

TOWNSHIP COMMITTEE WORKSHOP MEETING – OCTOBER 4, 2018 – 6:00 P.M.

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

ROLL CALL

PRESENT/ABSENT

Dr. Michael Brantley	_____
Robert Lane, Jr.	_____
Kevin B. McMillan	_____
Carol Rizzo	_____
Nicholas Williams	_____

Also present: Gene Anthony, Township Attorney; and Richard J. Cuttrell, Municipal Clerk.

Mayor Williams 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 4, 2018, 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. Review Committee calendars/update on outstanding issues and capital items.
- Various on-going capital improvement projects.

Res. # 18-343 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____

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

RESOLUTION #18-343 – 10/4/18

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 – Recommendation for vacancy on Board of Adjustment

Personnel – Recommendations for Engineering Technician and SLEO II

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.

TOWNSHIP COMMITTEE MEETING – OCTOBER 4, 2018 – 7:00 P.M.

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

ROLL CALL

PRESENT/ABSENT

Dr. Michael Brantley
Robert Lane, Jr.
Kevin B. McMillan
Carol Rizzo
Nicholas Williams

Also present at the dais: 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 Williams 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 4, 2018 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 September 24th.

PROCLAMATION – The Mayor will proclaim October 10th as "Put the Brakes on Fatalities Day" in the Township of Neptune.

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. 18-30 – An ordinance to amend Volume I, Chapter XV, of the Code of the Township of Neptune entitled "Uniform Fire Safety Act Enforcing Agency" - First Reading

Explanatory Statement: This ordinance amends the provisions of the Uniform Fire Safety Act Enforcement Agency (Fire Bureau) of both Neptune Township fire districts. The ordinance amends portions of the operation, regulations, and fee structure of both agencies in compliance with the requirements of the Uniform Fire Safety Act.

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

ORDINANCE NO. 18-31 – An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by removing handicapped parking zones on Anelve Avenue and Cookman Avenue - First Reading

Explanatory Statement: This ordinance authorizes the removal of existing handicapped parking stalls adjacent to 101 Anelve Avenue and 77 Cookman Avenue.

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

The Public Hearing on Ordinances 18-30 and 18-31 will be held on Monday, October 22, 2018

CONSENT AGENDA

Res. # 18-344 – Authorize an amendment to the 2018 municipal budget to realize monies from the Monmouth County Office on Aging.

Res. # 18-345 – Authorize submission of a grant application and execution of a grant contract with the New Jersey Department of Transportation for the Improvements to North Riverside Drive project.

Res. # 18-346 – Authorize the cancellation of taxes as a result of the granting on a totally disabled veterans exemption (116 Robin Road).

Res. # 18-347 – Authorize Change Order #2 (final) in connection with improvements to Loffredo Field.

Res. # 18-348 – Authorize the refund of a summer dockage deposit.

Res. # 18-349 – Employ Special Law Enforcement Officer – Class II in the Police Department on a part-time basis.

Res. # 18-350 – Authorize the purchase of office furniture through the State Cooperative Purchasing Program.

Res. # 18-351 – Authorize the purchase of Toughbook tablets and vehicle docks through the State Cooperative Purchasing Program.

Res. # 18-352 – Authorize Settlement in the matter of Township of Neptune v. Evelyn Stumpf, John Wherle and Stumpy's Sales and Service, Inc. et als.

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

Res. # 18-353 – Extend offer of employment for the position of Engineering Technician.

Offered by: _____ Seconded by: _____

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

Res. # 18-354 – Authorize the payment of bills.

Offered by: _____ Seconded by: _____

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

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. 18-30

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XV, OF THE
CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED
"UNIFORM FIRE SAFETY ACT ENFORCING AGENCY"

WHEREAS, the Board of Fire Commissioners of Neptune Township Fire District #1 and Fire District #2 each have recommended that the ordinance setting forth the provisions of the Uniform Fire Safety Act Enforcing Agency be amended to comply with the requirements of the Uniform Fire Safety Act,

THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, as follows:

SECTION 1

Chapter XV – Uniform Fire Safety Act Enforcing Agency, be and is hereby amended in its entirety to read as follows:

15-1 UNIFORM FIRE SAFETY ACT ENFORCING AGENCY.

15-1.1 Purpose; Statutory Authorization.

The Uniform Fire Safety Act, N.J.S.A. 52:27D-192 et seq. (P.L. 1983, c. 383) was enacted for the purpose of establishing a system for the enforcement of minimum fire safety standards throughout the State of New Jersey.

