

TOWNSHIP COMMITTEE WORKSHOP MEETING – FEBRUARY 23, 2015 – 6:00 P.M.

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

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

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

Mayor Jahn announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 8, 2015, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Discussion – Amendments to road excavation ordinance. (PW)
2. Discussion – Goals/initiatives special workshop meeting.
3. Discussion – 2015 municipal budget.
4. Review Committee calendars/update on outstanding issues and capital items.
- Various on-going capital improvement projects.

Res. # 15-99 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____

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

TOWNSHIP COMMITTEE MEETING – FEBRUARY 23, 2015 – 7:00 P.M.

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

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

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

Silent Prayer and Flag Salute

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

Mayor Jahn announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 8, 2015, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at www.neptunetownship.org.

APPROVAL OF MINUTES

Motion offered by _____, seconded by _____, to approve the minutes of the meeting held on February 9th.

REPORT OF THE CLERK

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

Tax Collector monthly statements for November and December.

A copy of a letter from the New Jersey State P.B.A. thanking Chief Hunt and the Neptune Police Department for organizing the Law Enforcement Appreciation Day held in Neptune on January 9th.

A copy of a letter from The Central Jersey Club thanking Chief Hunt and the Neptune Police Department for their response and participation in the Club's you forum "Police/Community Interaction".

COMMENTS FROM THE DAIS

Comments from the Dais regarding business on this agenda or any reports on recent events in their respective departments.

PUBLIC COMMENTS ON RESOLUTIONS

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

ORDINANCES

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

ORDINANCE NO. 15-03 - Capital Ordinance appropriating an \$800,114 grant from the U.S. Department of Housing and Urban Development Community Development Block Grant Disaster Recovery Program to fund improvements in the West Lake Avenue Redevelopment Area, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey – Final Reading

Explanatory statement: This ordinance appropriates the sum of \$800,114 in grant proceeds from the U.S. Department of Housing and Urban Development Community Development Block Grant Disaster Recovery Program for improvements approved by the New Jersey Department of Economic Development for improvements in the West Lake Avenue Redevelopment Area within the Township.

Public Hearing:

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

ORDINANCE NO. 15-04 - Bond Ordinance providing for the reconstruction of the Municipal Marina Building, by the Marina Utility of the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$2,500,000 therefor (including a grant in the amount of \$1,700,000 and insurance proceeds in the amount of \$379,100) and authorizing the issuance of \$420,900 bonds or notes of the Township to finance part of the cost thereof – Final Reading

Explanatory statement: This ordinance authorizes an appropriation of \$2,500,000 for the reconstruction of the Municipal Marina Building destroyed by Hurricane Sandy including a \$1,700,000 grant from the FEMA Disaster Assistance Program and \$379,100 in insurance proceeds received or expected to be received.

Public Hearing:

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

ORDINANCE NO. 15-05 - Bond Ordinance providing for the construction of sidewalks along Neptune Boulevard, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$250,000 therefor (including a grant in the amount of \$142,000) and authorizing the issuance of \$108,000 bonds or notes of the Township to finance part of the cost thereof – Final Reading

Explanatory statement: This ordinance authorizes an appropriation of \$250,000 for the construction of sidewalks along Neptune Boulevard including a \$142,000 grant received or expected to be received from the New Jersey Community Development Block Grant Program.

Public Hearing:

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 15-06 - Bond Ordinance providing for the Central Avenue Roadway Reconstruction and Drainage Improvements project, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$500,000 therefor (including a grant in the amount of \$273,590) and authorizing the issuance of \$226,410 bonds or notes of the Township to finance part of the cost thereof – Final Reading

Explanatory statement: This ordinance authorizes an appropriation of \$500,000 for the Central Avenue Roadway Reconstruction and Drainage Improvements Project, including but not be limited to, roadway, sidewalks, curbing, lighting and drainage improvements and including a \$273,590 grant received or expected to be received from the New Jersey Department of Transportation Municipal Aid and Urban Aid Program.

