

TOWNSHIP COMMITTEE WORKSHOP MEETING – SEPTEMBER 10, 2012 – 6:00 P.M.

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

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

Mayor Bishop 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 5, 2012, 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 – Hazardous Mitigation Plan update.
2. Discussion – Policy to recognize retiring employees.
3. Review Committee calendars/follow-up on outstanding issues from previous meeting.
4. Outstanding parking lot items. (PW)

Res. # 12-342 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____

Vote: Brantley, _____; Houghtaling, _____; Jahn, _____; McMillan, _____; Bishop, _____.

TOWNSHIP COMMITTEE MEETING – SEPTEMBER 10, 2012 – 7:00 P.M.

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

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

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

Silent Prayer and Flag Salute

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

Mayor Bishop 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 5, 2012, 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.

APPROVAL OF MINUTES

Motion offered by _____, seconded by _____, to approve the minutes of the meeting held on July 23rd.

REPORT OF THE CLERK

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

A letter from Ted Freeman thanking Mayor Bishop for the Township's proclamation recognizing Harry Eichhorn for 60 years as Director of the Ocean Grove Summer Band.

Minutes of the August 6th meeting of the Senior Citizens Advisory Council.

A letter from the Neptune Board of Fire Commissioners thanking Vito Gadaleta for his assistance in preparing an Assistance to Firefighters Grant application.

Rosemary Gray, Ellen Sanderson and Gigi Johnson completed mandatory training from the State Division on Aging.

COMMENTS FROM THE DAIS

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

PUBLIC COMMENTS ON RESOLUTIONS

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

ORDINANCES

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

ORDINANCE NO. 12-27 - An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding handicapped parking zones on Broadway and McClintock Street. – Final Reading

Explanatory Statement: The Ordinance authorizes a handicapped parking stall in front of 83 Broadway and on McClintock Street at the rear of the dwelling located at 40 Ocean Pathway.

Public Hearing:

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

ORDINANCE NO. 12-28 - An ordinance to amend Volume I, Chapter XII, Section 12-2 of the Code of the Township of Neptune by amending the provisions regarding the maintenance of brush, hedges trees and any plant life – First Reading

Explanatory Statement: The Ordinance amends the property maintenance section of the Township Code by delineating permitted height of plant growth (30”) within intersection site triangles and minimum clearance required of tree limbs extending over roadways (12’).

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

The Public Hearing on Ordinance 12-28 will be held on Monday, September 24, 2012.

PUBLIC HEARING – APPLICATION TO MONMOUTH COUNTY MUNICIPAL OPEN SPACE PROGRAM

Public Hearing regarding the Township’s proposed application to the Monmouth County Municipal Open Space Program for “Improvements to Jumping Brook Ballfields Complex” at 160 Jumping Brook Road.

Res. # 12-343 – Authorize application to the Monmouth County Municipal Open Space Program.

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

CONSENT AGENDA

Res. # 12-344 – Authorize an amendment to the 2012 Municipal Budget to realize monies from the Department of Law and Public Safety – Division of State Police.

Res. # 12-345 – Authorize the reduction in the performance guarantee filed by Gilman Land, LLC for site improvements at Robin Road.

Res. # 12-346 – Authorize the refund of taxes as a result of an overpayment.

Res. # 12-347 – Authorize execution of a Petition to Temporarily Extend Licensed Premises for the Headliner.

Res. # 12-348 – Grant Social Affair Permit to Richard S. Bascom Scholarship Fund.

Res. # 12-349 – Place lien on various properties.

Res. # 12-350 – Authorize an amendment to the 2012 Municipal Budget to realize monies from the Department of Law and Public Safety – Division of State Police EMPG Open Initiative Subgrant.

Res. # 12-351 – Adopt Social Media Policy for Township employees.

Res. # 12-352 – Authorize execution of a Traffic Signal Agreement with the New Jersey Department of Transportation for installation and maintenance of a traffic signal at the intersection of Route 35 and Heck Avenue.

