TOWNSHIP COMMITTEE WORKSHOP MEETING - AUGUST 22, 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:

ROLL CALL	PRESENT/ABSENT	
J. Randy Bishop		
Dr. Michael Brantley		
Carol Rizzo		
Nicholas Williams		
Kevin B. McMillan		

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

Mayor McMillan announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 7, 2016, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

ITEMS FOR DISCUSSION IN OPEN SESSION

- Discussion Ordinance regulating unregistered, uninspected, uninsured and inoperable vehicles. (PW)
- 2. Discussion Ordinance regulating enforcement and penalty provisions of HPC Ordinance. (PW)
- 3. Review Committee calendars/update on outstanding issues and capital items. - Various on-going capital improvement projects.

Res. # 16-370 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

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

TOWNSHIP COMMITTEE MEETING - AUGUST 22, 2016 - 7:00 P.M.

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

ROLL CALL	PRESENT/ABSENT	
J. Randy Bishop		
Dr. Michael Brantley		
Carol Rizzo		
Nicholas Williams		
Kevin B. McMillan		

Also present at the dais: Vito D. Gadaleta, Business Administrator; 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 <u>www.neptunetownship.org</u>.

REPORT OF THE CLERK

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

Letter from Committeeman Randy Bishop resigning as a member of the Neptune Township Committee and as District 1 County Committeeman effective August 22nd at 11:59 p.m.

COMMENTS FROM THE DAIS

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

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 Liberty Park".

Res. # 16-371 – Authorize application to the Monmouth County Municipal Open Space Program.

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

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.

<u>ORDINANCE NO. 16-26</u> – An ordinance to amend Volume I, Chapter IV, Section 4-23.3, of the Code of the Township of Neptune entitled "Register and Signature Logs to be Maintained; Regulations"- Final Reading

Explanatory Statement: This ordinance amends the regulation governing the inspection of Register and Operator Logs in hotels and bed & breakfast establishments to be consistent with federal law.

Public Hearing:

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

<u>ORDINANCE NO. 16-27</u> – Bond ordinance providing for various 2016 capital improvements, by the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$4,930,000 therefor (including grants in the amount of \$588,512) and authorizing the issuance of \$4,124,413 bonds or notes of the Township to finance part of the cost thereof - Final Reading

Explanatory Statement: This ordinance authorizes an appropriation of \$4,930,000 (including grants in the amount of \$588,512) for various 2016 capital improvements including, but not limited to, the acquisition of heavy duty vehicles and equipment, the acquisition of computer and communications equipment, improvements to various parks and lakes within the Township and streetscape improvements in business and redevelopment areas, improvements to the Department of Public Works Complex, the Senior Center, the Municipal Complex and other municipal facilities, and the implementation of the 2016 Community Development Block Grant Program 10th Avenue Rehabilitation Project.

Public Hearing:

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

ORDINANCE NO. 16-28 – Bond ordinance providing for various sewer utility improvements and the acquisition of a sewer utility vehicle, by the Sewer Utility of the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$600,000 therefor and authorizing the issuance of \$570,000 bonds or notes of the Township to finance part of the cost thereof - Final Reading

Explanatory Statement: This ordinance authorizes an appropriation of \$600,000 for the Sanitary Sewer Infrastructure Program, including but not limited to, the reconstruction of sewer system infrastructure in various locations in the Township as specified in documents on file in the Office of the Township Engineer and the acquisition of a utility truck.

Public Hearing:

Offered by:_____ Seconded by:_____ Vote: Bishop, ____; Brantley, ____; Rizzo, ____; Williams, ____; McMillan, ____. **ORDINANCE NO. 16-29** – Bond ordinance providing for the planning for the Shark River Municipal Marina Site Remediation Project, by the Marina Utility of the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$240,000 therefor (including a grant in the amount of \$169,000) and authorizing the issuance of \$67,450 bonds or notes of the Township to finance part of the cost thereof - Final Reading

Explanatory Statement: This ordinance authorizes an appropriation of \$240,000 (including a grant in the amount of \$169,000) for engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration in connection with the Shark River Municipal Marina Site Remediation Project.

Public Hearing:

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

<u>ORDINANCE NO. 16-30</u> – 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 - First Reading

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

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

The Public Hearing on Ordinance 16-30 will be held on Monday, September 12th.