Public Hearing:

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 15-07 - Bond Ordinance providing for the Alberta Basin Drainage Project, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$950,000 therefor (including a grant in the amount of \$696,084.75) and authorizing the issuance of \$253,915.25 bonds or notes of the Township to finance part of the cost thereof – Final Reading

Explanatory statement: This ordinance authorizes an appropriation of \$950,000 for the Lake Alberta Basin Drainage Project including a \$696,084.75 grant received or expected to be received from the New Jersey Office of Emergency Management / Federal Emergency Management Agency, Pre-Disaster Mitigation Program.

Public Hearing:

Offered by: _____ Seconded by: _____

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

The Public Hearings on Ordinances 15-08 and 15-09, which were approved on first reading at the February 9th meeting, will be held on Monday, March 9, 2015.

CONSENT AGENDA

Res. # 15-100 – Authorize appropriation for annual World Changers initiative.

Res. # 15-101 – Waive municipal portion of construction permit fees and dumpster fees for World Changers rehabilitation projects.

Res. # 15-102 – Authorize the Township of Neptune and the Neptune Joint Veterans Association to co-sponsor a Memorial Day parade.

Res. # 15-103 – Authorize the Ocean Grove Camp Meeting Association's annual Independence Day parade.

Res. # 15-104 – Grant leave of absence to Christine Savage under the Family Medical Leave Act.

Res. # 15-105 – Grant leave of absence to Matthew Webb under the Family Medical Leave Act.

Res. # 15-106 – Amend vendor information for the purchase of a sewer jet-vac truck as authorized by Resolution #15-97.

Res. # 15-107 – Authorize fifth modification of mortgage and mortgage note between TRF DP Ridge Avenue, LLC and the Township of Neptune.

Res. # 15-108 – Reclassify Jahiad Postell to permanent full-time Driver in the Department of Public Works.

Res. # 15-109 – Authorize the submission of grant applications to the New Jersey Department of Law & Public Safety for Hazardous Materials Emergency Preparedness (HMEP) training and planning.

Res. # 15-110 – Adopt revised Township Purchasing Manual.

Res. # 15-111 – Authorize stand-by duty payment to Office of Emergency Management personnel.

Res. # 15-112 – Authorize employment of on-call temporary Plumbing Sub-Code Official.

Res. # 15-113 – Authorize submission of Strategic Plan for the Neptune Township Municipal Alliance grant.

Res. # 15-114 – Authorize the purchase of emergency medical supplies through the Middlesex Regional Education Services Commission Purchasing Program.

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

Res. # 15-115 – Support Senate Bill which would extend existing state limousine laws to online transportation network companies.

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

Res. # 15-116 – Authorize Notice Of Default and authorize subsequent termination of the Redevelopment Agreement between Neptune Township and Cityworks West Lake, LLC, and authorize the Township to search for a new Redeveloper for the West Lake Redevelopment Area.

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

Res. # 15-117 – Employ Customer Service Representative in the Department of Senior Services and Senior Center.

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

Res. # 15-118 – Authorize the payment of bills.

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

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

ADJOURNMENT

RESOLUTION #15-99 – 2/23/15

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

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

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

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

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

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

Personnel – Appointments to Alternate Prosecutor and Alternate Public Defender positions
Pending Litigation – Residential drainage issue
Personnel – Public Works administrative staff
Contract negotiations – West Lake Avenue redevelopment agreement

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 #15-100 - 2/23/15

AUTHORIZE APPROPRIATION FOR ANNUAL WORLD CHANGERS INITIATIVE

WHEREAS, World Changers will again be visiting the Township to undertake an urban development program by making minor repairs to various residential homes and assisting our residents in cleaning their properties; and,

WHEREAS, there is the need to purchase building supplies and materials to utilize in this program; and,

