s Trophy Cup to the Neptune Township junior sailors who were victorious over five other towns in the annual Mayor’s Trophy Regatta held on Shark River Bay. Sailing for the winning Neptune Township team were Sarah Yevchak, Morgan Heidel, Adam Yevchakm Caroline Dillon, and Cassandra Ferguson.

**PRESENTATION – RANDY BISHOP**

State Assemblyman Eric J. Houghtaling and the members of the Township Committee will make presentations to former Township Committeeman Randy Bishop in appreciation of his service as a member of the Neptune Township Committee from January 1, 2005 to August 22, 2016 and as Mayor of Neptune Township in 2008 and 2012.

**REPORT OF THE CLERK**

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

Senior Beacon for September.

A letter from Richard Twidle complimenting the effort of the Public Works Department in handling trash and recycling issues.

**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. 16-30** – An ordinance to amend Volume I, Chapter VII of the Code of the Township Of Neptune by adding Resident Only Handicapped Parking Zones on Heck Avenue and Seaview Avenue - Final Reading

*Explanatory Statement: This ordinance authorizes a resident only handicapped parking zone in front of 122 Heck Avenue and conversion of an existing handicapped parking zone on Seaview Avenue at the intersection with Ocean Avenue into a resident only handicapped parking zone.*

Public Hearing:

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

Vote: Brantley, \_\_\_\_; Lane, \_\_\_\_; Rizzo, \_\_\_\_; Williams, \_\_\_\_; McMillan, \_\_\_\_.

**ORDINANCE NO. 16-31** – An ordinance to amend Volume I, Chapter III of the Code of the Township of Neptune entitled, "Police Regulations" and Volume I, Chapter XII, entitled, "Property Maintenance" - First Reading

*Explanatory Statement: This ordinance clarifies the regulations concerning the parking of a vehicle in residential areas that is unregistered, uninspected or in a state of major disassembly or repair. The ordinance are rescinds redundant language in the Police Regulations Chapter.*

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

Vote: Brantley, \_\_\_\_; Lane, \_\_\_\_; Rizzo, \_\_\_\_; Williams, \_\_\_\_; McMillan, \_\_\_\_.

**ORDINANCE NO. 16-32** – An ordinance amending and supplementing the Land Development Ordinance of the Township of Neptune by amending Section 605, entitled, “Powers and Responsibilities of the Historic Preservation Commission”; Section 913, entitled, “Penalty; Certificate of Appropriateness”; and Section 1105, entitled, “Penalties” - First Reading

*Explanatory Statement: This ordinance designates the enforcement responsibility in matters involving a violation of the provisions, or not obtaining, a Certificate of Appropriateness to the Zoning Officer and further amends the penalty provisions of such a violation.*

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

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_; McMillan, \_\_\_\_\_.

**ORDINANCE NO. 16-33** – Bond Ordinance providing for Improvements to Brighton Avenue, Lakewood Road and adjoining roadways, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$500,000 therefor (including a \$264,194 New Jersey Transportation Trust Fund grant) and authorizing the issuance of \$235,806 bonds or notes of the Township to finance part of the cost thereof - First Reading

*Explanatory Statement: This ordinance authorizes an appropriation of \$500,000, including a grant in the amount of \$264,194, for Improvements to Brighton Avenue, Lakewood Road and adjoining roadways, including, but not be limited to, reconstruction and repaving of roadways, drainage improvements, curbing improvements, ADA accessibility improvements and other related improvements.*

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

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_; McMillan, \_\_\_\_\_.

**ORDINANCE NO. 16-34** – An ordinance to authorize a Declaration of Deed Restriction for Recreation/Conservation for Block 615, Lot 5, also known as 1825 West Lake Avenue, to the New Jersey Economic Development Authority - First Reading

*Explanatory Statement: This ordinance authorizes a Deed Restriction for recreation/conservation purposes on 1825 West Lake Avenue (former Chidnese property) solely to the NJEDA. The restriction is a requirement for grant funding for the site received by the Township through the Hazardous Discharge Site Remediation Fund.*

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

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_; McMillan, \_\_\_\_\_.