The Uniform Fire Safety Act authorizes municipalities to provide for local enforcement and to establish local enforcement agencies for that purpose.

It is in the best interest of the Township to have the Uniform Fire Safety Act enforced locally.

The Board of Fire Commissioners of Fire District No. 1 and 2 have agreed to the plan, which is set forth herein, for the administration and enforcement of the Uniform Fire Code, N.J.A.C. 5:70 et seq. as amended.

15-1.2 Local Enforcement.

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983 c. 383), the New Jersey Uniform Fire Code and all standards adopted herein shall be enforced locally within the established limits of Fire District No. 1 and 2 in the Township of Neptune.

15-1.3 Agency Designation.

The Local Enforcing Agency shall be the Bureau of Fire Prevention specific to Fire District lines as defined below:

a. Neptune Fire District No. 1, which will enforce the Code (each) within the limits of the fire district which are all that portion of the Township which lies to the west of the center line of Main Street (Route 71).

b. Neptune Fire District No. 2, within the limits of the Fire District which is known as Ocean Grove and is bordered on the west by the center line of State Highway Route 71, on the

south by the Borough of Bradley Beach, on the north by Wesley Lake, and on the east by the Atlantic Ocean.

15-1.4 Duties.

The Local Enforcement Agency shall enforce the Uniform Fire Safety Act and the codes and regulations adopted under it and herein adopted in all buildings, structures and premises within the established boundaries of Fire District No. 1 and 2 other than owner-occupied one- and two-family dwellings, and shall faithfully comply with the requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

15-1.5 Life Hazard Uses.

The Local Enforcing Agencies established by Section 15-1.3 shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs.

15-1.6 Organization

- a. The Local Enforcing Agencies established by Section 15-1.3 shall establish a Bureau of Fire Prevention, which shall be staffed by a Fire Official and such other permanent, temporary, full-time and/or part-time inspectors and staff as the Local Enforcing Agency deems appropriate.
- b. The Local Enforcing Agencies shall provide such supplies, equipment, machinery, and vehicles as it deems appropriate to carry out the requirements of this section.

15-1.7 Appointments; Supervision; Duties; Removal.

- a. *Appointment and Supervision.*
 1. The Fire Official of Fire Prevention shall be appointed by and shall answer directly to the Board of Fire Commissioners of the local enforcing agency.
 2. Inspectors and staff shall be appointed by the Board of Fire Commissioners of the local enforcing agency and shall be under the supervision of the Fire Official.
- b. *Duties.*
 1. The Fire Official's duties shall be those adopted by N.J.A.C. 5:71-3.3(a) and shall include supervision of the Bureau of Fire Prevention including inspectors and staff, making inspections required by this section, reporting to the Board of Fire Commissioners of Fire District No. 1 on a regular basis or as more often required by the Board of Fire Commissioners, keeping records and making such written reports as may be required by law or the Board of Fire Commissioners, and such other duties as may be assigned by the Board of Fire Commissioners.
 2. Inspectors' duties shall be in accordance with N.J.A.C. 5:71-3.3(c) and shall include to make inspections and reports and to perform such other duties as may be assigned by the Fire Official of Fire Prevention.
 3. Staff duties shall include such clerical, administrative, and office duties and such other duties as may be assigned by the Fire Official of Fire Prevention.

c. *Term of Office and Removal.*

1. Temporary or Part-Time Position. All temporary or part-time employees shall serve at the pleasure of the Board of Fire Commissioners. Either hiring for less than an eight (8) hour work day or employment which does not exceed three hundred sixty-four (364) consecutive days shall be considered temporary or part-time.
2. Permanent Position.
 - (a) Appointment to any permanent position shall for an initial probationary period of one (1) year during which period the employee may be discharged without cause. The Board may in writing waive a probationary period.
 - (b) After completion of probationary period, or after waiver by the Board of the same, an employee of a permanent position may only be disciplined or discharged for cause including but not limited to: failure to perform and/or adequately perform the duties of the position; failure to cooperate with co-employees; failure to maintain a clean, neat and orderly appearance; failure to act in a civil and respectful manner; failure to obey directives of the Board or a superior; failure to report for duty on time; consumption of alcoholic beverage during working hours; being on duty with breath smelling of alcoholic beverage; being under the influence of any intoxicant or mind-altering illegal substance; any violation of any criminal or disorderly persons law; any conduct which may bring embarrassment or disrepute to the Board or which in any manner adversely affects the employee in carrying out the duties of the position; solicitation of or receipt of any gifts, services, gratuities, or payment from any member of the public for any act, omission or forbearance in performance of the duties of the position; any employment not authorized by the Board; such other causes as allowed by law.
 - (c) Discipline may be loss of sick leave and/or vacation time, suspension from employment without pay, termination of employment and such other discipline as allowed by law.