WHEREAS, funds are available for this purpose in the U.D.A.G. Trust Fund and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes up to \$30,000.00 from the U.D.A.G. Trust Fund for the purchase of building materials and supplies in connection with the 2015 World Changers urban development initiative to repair various residential homes in the Township; and,

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

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 02/23/2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-101 – 2/23/15

WAIVE MUNICIPAL PORTION OF CONSTRUCTION PERMIT FEES AND
DUMPSTER FEES FOR WORLD CHANGERS REHABILITATION PROJECTS

WHEREAS, in July, 2015, World Changers will be performing roof rehabilitation projects that require construction permits and dumpsters; and,

WHEREAS, World Changers is a non-profit volunteer organization providing home improvement projects at various locations throughout the Township; and,

WHEREAS, the Township Committee desires to authorize a waiver of the construction permit and dumpster fees associated with these projects,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby waives the municipal portion of the construction fee permits and all dumpster fees for repairs being performed by World Changers for the reasons as stated herein; and,

BE IT FURTHER RESOLVED, that this resolution does not waive the requirement to obtain applicable construction permits and the performance of construction inspections; and,

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

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 02/23/2015

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-102 - 2/23/15

AUTHORIZE THE TOWNSHIP OF NEPTUNE AND THE NEPTUNE JOINT
VETERANS ASSOCIATION TO CO-SPONSOR A MEMORIAL DAY PARADE

WHEREAS, the Township Committee desires to continue the tradition of co-sponsoring a Memorial Day parade to honor those who gave the ultimate sacrifice in defense of our Nation; and,

WHEREAS, funds for this purpose are available in the appropriation entitled Celebration of Public Events and the Chief Financial Officer has so certified in writing.

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that permission is hereby granted to conduct the annual Memorial Day Parade, co-sponsored by the Township of Neptune and the Neptune Joint Veterans Association, to be held on Monday, May 25, 2015 and an appropriation of not to exceed \$1,500.00 is authorized for costs associated with the parade; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Parade Committee, Director of Public Works and the Chief of Police.

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 02/23/2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-103 - 2/23/15

AUTHORIZE THE OCEAN GROVE CAMP MEETING ASSOCIATION'S
ANNUAL INDEPENDENCE DAY PARADE

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

1. Permission is hereby granted for Ocean Grove Camp Meeting Association to hold their annual Independence Day Parade on Saturday, July 4, 2015.
2. Temporary no parking will be designated from 7:00 A.M. to 1:00 P.M. on July 4, 2015 on the following streets:

Both sides of Whitefield Avenue from Stockton Avenue to Main Avenue
Both sides of westbound Ocean Pathway from Central Avenue to Ocean Avenue
West side of Central Avenue from westbound Ocean Pathway to McClintock Street
3. A contribution in the amount of \$1,000.00 toward expenses incurred in connection with the parade is hereby authorized.
4. Funds for this purpose are available in the appropriation entitled Celebration of Public Events and the Chief Financial Officer has so certified in writing.
5. A copy of this resolution shall be forwarded to the Parade Committee, Ocean Grove Camp Meeting Association, Director of Public Works and the Chief of Police.

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 02/23/2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-104 - 2/23/15

GRANT LEAVE OF ABSENCE TO CHRISTINE SAVAGE
UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, Christine Savage, Sergeant in the Police Department, has requested a leave of absence under the provisions of the Family Medical Leave Act during which time she will utilize accumulated sick time; and,

WHEREAS, the Business Administrator has approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that Christine Savage, Sergeant in the Police Department, is hereby granted a leave of absence, with the use of accumulated sick time, under the provisions of the Family Medical Leave Act from February 12, 2015 through March 20, 2015; and,

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

CERTIFICATION
I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF NEPTUNE ON 02/23/2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-105 - 2/23/15

GRANT LEAVE OF ABSENCE TO MATTHEW WEBB
UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, Matthew Webb, Detective in the Police Department, has requested a leave of absence under the provisions of the Family Medical Leave Act during which time he will utilize accumulated sick time; and,