Res. # 12-353 – Accept the resignation of Clark Cate as a member of the Ocean Grove Sewerage Authority.

Res. # 12-354 – Authorize the refund of Municipal Marina summer dockage fee.

Res. # 12-355 – Authorize transfer of authorized released cash escrows by Developer, Neptune Estates, LLC for Phase 1A and 1B site improvements at Neptune Estates (3351 Highway 33) to Lender, Charles Saka, in c/o Saka International, per Pledge Agreement.

Res. # 12-356 – Authorize Temporary Use and Occupancy Agreement between the Township of Neptune and Seaview Island Association.

Res. # 12-357 – Authorize a place-to-place transfer (expansion of premises) of the Liquor License issued to Neptune Ale House, LLC t/a MJ's.

CONSENT AGENDA Offered by: _____ Seconded by: _____
Vote: Brantley, ____; Houghtaling, ____; Jahn, ____; McMillan, ____; Bishop, ____.

Res. # 12-358 – Authorize Change Order #2 in connection with Improvements to Broadway.

Offered by: _____ Seconded by: _____
Vote: Brantley, ____; Houghtaling, ____; Jahn, ____; McMillan, ____; Bishop, ____.

Res. # 12-359 – Authorize the payment of bills.

Offered by: _____ Seconded by: _____
Vote: Brantley, ____; Houghtaling, ____; Jahn, ____; McMillan, ____; Bishop, ____.

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. 12-28

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XII, SECTION 12-2 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY AMENDING THE PROVISIONS REGARDING THE MAINTENANCE OF BRUSH, HEDGES TREES AND ANY PLANT LIFE

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

SECTION 1

Volume I, Chapter XII, Section 12-2.3A – Maintenance of Brush, Hedges, Trees and Any Plant, is hereby in its entirety as follows:

12-2.3A – Maintenance of Brush, Hedges, Trees and Any Plant Life

a. Any owner/tenant/occupant of any land within the boundaries of the Township of Neptune shall keep all brush, hedges, bushes, trees, and any other plant life growing within twenty (25') feet of the intersection of two (2) roadways cut to a height of thirty (30") inches.

b. Any owner/tenant/occupant shall maintain the trees, shrubs of that premises to a minimum clearance of twelve (12') feet from the street at the curb measured vertically at road grade.

SECTION 2

The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 3

All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 4

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,

J. Randy Bishop,

Municipal Clerk

Mayor

RESOLUTION #12-342 – 9/10/12

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

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

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

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

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

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

Potential Litigation – Request for retroactive tax exemption

Personnel – Vacancy on OGSA

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 #12-343 - 9/10/12

AUTHORIZE APPLICATION TO THE MONMOUTH COUNTY
MUNICIPAL OPEN SPACE PROGRAM

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and,

WHEREAS, the Governing Body of the Township of Neptune desires to obtain County Open Space Trust Funds in the amount of \$250,000.00 to fund the project known as "Improvements to Jumping Brook Ballfields Complex" located at 160 Jumping Brook Road, also known as Block 10016.01, Lot 1.01; and,

WHEREAS, the total cost of the project including all matching funds is \$333,000.00; and,

WHEREAS, the Township of Neptune is the owner of and controls the project site,

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

1. Michael J. Bascom, Chief Financial Officer, is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the principal contact person and correspondent of the above named municipality; and
2. The Township of Neptune is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Michael J. Bascom, Chief Financial Officer, is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

CERTIFICATION

I, Richard J. Cuttrell, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Township of Neptune at a meeting held on the 10th day of September, 2012. In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 10th day of September, 2012.