- d. *Salaries; Benefits; Conditions of Employment.* The salaries, benefits and conditions of employment for all positions created under this section shall be determined by the Board of Fire Commissioners of the local enforcing agency as it deems appropriate.

15-1.8 Board of Appeals.

Pursuant to N.J.A.C. 5:70-2.19 of the Uniform Fire Code, any person aggrieved by any order of the Local Enforcement Agency (or agencies) shall have the right to appeal to the Construction Board of Appeals of Monmouth County.

15-1.9 Additional Required Inspections Schedule and Fees.

In addition to the inspection schedule and fee required pursuant to the Act and the regulations of the Department of Community Affairs, the following additional inspections schedule and fees shall be required. All non-life hazard uses shall register and be inspected annually, as follows:

- a. All structures, businesses and activities required to secure a mercantile license in accordance with Chapter IV of the Code of the Township of Neptune and all structures or part thereof occupied by any professional activity or use license or for which a permit is issued by any department, branch, division or agency of the State of New Jersey shall be inspected pursuant to this section prior to issuance of a mercantile license or in the case

of a non-mercantile licensed structure, business or activity as aforesaid, there shall be an annual inspection. The owners and occupants of all structures shall register and be inspected annually and shall within two (2) weeks of a written request supply such information as may be required by the Fire Official of Fire Prevention for the enforcement of this section.

- b. Registration fees under this section shall be fifty-five (\$55.00) dollars for up to two thousand five hundred (2,500) square feet and twenty-five (\$25.00) dollars for each additional two thousand (2,000) square feet or fraction thereof to be inspected. Notwithstanding the aforesaid, a not-for-profit organization shall not be charged an inspection fee greater than fifty-five (\$55.00) dollars for a building which does not have a life hazard use required to be registered under the Uniform Fire Code of the State of New Jersey. The registration fee shall be paid by the occupant of the structure or area to be inspected.
- c. For inspections requested or required to be made during non-regular business hours, in addition to the regular permit and/or application fee, the following fee schedule shall apply:
 - 1. A minimum fee of one hundred (\$100.00) dollars.
 - 2. For each man hour more than two (2) man hours, an additional fifty (\$50.00) dollars per man hour.

"Regular business hours" shall mean the hours the Bureau of Fire Prevention is normally open. A "man hour" shall mean the time up to one (1) hour for one (1) inspector. Any fraction of a man hour shall be considered one (1) man hour.

- d. Permit fees and fire code status fees shall be charged according to the following fee schedule.

1. Type 1 permit	\$ 54.00
2. Type 2 permit	\$214.00
3. Type 3 permit	\$427.00
4. Type 4 permit	\$641.00
5. Fire code status fee	\$ 25.00
- e. The enforcement and penalty provisions which govern life hazard uses (N.J.A.C. 5:70-2.12 Penalties, and N.J.A.C. 5:70-2.12A - Dedicated Penalties), are hereby incorporated herein and any party failing to obtain any inspection required, failing to furnish requested registration information, failing to pay registration fee or failing to comply with any orders issued as a result of such inspection shall be subject to the enforcement and penalty provisions.
- f. False Fire Alarm. A "false fire alarm" shall be defined as either a signal, message or warning transmitted to the Township's Fire Communications central dispatch indicated a fire condition, or the emission of an audible, visual or electronic transmission of any signal, message or warning intended to summon the services of the Township Fire Fighting personnel or apparatus, which signal, message, or warning is activated by a cause other than one for which the transmitting system is specifically designed to respond, at a time when no fire exists. The alarm shall not be considered false if caused by a power or telephone line interruption.

The Fire Official may assess penalties for violations herein as follows:

1. Three false fire alarms within a thirty (30) day period: \$100.00
2. Fourth and subsequent false fire alarms within one (1) calendar year \$200.00 per occurrence, in addition to remedies available within the NJUFC and the UCC.

15-1.10 Adoption of Additional Standards.