WHEREAS, the Business Administrator has approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that Matthew Webb, Detective in the Police Department, is hereby granted a leave of absence of twenty (20) days, with the use of accumulated sick time, under the provisions of the Family Medical Leave Act starting on or about April 1, 2015; and,

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

CERTIFICATION
I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF NEPTUNE ON 02/23/2015

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-106 - 2/23/15

AMEND VENDOR INFORMATION FOR THE PURCHASE OF A SEWER JET-VAC TRUCK
AS AUTHORIZED BY RESOLUTION #15-97

WHEREAS, the Township Committee wishes to authorize the purchase of a 2015 Freightliner 114SD Truck with Vactor Plus combination sewer cleaner utilizing pricing through the Houston-Galveston Area Council 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 recognized cooperative agreement; and;

WHEREAS, on February 9, 2015, the Township Committee adopted Resolution #15-97 which authorized the purchase of this equipment from Kinloch Equipment & Supply via the Houston-Galveston Area Council Cooperative Agreement Contract No. HT06-14; and,

WHEREAS, the Township Purchasing Department has been advised that the purchase should be authorized to Houston Freightliner, not Kinloch Equipment & Supply; and,

WHEREAS, all other aspects of the purchase, including price, as authorized by Resolution #15-97 remain the same,

THEREFORE, BE IT RESOLVED, by the Township of Neptune Committee of the Township of Neptune that Resolution #15-97 which authorized the purchase of a 2015 Freightliner 114SD Truck with Vactor Plus combination sewer cleaner (Jet-Vac Truck) for the Public Works Sewer Department through the Houston-Galveston Area Council Purchasing Program Contract No, HT06-14 at an amount not to exceed \$373,801.00 is hereby amended to reflect Houston Freightliner as the authorized vendor through said Purchasing Program; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Business Administrator, Assistant C.F.O., Director of Public Works 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 02/23/2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-107 – 2/23/15

AUTHORIZE FIFTH MODIFICATION OF MORTGAGE AND MORTGAGE NOTE
BETWEEN TRF DP RIDGE AVENUE, LLC AND THE TOWNSHIP OF NEPTUNE

WHEREAS, the Township of Neptune is the owner and holder of a certain Promissory Note totaling \$400,000.00 secured by a certain Mortgage for such sum made by TRF DP Ridge Avenue, LLC to the Township dated February 19, 2009 and recorded April 8, 2009 in Mortgage Book 8766, Page 4660 on the real estate described in said Mortgage; and,

WHEREAS, said Note and Mortgage requires principal payment in the amount of \$14,285.71 to the Township of Neptune upon closing of the sale of each of the final twenty-eight (28) residential units of the fifty-eight (58) unit project as that term is defined in a certain Redevelopment Agreement as amended and dated as of February 11, 2008 between the Township and TRF DP Ridge Avenue, LLC; and,

WHEREAS, in December, 2011, TRF DP Ridge Avenue, LLC requested as a result of the down housing market to amend the aforesaid Promissory Note and Mortgage to allow each purchaser of housing units to assume \$20,000.00 as the total debt to the Township reducing TRF DP Ridge Avenue, LLC's obligation by \$714.29 for each unit applicable to the sale of units only between January 1, 2012 and June 30, 2012 in order to encourage the sale of such units; and,

WHEREAS, the Township Committee adopted Resolution #12-65 on January 9, 2012 which authorized execution and adoption of an amended Note and Mortgage Note to allow for this program between January 1, 2012 and June 30, 2012; and,

WHEREAS, the Township Committee adopted Resolution #12-274 on July 9, 2012 which authorized execution and adoption of a second amended Note and Mortgage Note to allow for this program between July 1, 2012 and December 31, 2012; and,

WHEREAS, the Township Committee adopted Resolution #13-257 on May 13, 2013 which authorized execution and adoption of a second amended Note and Mortgage Note to allow for this program between January 1, 2013 and December 31, 2013; and,