Richard J. Cuttrell,
Municipal Clerk

RESOLUTION #12-344 - 9/10/12

AUTHORIZE AN AMENDMENT TO THE 2012 MUNICIPAL BUDGET TO REALIZE
MONIES FROM THE DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF STATE POLICE

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 hereof 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 2012 in the sum of \$14,000.00 which is now available from the NJ Department of Law & Public Safety – Division of State Police FY2011 EMPG Exercise Improvement Grant in the amount of \$14,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$14,000.00 is hereby appropriated under the caption of FY 2011 EMPG Exercise Improvement Grant; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Law & Public Safety – Division of State Police FY2011 EMPG Exercise Pass Thru Grant in the amount of \$14,000.00; and,

BE IT FURTHER RESOLVED, that the required local match of \$14,000.00 is available through a General Obligation Ordinance and the Chief Financial Officer has so certified in writing; and,

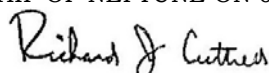
BE IT FURTHER RESOLVED, that the Clerk forward three certified copies of this resolution to the Chief Financial Officer and one copy to the Assistant C.F.O., and Auditor.

Vote:

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/10/12



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #12-345 - 9/10/12

AUTHORIZE A REDUCTION IN THE PERFORMANCE GUARANTEE FILED BY
GILMAN LAND, LLC FOR SITE IMPROVEMENTS AT ROBIN ROAD

WHEREAS, on February 13, 2002, the Township Committee adopted a resolution which accepted a cash performance guarantee in the amount of \$27,240.00 filed by Gilman Land, LLC guaranteeing site improvements at the subdivision on Robin Road (Block 1007, Lots 32, 33.01 and 34-37); and,

WHEREAS, at the request of the Developer, the Township Engineer has inspected the site improvements and has recommended a 70% reduction in the performance guarantees which is the maximum amount of reduction permitted under the Municipal Land Use Law; and,

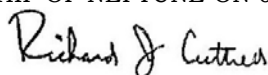
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a reduction in the Performance Guarantee for Gilman Land, LLC (Block 1007, Lots 32, 33.01 and 34-37) be and is hereby approved to the amount of \$10,656.00; and,

BE IT FURTHER RESOLVED, that 70% of the posted cash performance guarantee in the amount of \$16,584.00 shall be refunded to the Developer; and,

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/10/12



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #12-346 - 9/10/12

AUTHORIZE THE REFUND OF TAXES
AS A RESULT OF AN OVERPAYMENT

WHEREAS, the properties listed below reflect overpayments; and,

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

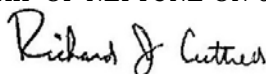
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune,
County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to
refund the taxes as stated herein; and,

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
175	504	WYNN	1319 EMBURY AVE	2012	877.39
417	67	117 ARNOLD LLC	117 ARNOLD PL	2012	2,207.56

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/10/12



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #12-347 - 9/10/12

AUTHORIZE EXECUTION OF A PETITION TO TEMPORARY EXTEND
LICENSED PREMISES FOR THE HEADLINER

WHEREAS, The Headliner, 1401 Route 35, Liquor License #1334-33-011-003, has submitted a Petition to Extend Licensed Premises for September 29, 2012 from 11:00 a.m. to 6:00 p.m.; and,

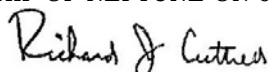
WHEREAS, the Police Department has reviewed said petition and has no objection,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Petition to Extend Licensed Premises submitted by The Headliner, 1401 Route 35, be and is hereby approved for September 29, 2012 from 11:00 a.m. to 6:00 p.m.; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed in the Headliner Liquor License File in the Office of the Municipal Clerk

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/10/12



Richard J. Cuttrel, R.M.C., Municipal Clerk

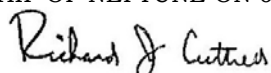
RESOLUTION #12-348 - 9/10/12

GRANT SOCIAL AFFAIR PERMIT TO RICHARD S. BASCOM SCHOLARSHIP FUND

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Municipal Clerk and Chief of Police be and are hereby authorized to approve the application of the Richard S. Bascom Scholarship Fund for a social affair permit at The Headliner, Route 35, on October 23, 2012 from 7:00 P.M. to 11:00 P.M.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/10/12