The Public Hearings on Ordinances 16-31 through 16-34 will be held on Monday, September 26th.

### **CONSENT AGENDA**

Res. # 16-396 – Accept Corrective Action Plan in connection with the 2015 audit recommendations.

Res. # 16-397 – Place lien on various properties.

Res. # 16-398 – Accept the resignation of Christopher Wilson as a Police Officer.

Res. # 16-399 – Accept the resignation of Amanda Espinosa as a Police Officer.

Res. # 16-400 – Authorize Developer’s Agreement with Jack Ancona, LLC – Warrington Hotel, 22 Lake Avenue.

Res. # 16-401 – Employ Special Law Enforcement Officer in the Police Department on a part-time basis.

Res. # 16-402 – Amend the salary of Michael Schnurr due to award of professional certification.

Res. # 16-403 – Authorize the cancellation of a mortgage in connection with a Regional Contribution Agreement Project at 28 Ash Drive.

Res. # 16-404 – Authorize an amendment to the 2016 municipal budget to realize monies from the United States Department of Justice.

CONSENT AGENDA Offered by:\_\_\_\_\_ Seconded by:\_\_\_\_\_

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_; McMillan, \_\_\_\_\_.

Res. # 16-405 – Authorize the purchase of playground surfacing for Division Street Park and Bert Willis Fields through the Middlesex Regional Education Services Commission Purchasing Program.

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

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_; McMillan, \_\_\_\_\_.

Res. # 16-406 – Authorize the purchase of playground equipment for Division Street Park and Bert Willis Fields through the Middlesex Regional Education Services Commission Purchasing Program.

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

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_; McMillan, \_\_\_\_\_.

Res. # 16-407 – Award bid for Gables Sanitary Sewer Replacement Project – Phase IV.

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

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_; McMillan, \_\_\_\_\_.

Res. # 16-408 – Employ Customer Service Representative in the Code/Construction Department on a probationary basis.

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

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_; McMillan, \_\_\_\_\_.

Res. # 16-409 – Authorize the payment of bills.

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

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; 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. 16-31

AN ORDINANCE TO AMEND VOLUME I, CHAPTER III OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED, "POLICE REGULATIONS" AND VOLUME I, CHAPTER XII, ENTITLED, "PROPERTY MAINTENANCE"

BE IT ORDAINED by the Township Committee of the Township of Neptune in the County of Monmouth in the State of New Jersey, that the Code of the Township of Neptune be and is hereby amended as follows:

SECTION 1.

Chapter III, entitled, "Police Regulations" shall be amended as follows:

Sections 3-3, 3-3.1, 3-3.2, 3-3.3 and 3-3.4 shall now be rescinded.

SECTION 2.

Chapter XII, entitled "Property Maintenance" shall be amended as follows:

Section 12-1.2 – Additions, Insertions and Changes

p. Section PM 303.8 (Page 10, line 4)

The section is amended to read as follows:

Except as provided for in in other regulations, and subject to §411.04 of the Land Development Ordinance, entitled, "Motor Vehicle Parking in Residential Areas," not more than one currently unregistered and/or uninspected motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in the state of major disassembly, disrepair or in the process of being stripped or dismantled.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside of a structure or similarly enclosed area designed and approved for such purposes.

SECTION 3.

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

SECTION 4.

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrel,  
Municipal Clerk

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Kevin B. McMillan,  
Mayor

ORDINANCE NO. 16-32

AN ORDINANCE AMENDING AND SUPPLEMENTING THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY AMENDING SECTION 605, ENTITLED, "POWERS AND RESPONSIBILITIES OF THE HISTORIC PRESERVATION COMMISSION", SECTION 913, ENTITLED, "PENALTY; CERTIFICATE OF APPROPRIATENESS" AND SECTION 1105, ENTITLED, "PENALTIES"

BE IT ORDAINED by the Township Committee of the Township of Neptune in the County of Monmouth in the State of New Jersey that the Land Development Ordinance be and is hereby amended as follows:

SECTION 1

Section 605 be and is hereby amended as follows:

§605 – Powers and Responsibilities of the Historic Preservation Commission.