WHEREAS, the Township Committee adopted Resolution #14-554 on December 23, 2013 which authorized execution and adoption of a second amended Note and Mortgage Note to allow for this program between January 1, 2014 and December 31, 2014; and,

WHEREAS, the Township desires to extend this program to the remainder of the affordable units,

NOW THEREFORE BE IT RESOLVED, that the Mayor and Township Committee of the Township of Neptune hereby authorizes the execution and adoption of a fifth amended Note and Mortgage Note from the original Note and Mortgage Note of February 9, 2009 so as to allow that new purchasers of the remaining affordable units in the Ridge Avenue Redevelopment Area also known as Schoolhouse Square provide the Township with a Secondary Mortgage of \$20,000.00 as part of the total debt due and owing from TRF DP Ridge

Avenue, LLC to Neptune Township under the \$400,000.00 Note and Mortgage of February 9, 2009 reducing TRF DP Ridge Avenue, LLC's obligation to the Township by \$714.29 for each unit; and,

BE IT FURTHER RESOLVED that the Township Committee hereby authorizes the Mayor and Clerk to execute the amended Modified Mortgage and Mortgage Note prepared by TRF DP Ridge Avenue, LLC and reviewed by the Township Attorney; and,

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

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 02/23/2015

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-108 - 2/23/15

RECLASSIFY JAHIAH POSTELL AS A PERMANENT FULL-TIME
DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Jahiad Postell was hired as a Driver in the Department of Public Works on July 23, 2014; and,

WHEREAS, he has performed his duties in a satisfactory manner and the Public Works Director has recommended that he be reclassified on a permanent full-time basis,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Jahiad Postell be and he is hereby reclassified as a permanent full-time Driver effective immediately; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Public Works Director, Business Administrator, Chief Financial Officer, Human Resources and AFSCME Local #1844.

CERTIFICATION
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COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF NEPTUNE ON 02/23/2015

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-109 – 2/23/15

AUTHORIZE THE SUBMISSION OF GRANT APPLICATIONS TO THE NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY FOR HAZARDOUS MATERIALS
EMERGENCY PREPAREDNESS TRAINING AND PLANNING

WHEREAS, the New Jersey Department of Law & Safety, Division of State Police offer sub grants to municipalities for Hazardous Materials Emergency Preparedness (HMEP) training and drills; and,

WHEREAS, the Emergency Management Coordinator recommends that the Township submit funding applications for hazardous materials response training and a hazardous materials incident drill,

THEREFORE, BE IT FURTHER RESOLVED, by the Township Committee of the Township of Neptune that the Emergency Management Coordinator be and is hereby authorized to submit grant applications to the New Jersey Department of Law & Safety, Division of State Police, for a FY14 HMEP Training Subgrant for HazMat Response Training in the amount of \$26,000.00 and a FY14 HMEP Planning Subgrant for a HazMat incident drill in the amount of \$26,900.00, and,

BE IT FINALLY RESOLVED, that a copy of this resolution be forwarded to the O.E.M. Coordinator and 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 02/23/2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-110 – 2/23/15

ADOPT REVISED TOWNSHIP PURCHASING MANUAL

WHEREAS, the Finance and Administration Departments have prepared amendments to the Township Purchasing Manual and recommend adoption by the Township Committee,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Neptune Township Purchasing Manual, dated February 23, 2015, be and is hereby adopted as the official Purchasing Manual for all Township departments; and,

BE IT FURTHER RESOLVED, that a copy of this resolution, accompanied by a copy of said Purchasing Manual, be forwarded to all municipal departments.