CONSENT AGENDA

Res. # 16-372 – Authorize the refund of a deposit for summer dockage fee at the Municipal Marina.

Res. # 16-373 – Accept the resignation of Bernard Crudup as a Driver in the Department of Public Works.

Res. # 16-374 – Authorize the endorsement of the tax sale certificate affecting 10 Vanderbilt Avenue.

Res. # 16-375 – Reappoint Special Law Enforcement Officers in the Police Department on a parttime basis.

Res. # 16-376 – Accept donation of two 2009 Dodge Durangos from Neptune Township Fire District #1.

Res. # 16-377 – Release soil stabilization bond posted by Kelly Armada for 207 North Riverside Drive.

Res. # 16-378 – Confirm receipt of the Annual Report of Audit for the Township of Neptune for the year 2015.

Res. # 16-379 – Release soil stabilization bond posted by Alison Allgor for 10 Ocean Avenue.

Res. # 16-380 – Award Façade Improvement Grant to RJKM Indian LLC, t/a Indian of Monmouth, 1318 Corlies Avenue.

Res. # 16-381 – Authorize the execution of a Successor Collective Bargaining Agreement with AFSCME Local #2792.

Res. # 16-382 – Authorize execution of an agreement with LexisNexis VitalChek Network, Inc, to provide remote processing of Vital Statistics records.

Res. # 16-383 – Authorize temporary closing of a portion of Embury Avenue in connection with St. Paul's Church Vacation Bible School.

Res. # 16-384 – Authorize lawsuit seeking removal of zoning violations and property maintenance violations and other collateral legal issues with regard to 232 Schock Avenue.

Res. # 16-385 – Employ on-call part-time Yard Attendants in the Department of Public Works.

Res. # 16-386 – Authorize an amendment to the 2016 municipal budget to realize monies from the Department of Law & Public Safety Division of Highway Traffic Safety.

Res. # 16-387 – Authorize the refund of taxes as a result of an overpayment.

Res. # 16-388 – Authorize the cancellation of sewer rent (11 Vanderbilt Place).

Res. # 16-389 - Authorizing Developer's Agreement with Heritage at Neptune, LLC (Walnut Grove) Block 1615, Lots 20.01; 20.02; 20.03; 20.04; 20.05; 20.06; 20.07 and 20.08 (formerly Block 3032, Lots 66, 74 and part of Lot 75)

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

Res. # 16-390 – Authorize the purchase of a Ford ambulance through the Houston-Galveston Area Council Purchasing Program.

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

Res. # 16-391 – Extend offer of employment for the position of Driver in the Public Works Department.

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

Res. # 16-392 – Authorize the payment of bills.

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

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

ADJOURNMENT

ORDINANCE NO. 16-30

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

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

SECTION 1

Volume I, Chapter VII, Section 7-21.7 – Resident Handicapped On-Street Parking, is hereby amended by adding the following:

Name of Street	No. of Spaces	Location
Heck Avenue	1	South side of Heck Avenue beginning 92 feet east of the southeast intersection of Heck Avenue and Whitefield Avenue
Seaview Avenue	1	South side of Seaview Avenue at southwest corner intersection of Seaview Avenue and Ocean Avenue

SECTION 2

Volume I, Chapter VII, Section 7-21.1 – Handicapped Parking on Street, is hereby amended by deleting the Seaview Avenue location being added to Section 7-21.7.

SECTION 3

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell, Municipal Clerk Kevin B. McMillan, Mayor

RESOLUTION #16-370 - 8/22/16

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:

Personnel – Employee handbook/personnel ordinance revisions Contract negotiations – Risk Manager to discuss insurance matters Potential Litigation – Ocean Grove ground rent and transfer fees Personnel – Recommendation for Driver in Public Works

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 #16-371 - 8/22/16

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 Liberty Park" located at 1601 Monroe Avenue, also known as Block 701, Lot 20; and,

WHEREAS, the total cost of the project including all matching funds is \$334,678.75; 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 22nd day of August, 2016. In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 22nd day of August, 2016.

> Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-372 - 8/22/16

AUTHORIZE THE REFUND OF A DEPOSIT FOR SUMMER DOCKAGE FEE AT THE MUNICIPAL MARINA

WHEREAS, Nicholas Williams made a payment in the amount of \$2,323.00 for 2016 summer dockage; and,

WHEREAS, due to unforeseen personal circumstances, Mr. Williams can no longer utilize his boat and has no need for a slip; and,

WHEREAS, the Harbor Master recommends that a prorated refund be authorized,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the Harbor Master be and hereby is authorized to refund the payment for summer dockage in the pro-rated amount of \$1,742.25 to Nicholas Williams for the purpose as stated herein; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Harbor Master, Deputy Tax Collector, Assistant Purchasing Agent 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 08/22/16

RESOLUTION #16-373 - 8/22/16

ACCEPT THE RESIGNATION OF BERNARD CRUDUP AS A DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township Committee has received a letter from Bernard Crudup resigning as a Driver in the Department of Public Works effective August 5, 2016,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Bernard Crudup as a Driver in the Department of Public Works is hereby accepted effective August 5, 2016; and,

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

CERTIFICATION I HERBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 08/22/16

RESOLUTION #16-374 - 8/22/16

AUTHORIZE THE ENDORSEMENT OF THE TAX SALE CERTIFICATE AFFECTING BLOCK 302, LOT 24 (10 VANDERBILT PLACE)

WHEREAS, all the taxes, costs and interest have been paid on the Tax Title Lien Certificate affecting the property listed below,

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 endorse for cancellation the Tax Title Lien Certificate affecting Block 303, Lot 24 (10 Vanderbilt Place); and,

BE IT FURTHER RESOLVED, that a copy of this resolution and the endorsed Tax Sale Certificate 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 08/22/16

RESOLUTION #16-375 - 8/22/16

REAPPOINT SPECIAL LAW ENFORCEMENT OFFICERS IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

WHEREAS, in accordance with state regulations, it is required that existing Special Law Enforcement officers be reappointed on an annual basis; and,

WHEREAS, the Chief of Police has made his recommendations on the reappointment of existing Special Law Enforcement Officers; 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 the following individuals be and are hereby reappointed as part-time Special Law Enforcement Officers (SLEO) and to perform such other duties as prescribed by the Chief of Police, for the period September 1, 2016 through August 31, 2017, at an hourly rate as established by prior resolution of the Township Committee:

<u>SLEO Class I</u> – Matthew McDonough, Kristen Narciso, Aaron Haskins, Lorenzo Pettway, Jeffrey Moore & Terrell Brown

<u>SLEO Class II</u> – John Mattia, William Fabian, Darrell Furman, Tyrell Thompson, Jeff Force, George Corbin, Patrick Keating, Malcolm Jenkins, Jordan Loiodice, Tressa Huizenga, Joseph Siciliano, Robert Vetrano, Jason Paulus & Michael White

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 Director.

CERTIFICATION I HERBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 08/22/16

RESOLUTION #16-376 - 8/22/16

ACCEPT DONATION OF TWO 2009 DODGE DURANGOS FROM NEPTUNE TOWNSHIP FIRE DISTRICT #1

WHEREAS, Neptune Township Fire District #1 has declared that two 2009 Dodge Durangos are no longer needed by the District and are therefore surplus equipment; and,

WHEREAS, the Police Department have a need for said vehicles to be utilized in the Traffic Division; and,

WHEREAS, the Police Director and Chief of Police have inspected said vehicles and found both to be in good condition and outfitted in a manner that would allow them to be used in the Traffic Division; and,

WHEREAS, Neptune Township Fire District #1 has offered the vehicles to the Township of Neptune at no cost,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby accepts the donation of two 2009 Dodge Durangos bearing vehicle identification number 1D8HB38P89F712557 and 1D8HB38P99F712552 from Neptune Township Fire District #1 at no cost to the Township for use by the Neptune Township Police Department Traffic Division; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Chief of Police, Assistant C.F.O and Neptune Township Fire District #1.