Subsection J and Subsection O are rescinded.

SECTION 2

Section 913 be and is hereby amended as follows:

§913 – Penalty; Certificate of Appropriateness.

A. Failure to Obtain Approval or Comply with Approval

Any person who shall undertake any activity in violation of any provisions relating to historic zoned districts and designated historic sites without first having obtained a Certificate of Appropriateness or any other required approval, or who fails to comply with the terms, conditions and limitations of an approval granted, shall be deemed in violation of these provisions.

B. Service of Notice of Violation

Upon learning of the violation, the Township Zoning Officer or Zoning Officer's designee shall personally serve upon the owner of the lot whereon the violation is occurring a notice describing the violation in detail. The violator shall be required to file an application for the Certificate of Appropriateness to the Historic Preservation Commission or in case of non-compliance with an existing Certificate of Appropriateness, comply with said approval within 10 days of receipt of the Notice of Violation. If the owner cannot be personally served within the municipality with the notice, a copy of the same shall be posted on the site in question, and a copy shall be sent by Certified Mail/RRR to the owner at his or her last known address as it appears on the Township Tax Rolls.



C. Issuance of Summons and Complaint

In the event that the violator fails to file an application for a Certificate of Appropriateness, or comply with a prior Certificate of Appropriateness granted within the specified 10 day period following service and/or posting on the site in question, whichever is earlier, the Zoning Officer or Zoning Officer's designee shall cause to be issued a Summons and Complaint, returnable in the Municipal Court charging violation of the Land Development Ordinance. Each separate day the violation exists shall be deemed to be a new and separate violation of the Land Development Ordinance.

D. Penalties Designated

All penalties and form of relief available under this Section shall be pursuant to Section 1105 of the Land Development Ordinance.

Subsection E shall be rescinded and superseded by Section 1105.

SECTION 3

Section 1105 be and is hereby amended as follows:

§1105 – Penalties.

A. Fines

- (1) Any person, firm or corporation that shall violate any provisions of this Ordinance shall, upon conviction thereof by any court authorized by law to hear and determine the matter, be fined such sum not exceeding \$2,000.00 as such court in its discretion may impose; or if the parties so convicted be a natural person, such person may be imprisoned for such term not exceeding 90 days as such court in its discretion may impose, or appear at community service not exceeding 90 days or any combination thereof as such court in its discretion may impose. Each day that such violation exists shall constitute a separate offense.

C. Additional Remedies

- (1) In addition to the remedy or remedies hereinbefore provided, any person, persons, company or corporation violating the Land Development Ordinance or any provision or section thereof, may be proceeded against by the Township of Neptune or by the Zoning Officer of the Township of Neptune or any designee of the Township of Neptune or Zoning Officer or by the owner of any property in the Township of Neptune by appropriate action or by proceeding in equity or otherwise to prevent and enjoin any threatened violation or any existing violation or continuing violation of the Land Development Ordinance or any provision or section thereof.

SECTION 4

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

SECTION 5

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Kevin B. McMillan,  
Mayor

ORDINANCE NO. 16-33

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO BRIGHTON AVENUE, LAKEWOOD ROAD AND ADJOINING ROADWAYS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$500,000 THEREFOR (INCLUDING A \$264,194 NEW JERSEY TRANSPORTATION TRUST FUND GRANT) AND AUTHORIZING THE ISSUANCE OF \$235,806 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the sum of \$500,000, said sum being inclusive of a cash down payment for said improvements. Such cash down payment shall be in the amount of \$264,194, consisting of an appropriation of a \$264,194 New Jersey Transportation Trust Fund Grant (the "Grant") received or expected to be received for the improvements or purposes described in Section 3 of the bond ordinance, which Grant satisfies the down payment requirements under Section 11 of the Local Bond Law (N.J.S.A. 40A:2-1 et seq.).