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 02/23/2015

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

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-111 - 2/23/15

AUTHORIZE STAND-BY DUTY PAYMENT TO OFFICE OF
EMERGENCY MANAGEMENT PERSONNEL

WHEREAS, volunteer personnel in the Office of Emergency Management were placed on stand-by duty as a result of snow emergencies declared on February 15 and February 17; and,

WHEREAS, overtime payment at the rate of \$14.00 per hour is authorized by resolution of the Township Committee to be paid to said personnel in the event of a long duration situation such as storm or disaster which requires readiness and staffing; and,

WHEREAS, funds will be provided for the first three months of 2015 in the 2015 Temporary Budget and funds for the balance of 2015 will be provided in the Budget for the year 2015, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that stand-by duty payment at the rate of \$14.00 per hour be and is hereby authorized to the following Office of Emergency Management staff for the hours indicated as a result of two snow emergencies on February 15 and February 17, 2015:

Anthony Devlin – 15 hours
Calvin Morrison – 12 hours
Robert Balko – 22 hours
Jeffrey Devlin – 17 hours
William Van Meter – 12 hours
Michael Scannapieco – 33 hours
Edward Sims – 17 hours

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

CERTIFICATION
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TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF NEPTUNE ON 02/23/2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-112 - 2/23/15

AUTHORIZE EMPLOYMENT OF ON-CALL TEMPORARY
PLUMBING SUB-CODE OFFICIAL

WHEREAS, due to vacation time taken by the appointed Plumbing Sub-Code Official, it is necessary to authorize an on-call temporary employee to serve in as Sub-Code Official in his absence to ensure uninterrupted processing of construction permits; and,

WHEREAS, the Construction Official recommends the employment of a licensed individual to serve in this capacity; and,

WHEREAS, funds will be provided for the first three months of 2015 in the 2015 Temporary Budget and funds for the balance of 2015 will be provided in the Budget for the year 2015, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the employment of Philip M. Price to serve on-call part-time temporary Plumbing Sub-Code Officer, in the absence of the appointed Township Plumbing Sub-Code Official, 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 Construction Official, Business Administrator, Chief Financial Officer, Assistant C.F.O., and Human Resources.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF NEPTUNE ON 02/23/2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-113 – 2/23/15

AUTHORIZE SUBMISSION OF A STRATEGIC PLAN FOR THE
NEPTUNE TOWNSHIP MUNICIPAL ALLIANCE GRANT

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and,

WHEREAS, the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Neptune Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Neptune Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth for '14-'15 fiscal year; and,

WHEREAS, this Resolution supercedes and amends the allocation and match amounts authorized by Resolution #14-460 adopted September 22, 2014,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Neptune Township Committee does hereby authorize submission of a strategic plan for the Neptune Township Municipal Alliance grant for fiscal year July 1, 2014-June 30, 2015 in the amount of:

DEDR	\$ <u>63,915.00</u>
Cash Match	\$ <u>15,978.75</u>
In-Kind	\$ <u>47,936.25</u>

2. The Neptune Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
Mary Beth Jahn, Mayor

CERTIFICATION

I, Richard J. Cuttrell, Municipal Clerk of the Township of Neptune, County of Monmouth, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Neptune Township Committee on this 23rd day of February, 2015.

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-114 - 2/23/15

AUTHORIZE THE PURCHASE OF EMERGENCY MEDICAL SUPPLIES THROUGH THE MIDDLESEX REGIONAL EDUCATION SERVICES COMMISSION PURCHASING PROGRAM

WHEREAS, the Township Committee wishes to authorize the purchase of emergency medical supplies 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 and has awarded Contract No. 14/15-33 to V.E. Ralph & Son, Inc. for these supplies; 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 equipment shall not exceed \$40,195.92; and,

WHEREAS, funds for this purpose are available from Ordinance No. 13-31 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 emergency medical supplies be and is hereby authorized through V.E. Ralph & Son, Inc., an approved vendor through the Middlesex Regional Education Services Commission Cooperative Purchasing Program – Contract No. 14/15-33, at an amount not to exceed \$40,195.92; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Business Administrator, Assistant C.F.O., and 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 02/23/2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-115 - 2/23/15