- a. In addition to the Uniform Fire Safety Act (P.L. 1983, c. 383), the National Fire Protection Association Code and all amendments and supplements thereto are hereby adopted wherein a higher or more restrictive standard is set forth than in the Uniform Fire Safety Act or where the same supplements the Uniform Fire Safety Act.
- b. In addition, the following are hereby adopted, violation of which shall be subject to the enforcement and penalty provisions of the Uniform Fire Safety Act (P.L. 1983, c. 383) as the same may be amended from time to time.

1. Candles - Open flame burning candle or candles shall not be used, permitted or suffered at any meeting or gathering in any place of assembly or gathering without first obtaining approval of the Bureau of Fire Prevention which shall base such approval or non-approval on whether the proposed open flame burning of candle or candles is to be done in a safe manner and with provision for safety in the event of a mishap.

2. Fire Lanes - All fire lanes shall have a minimum width of twenty-five (25') feet.

3. Open-flame cooking devices and outdoor fireplaces- Any portable device designed to cook, using charcoal, wood, ignitable liquid, liquefied-petroleum, and/or natural gas or any portable device designed or used to cook, that produces an open flame upon ignition or under cooking conditions and outdoor fireplaces shall not be stored or used:

- a) On any porch, balcony or any other portion of a building;
- b) Within any room or space of a building;
- c) Within five (5) feet of any combustible construction;
- d) Within five (5) feet vertically or horizontally, of an opening in any wall; or
- e) Under any building overhang

When the device is in use, it must always be attended to. One and two-family dwellings shall be included in the enforcement of this provision.

4. Opening Burning, recreational fires and portable outdoor fireplaces - A person shall not kindle or maintain or authorize to be kindled or maintained any *open burning* unless conducted and approved in accordance with the provisions of the Uniform Fire Code and/or the State Forest Fire Service.

- (a) Open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous.

- (b) Opening burning shall be allowed without prior notification to the fire official for recreational fires provided the following requirements are met:

1. Must be in an approved container with an ember-suppressing lid

2. Use of only clean dry wood: no brush, leaves, trash, treated or wet wood.
 3. Do not use any flammable liquids to ignite the fire.
 4. Approved containers must be a minimum of 15 feet away from any combustibles: not on decks or near structures
 5. Must always be attended to
 6. Must have a means to extinguish the fire. Garden hose stretched and/or a working portable fire extinguisher
 7. If complaints are received, and the above conditions are not met, the Local Enforcing Agency will require that the fire be extinguished immediately.
 8. If multiple calls to an address are received and the above is not abided by, a citation with possible fines will be issued.
5. Secured Key Access - Neptune Township Emergency Services utilize the Knox Rapid Access System.
- (a) Key Box Access System Required - All buildings except one and two family homes which have a Fire Alarm System or a fire suppression system or when access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes are required to have a key box access system (Knox Box) at an entry location to be approved by the Fire Code Official.
 - (b) Key Box Contents - The key box shall contain: 1) Keys to locked points of egress whether on the interior or exterior of the building. 2) Keys to locked mechanical rooms, fire alarm/sprinkler control rooms, electrical rooms and elevator controls. 3) Keys to other secured areas as required by the Fire Code Official.
 - (c) The operator of the building shall immediately notify the Fire Code Official and provide the new key where a lock is changed or rekeyed. The key to such lock shall be secured in the Knox Box.

All standards adopted in paragraphs a. and b. above shall be enforced and carry the same penalties as set forth in the Uniform Fire Safety Act (P.L. 1983, c. 383).

SECTION 2.

That all ordinances or parts of ordinances of the Township of Neptune, in conflict or inconsistent with this ordinance, are hereby repealed, but only, however, to the extent of such conflict or inconsistency; it being the legislative intent that all other ordinances, or parts of ordinances, now existing and in effect, unless the same be in conflict or inconsistent with any of the provisions of this ordinance, shall remain in full force and effect.

SECTION 3.

This ordinance shall become effective immediately upon its adoption and publication according to law.

APPROVED ON FIRST READING:

APPROVED, PASSED AND ADOPTED:

ATTEST:

Richard J. Cuttrel,
Municipal Clerk

Nicholas Williams,
Mayor

ORDINANCE NO. 18-31

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY REMOVING HANDICAPPED PARKING ZONES ON ANELVE AVENUE AND COOKMAN 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 7-21.1 – Handicapped Parking on Street, is hereby amended by *removing* the following:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Anelve Avenue	1	East side of Anelve Avenue beginning 60 feet north of the southeast intersection of Anelve Avenue and Monroe Avenue.