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #12-349 - 9/10/12

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,

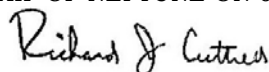
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Tax Collector be and is hereby authorized to place the following costs as a lien against the following properties; and,

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
199/1	1612 Bradfiske Avenue	330.00
215/107	155 Fisher Avenue	330.00
473/36	8 Summit Road	330.00
3029/18	801 Halton Court	412.50
451/1	115 Lakewood Road	1,627.50
10021/9	17 Toomin Drive	208.75
473/38	6 Summit Road	440.00
175/516	1205 Embury Avenue	770.00

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/10/12



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #12-350 - 9/10/12

AUTHORIZE AN AMENDMENT TO THE 2012 MUNICIPAL BUDGET TO REALIZE
MONIES FROM THE DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF STATE POLICE EMPG OPEN INITIATIVE SUBGRANT

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 hereof 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 2012 in the sum of \$24,000.00 which is now available from the NJ Department of Law & Public Safety – Division of State Police FY10-FY11 EMPG Open Initiative Subgrant in the amount of \$24,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$24,000.00 is hereby appropriated under the caption of FY10-FY11 EMPG Open Initiative Subgrant; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Law & Public Safety – Division of State Police FY10-FY11 EMPG Open Initiative Subgrant in the amount of \$24,000.00; and,

BE IT FURTHER RESOLVED, that the required local match of \$26,865.00 is available in the 2012 Municipal Budget through Grant Matching Funds in the amount of \$20,000.00 and through Ordinance No. 11-33 in the amount of \$6,865.00 and the Chief Financial Officer has so certified in writing; and,

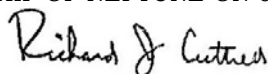
BE IT FURTHER RESOLVED, that the Clerk forward three certified copies of this resolution to the Chief Financial Officer and one copy to the Assistant C.F.O., and Auditor.

Vote:

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/10/12



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #12-351 - 9/10/12

ADOPT SOCIAL MEDIA POLICY FOR TOWNSHIP EMPLOYEES

WHEREAS, the Township understands that social media has become a fun and rewarding way to share life and opinions with family, friends and co-workers around the world; and,

WHEREAS, use of social media also presents certain risks and carries with it certain responsibilities; and,

WHEREAS, the Township Committee desires to establish and adopt guidelines for appropriate use of social media for distribution to all Township employees,

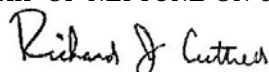
NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby adopts a Social Media Policy for all Township employees and hereby directs the Business Administrator to provide a copy of said Policy to each Township employee; and,

BE IT FURTHER RESOLVED that a copy of the Social Media Policy shall be maintained on file in the Office of the Municipal Clerk for review by any interested person; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Business Administrator.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/10/12



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #12-352 - 9/10/12

AUTHORIZE EXECUTION OF A TRAFFIC SIGNAL AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR INSTALLATION AND MAINTENANCE OF A TRAFFIC SIGNAL AT THE INTERSECTION OF ROUTE 35 AND HECK AVENUE

WHEREAS, a traffic condition exists along Route NJ 35 and Heck Avenue, in the Township of Neptune, County of Monmouth, which requires the installation and operation of a semi-actuated traffic control signal with pedestrian push buttons, and areas of presence detection in order to minimize the possibility of accidents; and,

WHEREAS, it is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and,

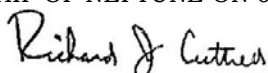
WHEREAS, the State of New Jersey has indicated a willingness to install a traffic control signal at said intersection; and,

WHEREAS, the State of New Jersey has proposed a form of Agreement pertaining to maintenance of said traffic signal.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk of the said Township of Neptune be and hereby are authorized to enter into an Agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of said agreement being attached hereto and made a part hereof.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/10/12