SUPPORT SENATE BILL WHICH WOULD EXTEND EXISTING STATE LIMOUSINE LAWS
TO ONLINE TRANSPORTATION NETWORK COMPANIES

WHEREAS, Titles 39 and 48 of the Revised Statutes of the State of New Jersey promulgate rules and regulations for the operation of a limousine within the State; and,

WHEREAS, included in these regulations are requirements for licensing and background checks for limousine drivers; and,

WHEREAS, entities that are now connecting drivers to passengers through online applications are not covered by these statutes; and;

WHEREAS, Senators Peter Barnes, III and Ronald Rice have introduced Senate Bill No. 2592 which establishes a definition of "Transportation Network Companies" and makes applicable all existing rules and regulations governing limousine to these entities; and,

WHEREAS, the Township Committee finds that this Bill is in the best interest of the safety and well-being of its residents,

THEREFORE, BE IT RESOLVED, that the Township of Neptune Committee of the Township of Neptune, in the interests of the safety of its citizens, hereby supports Senate Bill No. 2592 to define Transportation Network Companies and place such entities under existing state statutes regulating limousine owners and operators; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Senator Peter Barnes, Senator Ronald Rice, Senator Jennifer Beck, Assemblywoman Mary Pat Angelini and Assemblywoman Caroline Casagrande.

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 02/23/2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-116 - 2/23/15

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, the governing body of Neptune Township no longer has confidence that CityWorks West Lake, LLC will complete the project at any time in for foreseeable future, and in light of the fact that the Redeveloper is now in violation of the Agreement in terms of its schedule and continuation of redevelopment and payment of the UDAG Loan, which represents a default in the Agreement, the Township Committee feels that it needs to act upon the default, move on the termination of the Agreement and seek a new Redeveloper for the West Lake Redevelopment Area.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes a Notice of Default, subject to the right to cure, be sent out by the Township Attorney, Gene J. Anthony, Esq., and subsequent termination of the Redevelopment Agreement, if the default is not cured, by and between the Township of Neptune and CityWorks West Lake, LLC as it was entered on June 13, 2005, and as amended by subsequent amendments; and

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Township Administrator to supervise the efforts to take action to seek a new Redeveloper as soon as, and in such manner as the Township shall find feasible and consistent with the objectives of State Law and the Redevelopment Plan, and make a recommendation to the Township Committee of a qualified and responsible new Redeveloper to assume the obligation of completing the project to make all reasonable efforts to recommend a replacement Redeveloper for the project.

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

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 02/23/2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-117 - 2/23/15

EMPLOY CUSTOMER SERVICE REPRESENTATIVE IN THE
DEPARTMENT OF SENIOR SERVICES AND SENIOR CENTER

WHEREAS, there is a vacancy in the position of Customer Service Representative in the Department of Senior Services and Senior Center; and,

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

WHEREAS, the Director of the Department of Senior Services and Senior Center and the Business Administrator has made their recommendation; and,

WHEREAS, funds will be provided for the first three months of 2015 in the 2015 Temporary Budget and funds for the balance of 2015 will be provided in the Budget for the year 2015, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Raina Pettway be and is hereby employed as a Customer Service Representative in the Department of Senior Services and Senior Center, 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 March 2, 2015, at an annual salary of \$23,460.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Director of the Department of Senior Services and Senior Center, Chief Financial Officer, Assistant C.F.O., Human Resources and AFSCME Local #1844.

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 02/23/2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-118 – 2/23/15

AUTHORIZE THE PAYMENT OF BILLS

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

CURRENT FUND	\$7,788,352.32
FEDERAL & STATE GRANT FUND	32,981.91
TRUST OTHER	52,549.25
GENERAL CAPITAL FUND	25,516.60
SEWER OPERATING FUND	43,045.95
SEWER CAPITAL FUND	9,921.90
MARINA OPERATING FUND	50,071.69
MARINA CAPITAL FUND	8,058.32
DOG TRUST	66.60
BILL LIST TOTAL	\$8,010,564.54

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 02/23/2015



Richard J. Cuttrell, Municipal Clerk