SECTION 2

Volume I, Chapter VII, Section 7-21.1 – Handicapped Parking on Street for Private Residences, is hereby amended by *removing* the following:

Cookman Avenue	1	North side of Cookman Avenue beginning 25 feet east of the northeast intersection of Cookman Avenue and New York Avenue
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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

Nicholas Williams,
Mayor

RESOLUTION #18-344 - 10/4/18

AUTHORIZE AN AMENDMENT TO THE 2018 MUNICIPAL BUDGET TO REALIZE
MONIES FROM THE MONMOUTH COUNTY OFFICE ON AGING

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 addition of an item of revenue in the budget for the year 2018 in the sum of \$10,000.00 which is now available from the Monmouth County Office on Aging FY19 Title IIIB Older Americans Act grant in the additional amount of \$10,000.00; and,

BE IT FURTHER RESOLVED that the like additional sum of \$10,000.00 is hereby appropriated under the caption of Senior Citizens Program – Title III; and,

BE IF FURTHER RESOLVED, that the above is the result of additional funds from the Monmouth County Office on Aging FY19 Title IIIB funding Older Americans Act grant in the amount of \$10,000.00; 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:

Brantley:
Lane:
McMillan:
Rizzo:
Williams:

RESOLUTION #18-345 - 10/4/18

AUTHORIZE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENTS TO NORTH RIVERSIDE DRIVE PROJECT

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune formally approves the grant application for the above stated project; and,

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2019-Improvements to North Riverside Drive-00503 to the New Jersey Department of Transportation on behalf of the Township of Neptune; and,

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Neptune and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement; and,

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

Certified as a true copy of the Resolution adopted by the Neptune Township Committee on this 4th day of October, 2018

Richard J. Cuttrell, Municipal Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Richard J. Cuttrell,
Municipal Clerk

Nicholas Williams,
Mayor

RESOLUTION #18-346 – 10/4/18

AUTHORIZE THE CANCELLATION OF TAXES AS A RESULT OF THE
GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION
(116 ROBIN ROAD)

WHEREAS, the property known as Block 802, Lot 29, with an address of 116 Robin Road, assessed to Melvin A. & Jean V. Hood is eligible for a Totally Disabled Veteran Exemption effective September 26, 2018; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against this property effective September 26, 2018 and refund same to the owner of record in accordance with N.J.S.A. 54:4-3.32; and,

WHEREAS, the amounts to be cancelled and refunded are as follows:

YEAR	AMOUNT TO CANCEL	AMOUNT TO REFUND
2018	\$ 2,342.40	\$ 98.87

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

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

RESOLUTION #18-347 - 10/4/18

AUTHORIZE CHANGE ORDER #2 (FINAL) IN CONNECTION WITH
IMPROVEMENTS TO LOFFREDO FIELD

WHEREAS, on April 9, 2018, a contract was awarded to Precise Construction in the amount of \$442,835.00 in connection with Improvements to Loffredo Field; and,

WHEREAS, on September 10, 2018, the Township Committee adopted Resolution #18-306, to authorize Change Order #1 which increased the contract amount by \$6,127.00; and,

WHEREAS, a change to the contract has been experienced as a result of final as-built quantities; and,

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

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 (final) in the contract with Precise Construction in connection with Improvements to Loffredo Field resulting in a net decrease of \$20,821.50 revising the total contract amount to \$428,140.50; and,

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

RESOLUTION #18-348 – 10/4/18

AUTHORIZE THE REFUND OF A SUMMER DOCKAGE DEPOSIT

WHEREAS, Karol Kulik made payment to the Municipal Marina for a 2018 summer dockage deposit in the amount of \$833.50; and,

WHEREAS, due to unforeseen personal circumstances, Ms. Kulik was not able to pay the summer dockage fee and utilize the boat slip; and,

WHEREAS, the slip was been leased to another tenant for the remainder of the season and the Harbor Master recommends that the deposit be refunded to Ms. Kulik,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the Harbor Master be and hereby is authorized to refund a summer dockage deposit in the amount of \$833.50 to Karol Kulik 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.