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$500,000 appropriation not provided for by application hereunder of the cash down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$235,806 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$235,806 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are improvements to Brighton Avenue, Lakewood Road and adjoining roadways, including, but not be limited to, reconstruction and repaving of roadways, drainage improvements, curbing improvements, ADA accessibility improvements and other related improvements, design work, preparation of plans and specifications, permits, bid documents, contract administration, work, materials, equipment, labor and appurtenances as necessary therefor or incidental thereto, all as set forth in the project documents on file in the Office of the Township Clerk.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$235,806.

(c) The estimated cost of said improvements or purposes is \$500,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the cash down payment in the amount of \$264,194 available for such improvements or purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Township, other than the Grant, for the improvement and purpose authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth, other than the Grant, shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Township may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is twenty (20) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$235,806 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$80,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$235,806. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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

\_\_\_\_\_  
Kevin B. McMillan,  
Mayor

ORDINANCE NO. 16-34

AN ORDINANCE TO AUTHORIZE A DECLARATION OF DEED RESTRICTION FOR RECREATION/CONSERVATION FOR BLOCK 615, LOT 5, ALSO KNOWN AS 1825 WEST LAKE AVENUE, TO THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

WHEREAS, the Township is the owner in fee simple of certain real property and the improvements thereon located in the Township of Neptune and County of Monmouth, State of New Jersey designated as Lot 5, Block 615 (formerly Block 225.01, Lots 597, 598-601) of the official Tax Map of the Township of Neptune, commonly known as 1825 West Lake Avenue (former Chidnese property), hereinafter referred to as the "Property"; and

WHEREAS, the soils of the Property have been contaminated by discharges of hazardous substances within the meaning of the New Jersey Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 (the "Spill Act"), and

WHEREAS, Declarant represents that remediation of the contamination is estimated to cost at least \$52,314.75; and

WHEREAS, the New Jersey Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-1.1 et seq. (the "Remediation Act"), authorizes New Jersey Economic Development Authority (EDA) to award a municipality with a grant from the Hazardous Discharge Site Remediation Fund (the "HDSRF Grant") pursuant to the Remediation Act of up to 75% of the costs of the remedial action for a project involving the redevelopment of contaminated property for recreation and conservation purposes, provided that the use of the property for recreation and conservation purposes is included in the comprehensive plan for the development or redevelopment of the contaminated property, and provided that use of the property is preserved for recreation and conservation purposes by conveyance of a deed restriction, which shall be recorded and indexed with the deed in the registry of deeds for the county in which the Property is located; and

WHEREAS, subject to the Declarant's compliance with the Remediation Act, and based on Declarant's representations regarding the intended use of the Property for public open space, the New Jersey Department of Environmental Protection ("DEP") has recommended to the EDA that the Declarant be awarded a HDSRF Grant of up to 75% of the costs of the remedial action with respect to the Property because the remedial action would foster public outdoor recreation or conservation; and

WHEREAS, in reliance on DEP's recommendation and subject to, among other things, Declarant entering into this Declaration of Deed Restriction, the EDA has awarded Declarant an HDSRF Grant in the amount of \$39,237; and

WHEREAS, the grant of this Deed Restriction by Declarant will help to ensure that the Property is rehabilitated and reused consistent with the West Lake Avenue Redevelopment Plan; and

WHEREAS, the Declarant, having the authority to do so, intends to enter into this Deed Restriction in order to ensure that the Property is preserved for open space for the benefit of the

public,

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune that in consideration of the award of the HDSRF Grant to the Township, and the facts recited above and the terms, conditions and restrictions contained herein, the Township hereby irrevocably grants, bargains, sells, and conveys unto the NJ EDA, a Deed Restriction for Recreation/Conservation for 1825 West Lake Avenue; and,

BE IT FURTHER ORDAINED, that the Mayor and Clerk are hereby authorized to execute a Declaration of Deed Restriction to effectuate said action.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Kevin B. McMillan,  
Mayor



RESOLUTION #16-395 – 9/12/16

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:

Litigation – Hovsons v. Board of Adjustment

Litigation – El Properties v. Board of Adjustment

Potential Litigation – Amendment precious metals ordinance

Personnel – Recommendation for Customer Service Representative in Code/Construction

Potential Litigation – Ocean Grove ground rent and transfer fees

3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.