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #12-353 - 9/10/12

ACCEPT THE RESIGNATION OF CLARK CATE AS A
MEMBER OF THE OCEAN GROVE SEWERAGE AUTHORITY

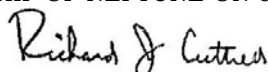
WHEREAS, the Township Committee has received correspondence from Clark Cate resigning as a member of the Ocean Grove Sewerage Authority effective September 4, 2012,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Clark Cate as a member of the Ocean Grove Sewerage Authority is hereby accepted effective September 4, 2012; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Ocean Grove Sewerage Authority.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/10/12



Richard J. Cuttrell, R.M.C., Municipal Clerk

RESOLUTION #12-354 - 9/10/12

AUTHORIZE THE REFUND OF MUNICIPAL MARINA SUMMER DOCKAGE FEE

WHEREAS, Joseph & Carol Fisher have submitted payment in full for summer dockage at the Shark River Municipal Marina in the amount of \$4,300.00; and,

WHEREAS, due to on-going improvements at the Marina, electrical service was not able to be provided to the slip assigned to the Fishers; and,

WHEREAS, the Fishers have moved their boat to another marina; and,

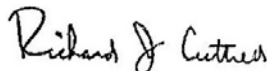
WHEREAS, the Marina Manager and Harbor Commission recommend the granting of a pro-rated refund of the summer dockage fee based on the number of days the boat was actually docked at the slip,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the refund of a Municipal Marina summer dockage fee to Joseph & Carol Fisher in the amount of \$3,192.75; and,

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/10/12



Richard J. Cuttrell, R.M.C., Municipal Clerk

RESOLUTION #12-355 – 9/10/12

AUTHORIZE TRANSFER OF AUTHORIZED RELEASED CASH ESCROWS FILED BY DEVELOPER, NEPTUNE ESTATES, LLC FOR PHASE 1A AND 1B SITE IMPROVEMENTS AT NEPTUNE ESTATES (3351 HIGHWAY 33) TO LENDER, CHARLES SAKA, IN C/O SAKA INTERNATIONAL, PER PLEDGE AGREEMENT

WHEREAS, the Township Committee of the Township of Neptune passed Resolutions 12-253 and 12-254 on June 25, 2012 authorizing reductions of Performance Guarantees filed by Neptune Estates, LLC for Phase 1A and 1B site improvements at Neptune Estates (3351 Highway 33); and

WHEREAS, although the Resolutions primarily resulted in a reduction of Performance Bonds, they also allowed for the release and distribution to the developer of a cash portion of the Performance Guarantee; in the case of Phase 1A in the amount of \$2,662.75 and in the case of Phase 1B in the amount of \$24,315.52; and

WHEREAS, the Township Clerk received a letter dated August 16, 2012 from Michael A. Mishaan, Esq., counsel for Charles Saka, which claims that Mr. Saka is a lender of Neptune Associates, LLC and that the parties entered into a Pledge Agreement in July, 2011 pledging all cash escrows released as a result of the project of Neptune Estates to the lender, Charles Saka, under the aforesaid Pledge Agreement; and

WHEREAS, the Township Attorney forwarded a letter dated September 6, 2012 to Neptune Associates, LLC, advising them of the declaration made by the lender, and advised Neptune Associates, LLC of their right to object to the aforesaid disbursement; and

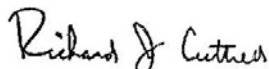
WHEREAS, no such objection was raised by the debtor or pledgor.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the governing body hereby authorizes that the release of cash escrow authorized by Resolutions 12-253 and 12-254 shall be released to Charles Saka, through his attorney, Michael A. Mishaan, Esq., per a Pledge Agreement entered into between Charles Saka and Neptune Associates, LLC in the amount of \$2,662.75 with regard to Phase 1A site improvements, and in the amount of \$24,315.52 in the case of Phase 1B site improvements at Neptune Estates; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Attorney and Municipal Clerk.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/10/12



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #12-356 – 9/10/12

AUTHORIZE TEMPORARY USE AND OCCUPANCY AGREEMENT BETWEEN
THE TOWNSHIP OF NEPTUNE AND SEAVIEW ISLAND ASSOCIATION

WHEREAS, Wentworth Property Management, on behalf of Seaview Island, has requested that Seaview Island's residents and guests be allowed to use vacant property located on Seaview Island owned by Neptune Township, more particularly Block 563, Lots 1 and 2, in order to park motor vehicles while the roads within Seaview Island are being paved; and