RESOLUTION #18-349 - 10/4/18

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

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

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

WHEREAS, the Chief of Police and Police Committee have made their recommendations; and,

WHEREAS, funds for this purpose are available in the 2018 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 Vincent Zenna be and is hereby employed as a part-time Special Law Enforcement Officer - Class II, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, at an hourly rate of \$20.50, effective immediately; and,

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

RESOLUTION #18-350 - 10/4/18

AUTHORIZE THE PURCHASE OF OFFICE FURNITURE
THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Police Department is in need of workstations and furniture for office renovations through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; 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, Trendway c/o Arenson Office Furniture has been awarded New Jersey State Contract No. A81642 for this equipment; and,

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

WHEREAS, the cost of this equipment shall not exceed \$38,505.15; and,

WHEREAS, funds for this purpose are available in Ordinance No. 18-18 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 purchase of workstations and furniture for office renovations in the Police Department through New Jersey Cooperative Purchasing Program Contract No. A81642 be and is hereby authorized at an amount not to exceed \$38,505.15; 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 Auditor.

RESOLUTION #18-351 - 10/4/18

AUTHORIZE THE PURCHASE OF TOUGHBOOK TABLETS AND VEHICLE DOCKS
THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Office of Emergency Management is in need of four Toughbook tablets and vehicle docks through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; 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, Telrepcos has been awarded New Jersey State Contract No. A89980 for this equipment; and,

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

WHEREAS, the cost of this equipment shall not exceed \$23,960.00; and,

WHEREAS, funds for this purpose are available in Ordinance No. 17-31 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 purchase of four Toughbook tablets and vehicle docks for the Office of Emergency Management through New Jersey Cooperative Purchasing Program Contract No. A89980 be and is hereby authorized at an amount not to exceed \$23,960.00; and,

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

RESOLUTION #18-352 – 10/4/18

AUTHORIZE SETTLEMENT IN THE MATTER OF TOWNSHIP OF NEPTUNE V. EVELYN STUMPF, JOHN WHERLE AND STUMPY'S SALES AND SERVICE, INC., ET ALS.

WHEREAS, the governing body of the Township of Neptune previously authorized legal action by Neptune Township through its Municipal Attorney, Gene J. Anthony, Esq., against Evelyn Stumpf, John Wherle and Stumpy's Sales and Service, Inc., with regard to zoning violations, and as a result a lawsuit was filed by Neptune Township in the Superior Court of New Jersey, Chancery Division, Monmouth County on July 22, 2016, under Docket No. C-125-16, addressing issues of Nonconforming Structures and Nonconforming Uses; and

WHEREAS, Defendants filed Third Party Complaints against Neptune Township employee, George Waterman and Monroe and Susan Boyce, Mac's Bait and Tackle and Mac's Shark River Tackle, and filed a Counterclaim against Neptune Township; and

WHEREAS, all parties have reached an amicable settlement by Release and Stipulation of Settlement and Dismissal with Prejudice addressing all claims by all parties without further litigation.

THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, that the governing body hereby authorizes a Stipulation of Settlement and Dismissal with Prejudice filed with the Court on October 3, 2018, a true copy of which is on file in the Office of the Municipal Clerk, which includes limitations on Nonconforming Uses and Nonconforming Structures and requirement for an application before the Planning Board to address traffic circulation and ingress and egress on the subject site and in consideration for \$10,000.00; and,

BE IT FURTHER RESOLVED, that the attached Stipulation of Settlement and Dismissal with Prejudice includes future obligations and duties to be undertaken by the Defendants and may be enforceable by any compliant party, and all monetary consideration is based on the consideration of the appropriate insurance carrier involved in this matter; and,

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

RESOLUTION #18-353 - 10/4/18

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION
OF ENGINEERING TECHNICIAN

WHEREAS, there is a vacancy in the position of Engineering Technician in the Engineering Department; and,

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

WHEREAS, the Human Resources Director and Township Engineer have made a recommendation; and,

WHEREAS, funds will be provided in the 2018 municipal budget in the appropriation entitled Engineering Services 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 an offer of employment be and is hereby extended to _____ for the position of Engineering Technician in the Engineering Department, 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 October 15, 2018, at an annual salary of \$42,000.00; and,

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

RESOLUTION #18-354 – 10/4/18

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	288,183.04
GRANT FUND	64,124.94
TRUST FUND	35,640.26
GENERAL CAPITAL FUND	68,558.36
SEWER OPERATING FUND	956,539.43
MARINA OPERATING FUND	10,521.02
DOG TRUST	112.20
LIBRARY TRUST	2,064.56
BILL LIST TOTAL	\$1,425,743.81

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