4. This Resolution shall take effect immediately.

RESOLUTION #16-396 - 9/12/16

ACCEPT A CORRECTIVE ACTION PLAN IN CONNECTION  
WITH THE 2015 AUDIT RECOMMENDATIONS

WHEREAS, the Township Committee previously accepted the 2015 Township of Neptune audit by resolution; and,

WHEREAS, the Chief Financial Officer has reviewed the comments and recommendations portion of said audit and submitted a Corrective Action Plan to the Township Committee,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Corrective Action Plan of the 2015 Township of Neptune Audit be and is hereby accepted and is authorized for submission to the Division of Local Government Services; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer.

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 09/12/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

*Township of Neptune*  
*Corrective Action Plan - In Response to 2015 Audit*  
*Michael J. Bascom, CMFO, CTC*

| <b>Comment / Recommendation</b>  | <b>Explanation</b>  | <b>Corrective Action</b>   | <b>Responsible Employee</b>  | <b>Date of C.A.</b> |
|--|---|--|--|---------------------|
| <p><u>Finance</u> - Interfunds receivable and payable are reflected on the various balance sheets of the funds at December 31, 2015.</p> | <p>The Township did not clear all Interfunds prior to December 31, 2015 as sufficient funds were not available in certain accounts.</p> | <p>Township will clear all Interfunds as of December 31 of each year if sufficient funds are available to do so.</p> | <p>Michael J. Bascom<br/>CFO</p> <p>Edward Hudson,<br/>Asst. CFO</p> | <p>12/31/16</p>     |
|  |   |  |  |                     |
|  |   |  |  |                     |

RESOLUTION #16-397 - 9/12/16

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> |
|------------------|-----------------------|---------------|
| 609/7            | 1701 Stratford Avenue | 1,661.00      |
| 2511/5           | 707 West Lawn Place   | 830.00        |
| 3102/4           | 3514 Highway 33       | 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

I HERBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 09/12/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-398 - 9/12/16

ACCEPT THE RESIGNATION OF CHRISTOPHER WILSON  
AS A POLICE OFFICER

WHEREAS, the Township Committee has received a letter from Christopher Wilson resigning as a Police Officer in the Police Department effective August 31, 2016,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Christopher Wilson as a Police Officer in the Police Department is hereby accepted effective August 31, 2016; and,

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

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 09/12/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-399 - 9/12/16

ACCEPT THE RESIGNATION OF AMANDA ESPINOSA  
AS A POLICE OFFICER

WHEREAS, the Township Committee has received a letter from Amanda Espinosa resigning as a Police Officer in the Police Department effective September 8, 2016,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Amanda Espinosa as a Police Officer in the Police Department is hereby accepted effective September 8, 2016; and,

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

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 09/12/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-400 – 9/12/16

AUTHORIZE DEVELOPER'S AGREEMENT WITH JACK ANCONA, LLC -WARRINGTON HOTEL; BLOCK 103, LOT 4; BLOCK 103, LOT 10; PORTION OF BLOCK 101, LOT 2; 22 LAKE AVENUE

WHEREAS, Jack Ancona, LLC, a/k/a the Warrington Hotel, applied for and was granted Preliminary and Final Site plan Approval with conditional use and bulk variance approvals previously granted, seeking to build and locate an Innkeeper's Suite in the basement; and

WHEREAS, the present Ordinance prohibits dwelling units below grade, as well as additional exceptions, waivers, variances, interpretations and other approvals related to the filed plans, and the Developer was granted approval by the Zoning Board of Adjustment of Neptune Township; and

WHEREAS, Jack Ancona, LLC, a/k/a the Warrington Hotel has agreed to enter into a Developer's Agreement with the Township of Neptune to guarantee the faithful performance of the obligations and representations associated with the application before the Zoning Board of Adjustment of Neptune Township; and