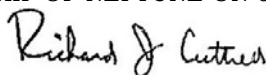
WHEREAS, such a use would be a temporary use under a Temporary Use and Occupancy Agreement, a true copy of which is attached hereto as Exhibit "A," that would allow motor vehicles over a period of thirty (30) days to use the vacant Township property for parking purposes only.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the governing body hereby authorizes the execution of the attached Use and Occupancy Agreement as Exhibit "A" between Neptune Township and Seaview Island Association, to allow for the temporary use of Township property for parking purposes while Seaview Island undertakes road paving for a period of thirty (30) days; and,

BE IT FURTHER RESOLVED, that the Township Committee hereby authorizes the Mayor and Clerk to execute the Temporary Use and Occupancy Agreement attached hereto as Exhibit "A" and authorizes the Township Attorney to pursue all terms of the Use and Occupancy Agreement with Seaview Island Association.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/10/12



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #12-357 - 9/10/12

AUTHORIZE A PLACE-TO-PLACE TRANSFER (EXPANSION OF PREMISES) OF THE LIQUOR LICENSE ISSUED TO NEPTUNE ALE HOUSE, LLC T/A MJ'S

WHEREAS, an application has been filed for a place-to-place transfer (Expansion of Premises) of Plenary Retail Consumption License 1334-33-023-006, for purposes of expanding the premises under license wherein the sale, service, and storage of alcoholic beverages are authorized;

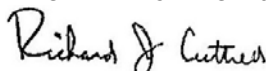
WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby approves, effective September 11, 2012, the expansion of the aforesaid Plenary Retail Consumption licensed premises located at 3295 Highway 66, Neptune, New Jersey, to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution by forwarded to the Applicant the Division of A.B.C.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/10/12



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #12-358 - 9/10/12

AUTHORIZE CHANGE ORDER #2 IN CONNECTION WITH
IMPROVEMENTS TO BROADWAY

WHEREAS, on June 13, 2011, a contract was awarded to James R. Ientile in the amount of \$937,525.00 in connection with the Improvements to Broadway; and,

WHEREAS, on May 24, 2012, the Township Committee adopted Resolution #12-221 which authorized Change Order #1 which increased the contract amount by \$68,238.02 to a total amount of \$1,005,763.02; and,

WHEREAS, changes to the contract have been experienced as a result of the replacement of a failed culvert, adding a new basin at Broadway and Central, adding new inlets at Broadway and Central and Broadway and Beach, eliminating the removal of two trees, eliminating composite sheet pile bulkhead and adjustments for fuel and asphalt prices; and,

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

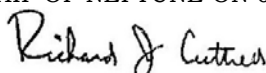
WHEREAS, funds for this purpose are available in Ordinances No. 07-40, 08-52 and 09-27 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #2 in the contract with James R. Ientile in connection with Improvements to Broadway resulting in a net increase of \$118,236.98 revising the total contract amount to \$1,224,000.00; and,

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/10/12



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #12-359 – 9/10/12

AUTHORIZE THE PAYMENT OF BILLS

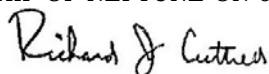
BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following bills be paid if properly certified:

CURRENT FUND	1,251,695.41
FEDERAL & STATE GRANT FUND	7,352.96
TRUST OTHER	8,748.11
GENERAL CAPITAL FUND	85,727.09
SEWER OPERATING FUND	97,364.65
SEWER CAPITAL FUND	447.26
MARINA OPERATING FUND	16,975.28
MARINA CAPITAL FUND	8,302.90
DOG TRUST	172.20
LIBRARY TRUST	615.11
BILL LIST TOTAL	\$1,477,400.97

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/10/12



Richard J. Cuttrel, R.M.C., Municipal Clerk