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 08/22/16



RESOLUTION #16-377 - 8/22/16

RELEASE SOIL STABILIZATION BOND POSTED BY KELLY ARMADA FOR 207 NORTH RIVERSIDE DRIVE

WHEREAS, Kelly Armada posted a Soil Stabilization Bond in the form of cash in the amount of \$2,500.00 guaranteeing site stabilization at 207 North Riverside Drive; and,

WHEREAS, on August 8, 2016, the Township Engineer certified that grass seed has germinated and all site stabilization has been completed,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the release of the Soil Stabilization Bond for 207 North Riverside Drive as stated herein; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the 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 08/22/16

RESOLUTION #16-378 - 8/22/16

CONFIRM THE RECEIPT OF THE ANNUAL REPORT OF AUDIT FOR THE TOWNSHIP OF NEPTUNE FOR THE YEAR 2015

WHEREAS, N.J.S.A 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and,

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and,

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments Schedule of Findings and Recommendations Auditors' Opinions

and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments Schedule of Findings and Recommendations Auditors' Opinions

as evidenced by the group affidavit form of the governing body; and,

WHEREAS, such resolution of certification shall be adopted by the Governing body no later than forty-five (45) days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and,

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S.52:27BB-52 - " A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune, hereby states that if it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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 08/22/16

RESOLUTION #16-379 - 8/22/16

RELEASE SOIL STABILIZATION BOND POSTED BY ALISON ALLGOR FOR 10 OCEAN AVENUE

WHEREAS, Alison Allgor posted a Soil Stabilization Bond in the form of cash in the amount of \$500.00 guaranteeing site stabilization at 10 Ocean Avenue; and,

WHEREAS, on August 10, 2016, the Township Engineer certified that grass seed has germinated and all site stabilization has been completed,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the release of the Soil Stabilization Bond for 10 Ocean Avenue as stated herein; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the 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 08/22/16

RESOLUTION #16-380 - 8/22/16

AWARD FAÇADE IMPROVEMENT LOAN/GRANT TO RJKM INDIAN LLC, T/A INDIAN OF MONMOUTH, 1318 CORLIES AVENUE

WHEREAS, the Township Committee created a Façade Improvement Loan/Grant Program by adoption of Ordinance 00-3; and,

WHEREAS, on August 10, 2016, the Façade Review Committee approved an application filed by RJKM Indian LLC t/a Indian of Monmouth, 1318 Corlies Avenue, Neptune for a \$5,000 grant; and,

WHEREAS, the Township Committee desires to authorize the award of said loan/grant as approved by the Façade Review Committee; and,

WHEREAS, funds will be provided from the U.D.A.G. Reciprocal Loan Account and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an award of a \$5,000 grant be and is hereby approved under the Façade Improvement Loan/Grant Program for the business known as Indian of Monmouth, 1318 Corlies Avenue, pursuant to the application approved by the Façade Review Committee on August 11, 2016; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Economic Development Corp. Secretary and Grant Coordinator.

CERTIFICATION I HERBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 08/22/16

RESOLUTION #16-381 - 8/22/16

AUTHORIZE THE EXECUTION OF A SUCCESSOR COLLECTIVE BARGAINING AGREEMENT WITH AFSCME LOCAL #2792

WHEREAS, the Collective Bargaining Agreement between the Township of Neptune and AFSCME Local #2792 expires on December 31, 2016; and,

WHEREAS, representatives from AFSCME Local #2792 and the Township of Neptune engaged in negotiations to develop a Successor Collective Bargaining Agreement; and,

WHEREAS, a Settlement has been reached between the two parties and a Successor Collective Bargaining Agreement has been prepared and endorsed by AFSCME Local #2792,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Successor Collective Bargaining Agreement, a copy of which is on file with the Municipal Clerk, with AFSCME Local #2792 which details the terms and conditions of employment with said Local for the term of January 1, 2017 to December 31, 2020; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Human Resources Director and AFSCME Local #2792.

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 08/22/16

RESOLUTION #16-382 - 8/22/16

AUTHORIZE EXECUTION OF AN AGREEMENT WITH LEXISNEXIS VITALCHEK NETWORK INC. TO PROVIDE REMOTE PROCESSING OF VITAL STATISTICS RECORDS

WHEREAS, LexisNexis VitalChek Network, Inc. provides a service which expedites the remote application, processing and delivery of requests for vital records; and,

WHEREAS, the Registrar has recommended the installation of this service to provide access to vital records by the public; and,

WHEREAS, VitalChek provides all hardware, software, and training at no cost to the Township and makes payment to the Township for fees received by the customer for vital records processed through this service,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Agreement with LexisNexis VitalChek Network, Inc., a copy of which is on file with the Municipal Clerk, to provide the remote application, processing and delivery of requests for vital records at no cost to the Township; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Registrar, Chief Financial Officer, and 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 08/22/16

RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-383 - 8/22/16

AUTHORIZE TEMPORARY CLOSING OF A PORTION OF EMBURY AVENUE IN CONNECTION WITH ST. PAULS CHURCH VACATION BIBLE SCHOOL

WHEREAS, St. Paul's Church has scheduled a week long Vacation Bible School youth event at the church from Monday, August 22nd to Friday, August 26th, and,

WHEREAS, the Church has requested the temporary closing of Embury Avenue between Pennsylvania Avenue and New York Avenue from 4:30 p.m. to 8:00 p.m. to allow for some activities connected with the event to occur in the roadway; and,

WHEREAS, the affected residents have been notified by the Church and the Police Department has reviewed and approved this closure,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates the temporary closure of Embury Avenue between Pennsylvania Avenue and New York Avenue from 4:30 P.M. to 8:00 P.M. from Monday, August 22th through Friday, August 26th; and,

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

CERTIFICATION I HERBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 08/22/16

RESOLUTION #16-384 - 8/22/16

AUTHORIZE LAWSUIT SEEKING REMOVAL OF ZONING VIOLATIONS AND PROPERTY MAINTENANCE VIOLATIONS AND OTHER COLLATERAL LEGAL ISSUES WITH REGARD TO 232 SCHOCK AVENUE, NEPTUNE TOWNSHIP

WHEREAS, The Zoning Officer has discovered zoning violations concerning the property at 232 Schock Avenue, Neptune Township, New Jersey, along with property maintenance violations, while providing collateral issues with regard to hazards and safety issues due to the use and neglect of the subject property; and

WHEREAS, proceeding with enforcement through the Municipal Court did not provide sufficient enforcement, nor address the full scope of issues concerning violations on the subject property; and,

WHEREAS, funds for this purpose are available in the 2016 municipal budget in the appropriation entitled Legal O.E. and the Chief Financial Officer has so certified in writing,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorizes the Municipal Attorney, Gene J. Anthony, Esq., with offices at 48 South Street, Eatontown, New Jersey, to commence a legal action in the Superior Court of New Jersey, seeking Injunctive Relief and other remedies available in addressing the zoning violations, property maintenance violations and other possible collateral violations and issues associated with conditions now existing at 232 Schock Avenue, Neptune Township, New Jersey, including pursuing an action against the owner and mortgage company and any other lienholders to the subject property; and,

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

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Attorney, Director of Code Enforcement, Chief Financial Officer and 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 08/22/16

RESOLUTION #16-385 - 8/22/16

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

WHEREAS, there is a need for two additional on-call, part-time Yard Attendants in the Public Works Department to work in the absence of regularly scheduled Yard Attendants; and,

WHEREAS, the position was posted and the Public Works Director and Human Resources Director have made their recommendations; and,

WHEREAS, funds will be provided in the 2016 Municipal Budget in the appropriation entitled Solid Waste Collection S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby extends an offer of employment to Gregory Bouie and Gregory LaFrance as on-call part-time Yard Attendants in the Department of Public Works effective immediately, contingent upon favorable results of the required pre-employment screening and background check as applicable, at an hourly salary of \$14.26; and,

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

CERTIFICATION I HERBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 08/22/16

RESOLUTION #16-386 - 8/22/16

AUTHORIZE AN AMENDMENT TO THE 2016 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE DEPARTMENT OF LAW AND PUBLIC SAFETY DIVISION OF HIGHWAY TRAFFIC SAFETY

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 \$5,000.00 which is now available from the NJDLP&S – Division of Highway Traffic Safety in the amount of \$5,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$5,000.00 is hereby appropriated under the caption of 2016 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Law & Public Safety – Division of Highway Traffic Safety 2016 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown grant in the amount of \$5,000.00; 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:

Bishop:ayeBrantley:ayeRizzo:ayeWilliams:ayeMcMillan: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 08/22/16

RESOLUTION #16-387 - 8/22/16

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
3705	24	Bozarth	8 Columbia Ave	2016	61.24
1615	18.01	Warren	108 Walnut St	2016	591.57

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 HERBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 08/22/16

RESOLUTION #16-388 - 8/22/16

AUTHORIZE THE CANCELLATION OF SEWER RENT (11 VANDERBILT PLACE)