WHEREAS, it is in the best interest of the citizens of the Township of Neptune to enter into this Developer's Agreement with Jack Ancona, LLC, a/k/a the Warrington Hotel, to ensure the proper compliance and guaranteed performance of items and improvements made on said parcel.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the Mayor and Clerk are hereby authorized to execute the aforesaid Developer's Agreement with Jack Ancona, LLC, a/k/a the Warrington Hotel, a copy of which is on file in the Office of the Municipal Clerk, for compliance with the Zoning Board of Adjustment of Neptune Township's Resolution No. ZBA 14-20, and representations upon submission and approval of all conditions arising from the aforesaid Resolution, and return the same to the Township Attorney for recording in the Clerk's office of Monmouth County; and

BE IT FURTHER RESOLVED, that this resolution along with a copy of the executed Developer's Agreement be forwarded to the 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 09/12/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-401 - 9/12/16

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

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

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

WHEREAS, the Chief of Police and Police Director has made a recommendation; and,

WHEREAS, funds will be provided in the 2016 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 Brad Dougherty be and is hereby employed as a part-time Special Law Enforcement Officer - Class I, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, effective September 13, 2016, 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, 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 09/12/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK



RESOLUTION #16-402 - 9/12/16

AMEND THE SALARY OF MICHAEL SCHNURR DUE TO  
AWARD OF PROFESSIONAL CERTIFICATION

WHEREAS, the Township Committee continues to encourage its employees to attend classes and seminars and obtain certifications in their respective field of study; and,

WHEREAS, the Township Committee awards an additional \$1,000 in annual compensation to any employee obtaining a certification in an area related to their specific job classification up to a maximum of two certifications; and,

WHEREAS, Michel Schnurr, Accountant, has earned the designation of Certified Tax Collector; and,

WHEREAS, funds for this purpose will be provided in the municipal budget under the appropriation entitled Financial Administration 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 Michael Schnurr shall receive an additional \$1,000.00 in annual salary effective September 16, 2016 for receiving the Certified Tax Collector certification; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector, 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 09/12/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-403 - 9/12/16

AUTHORIZE THE CANCELLATION OF A MORTGAGE IN CONNECTION  
WITH REGIONAL CONTRIBUTION AGREEMENT PROJECT AT 28 ASH DRIVE

WHEREAS, the Township of Neptune holds a mortgage dated April 27, 1999 in connection with a Regional Contribution Agreement Project at 28 Ash Drive; and,

WHEREAS, six full years has passed since the date of the mortgage and the property remains in the ownership of the borrowers; and;

WHEREAS, the Township desires to cancel said mortgage in accordance with the terms of the mortgage note,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and they are hereby authorized to execute a cancellation of mortgage in connection with the Regional Contribution Agreement Project at 28 Ash Drive; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the RCA 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 09/12/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-404 - 9/12/16

AUTHORIZE AN AMENDMENT TO THE 2016 MUNICIPAL BUDGET TO REALIZE  
MONIES FROM THE UNITED STATES DEPARTMENT OF JUSTICE

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 2016 in the sum of \$4,775.00 which is now available from a United States Department of Justice – Bureau of Justice Assistance Grant in the amount of \$4,775.00; and,

BE IT FURTHER RESOLVED that the like sum of \$4,775.00 is hereby appropriated under the caption of 2016 Bulletproof Vest Partnership Grant; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the United States Department of Justice – Bureau of Justice Assistance 2016 Bulletproof Vest Partnership Grant in the amount of \$4,775.00; and,

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

Vote:

Brantley: aye  
Lane: aye  
Rizzo: aye  
Williams: aye  
McMillan: aye

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 09/12/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-405 - 9/12/16

AUTHORIZE THE PURCHASE OF PLAYGROUND SURFACING FOR DIVISION STREET PARK AND BERT WILLIS FIELDS THROUGH THE MIDDLESEX REGIONAL EDUCATION SERVICES COMMISSION PURCHASING PROGRAM

WHEREAS, the Township Committee wishes to authorize the purchase of playground surfacing for Division Street Park and Bert Willis Fields 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. 14/15-09 to Whirl Construction 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 this item shall not exceed \$73,226.32 (\$37,718.16 for Division Street Park and \$35,508.16 for Bert Willis Fields); and,