WHEREAS, the Tax Collector has requested the cancellation of sewer rent to the property listed below,

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 hereby is authorized to cancel Sewer Rent as stated herein; and,

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
302/24	Larry Brown	11 Vanderbilt Place	2016	230.00

REASON: Building demolished

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector, 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 08/22/16

RESOLUTION #16-389 - 8/22/16

AUTHORIZING DEVELOPER'S AGREEMENT WITH HERITAGE AT NEPTUNE, LLC (WALNUT GROVE) BLOCK 1615, LOTS 20.01; 20.02; 20.03; 20.04; 20.05; 20.06; 20.07 AND 20.08 (FORMERLY BLOCK 3032, LOTS 66, 74 AND PART OF LOT 75)

WHEREAS, Heritage at Neptune, LLC (Walnut Grove), purchased property previously subject to Final Major Subdivision Approval by the Neptune Township Planning Board by the original applicant, Lakeside Developer's, LLC; later Plumbline Builders, LLC, creating nine conforming lots, seven with single family residential lots, one designated as a storm water basin lot, and one remaining lot, along with landscaping, drainage and related improvements, and also along with variances and waivers associated therewith before the Planning Board of the Township of Neptune; and

WHEREAS, Heritage at Neptune, LLC (Walnut Grove), 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 Planning Board of Neptune Township; and

WHEREAS, it is in the best interest of the citizens of the Township of Neptune to enter this Developer's Agreement with Heritage at Neptune, LLC, to ensure the proper compliance and guaranteed performance of items and improvements made on said parcel.

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' Agreement with Heritage at Neptune, LLC (Walnut Grove), a true copy of which is filed in the Office of the Municipal Clerk, for compliance with the Planning Board of Neptune Township's Resolutions #05-20, 06-11 and 07-34, and representations upon submission and approval of all conditions arising from the aforesaid Resolutions, and return the same to the Township Attorney for recording in the Clerk's office of Monmouth County.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Attorney, Township Engineer and attached to the executed Developer's Agreement.

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 08/22/16



RESOLUTION #16-390 - 8/22/16

AUTHORIZE THE PURCHASE OF A FORD AMBULANCE THROUGH THE HOUSTON-GALVESTON AREA COUNCIL PURCHASING PROGRAM

WHEREAS, the Township Committee wishes to authorize the purchase of a 2016 Ford E-450 ambulance 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, the Houston-Galveston Area Council has a nationally recognized cooperative agreement and has awarded Contract No. AM10-14 to PL Custom Body & Equipment Co., 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 cost to purchase this equipment shall not exceed \$151,000.00; and,

WWHEREAS, funds for this purpose are available from Ordinance No. 15-33 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 a 2016 Ford E-450 Ambulance for use by the Township's Emergency Medical Services be and is hereby authorized through the Houston-Galveston Area Council Purchasing Program at an amount not to exceed \$151,000.00, said purchase to be effective on August 29, 2016; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., EMS Manager, 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 08/22/16

RICHARD J. CUTTRELL, MUNICIPAL CLERK

RESOLUTION #16-391 - 8/22/16

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF DRIVER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, due to a retirement, there is a vacancy in the position of Driver in the Public Works Department; and,

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

WHEREAS, the Human Resources Director and Public Works Director have made a recommendation; and,

WHEREAS, funds will be provided in the 2016 municipal budget in the appropriation entitled Solid Waste S&W, and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that an offer of employment be and is hereby extended to John Tarzy for the position of Driver in the Department of Public Works, on a probationary basis for a period of not less than 90 days and not exceeding one year, contingent upon favorable results of the required pre-employment testing, effective August 29, 2016, at an annual salary of \$30,600.00 (experienced); and,

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

CERTIFICATION I HERBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ON 08/22/16

RESOLUTION #16-392 - 8/22/16

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	\$14,005,921.74
FEDERAL & STATE GRANT FUND	36,727.67
TRUST FUND	51,378.85
SEWER OPERATING FUND	46,690.66
SEWER CAPITAL FUND	3,647.94
MARINA OPERATING FUND	8,022.16
UDAG TRUST	500.00
LIBRARY TRUST	1,126.01
BILL LIST TOTAL	\$14,154,015.03
DILL LIST TOTAL	φ14,154,015.05

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 08/22/16