WHEREAS, funds for this purpose are available in Ordinance No. 15-37, 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 playground surfacing for Division Street Park and Bert Willis Fields be and is hereby authorized through Whirl Construction, an approved vendor through the Middlesex Regional Education Services Commission Cooperative Purchasing Program – Contract No. 14/15-09, at an amount not to exceed \$73,226.32; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Township Engineer, Public Works Director, Recreation Director, 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 09/12/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-406 - 9/12/16

AUTHORIZE THE PURCHASE OF PLAYGROUND EQUIPMENT FOR DIVISION STREET PARK AND BERT WILLIS FIELDS THROUGH THE MIDDLESEX REGIONAL EDUCATION SERVICES COMMISSION PURCHASING PROGRAM

WHEREAS, the Township Committee wishes to authorize the purchase of playground equipment for Division Street Park and Bert Willis Fields 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. ESCNJ#16/17-13 to MRC, Inc.; 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 this item shall not exceed \$72,730.65 (\$52,054.05 for Division Street Park and \$20,676.60 for Bert Willis Fields); and,

WHEREAS, funds for this purpose are available in Ordinance No. 15-37, 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 playground equipment for Division Street Park and Bert Willis Fields be and is hereby authorized through MRC, Inc., an approved vendor through the Middlesex Regional Education Services Commission Cooperative Purchasing Program – Contract No. ESCNJ#16/17-13, at an amount not to exceed \$72,730.65; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Township Engineer, Public Works Director, Recreation Director, 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 09/12/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-407 - 9/12/16

AWARD BID FOR GABLES SANITARY SEWER REPLACEMENT PROJECT – PHASE IV

WHEREAS, on August 30, 2016, PS&S, Township Engineer Consultant, received bids for the award of a contract for Gables Sanitary Sewer Replacement Project – Phase IV; and,

WHEREAS, said bids were reviewed by the Township Engineer and Consulting Engineer who have recommended that the bid be awarded to the lowest base bid plus Alternate #1 bid submitted by P&A Construction; and,

WHEREAS, said bids were advertised, received and awarded in a “fair and open” competitive bidding process in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in Ordinances No. 15-36 and 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 a contract be awarded to P&A Construction on their lowest responsible base bid plus Alternate #1 bid of \$929,487.80 for Gables Sanitary Sewer Replacement Project – Phase IV; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Public Works Director 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 09/12/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-408 - 9/12/16

EMPLOY CUSTOMER SERVICE REPRESENTATIVE IN THE  
CODE/CONSTRUCTION DEPARTMENT

WHEREAS, there is a vacancy in the position of Customer Service Representative in the Code/Construction Department; and,

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

WHEREAS, the Construction Official and Human Resources Director have made their recommendation; and,

WHEREAS, funds will be provided in the 2016 municipal budget in the appropriation entitled Code Enforcement S&W and/or Construction 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 Pamela A. Valentine be and is hereby employed as a Customer Service Representative in the Code/Construction Department, on a probationary basis for a period of not less than 90 days and not exceeding one year, pending favorable results of the required physical, effective September 19, 2016, at an annual salary of \$23,460.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Construction Official, Chief Financial Officer, Assistant C.F.O., Human Resources Director, and AFSCME Local #1844.

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 09/12/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-409 – 9/12/16

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               | \$3,035,614.70 |
| FEDERAL & STATE GRANT FUND | 32,197.48      |
| TRUST FUND                 | 277,421.38     |
| GENERAL CAPITAL FUND       | 2,471,589.80   |
| SEWER OPERATING FUND       | 174,850.18     |
| SEWER CAPITAL FUND         | 4,028.36       |
| MARINA OPERATING FUND      | 119,107.53     |
| MARINA CAPITAL FUND        | 925.00         |
| UDAG TRUST                 | 1,000.00       |
| LIBRARY TRUST              | 3,707.12       |
| <br>                       |                |
| BILL LIST TOTAL            | \$6,120,441.55 |

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 09/12/16



RICHARD J. CUTTRELL, MUNICIPAL CLERK