

TOWNSHIP COMMITTEE WORKSHOP MEETING – SEPTEMBER 14, 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. Cuttrel, 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, a revised notice published in the Coaster on September 3, 2015 and the Asbury Park Press on August 29, 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 – West Lake Avenue Redevelopment.
2. Discussion – Draft ordinance regarding revocable License Agreements. (PW)
3. Discussion – Draft amendment to Vacant and Abandoned Property Ordinance. (PW)
4. Review Committee calendars/update on outstanding issues and capital items.
- Various on-going capital improvement projects.

Res. # 15-366 – 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 – SEPTEMBER 14, 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, a revised notice published in the Coaster on September 3, 2015 and the Asbury Park Press on August 29, 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 August 24th.

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 Loffredo Fields”.

Res. # 15-367 – Authorize application to the Monmouth County Municipal Open Space Program.

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

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. 15-39 – An ordinance to amend Volume I, Chapter VIII of the Code of the Township of Neptune by adding Section 8-11, entitled, “Prohibition of Unregistered Vehicles in Parking Yards and Parking Places” - Final Reading

Explanatory Statement: This ordinance prohibits the parking of a motor vehicle which is unregistered or has a suspended registration in any parking lot, parking place or location, which is open to the public or to which the public is invited.

Public Hearing:

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 15-40 – Bond Ordinance providing for Sunshine Village Park improvements, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$480,000 therefor (including a \$232,000 Monmouth County Open Space Grant) and authorizing the issuance of \$235,600 bonds or notes of the Township to finance part of the cost thereof - Final Reading

Explanatory Statement: The Bond Ordinance authorizes an appropriation of \$480,000, including a \$232,000 County Open Space Grant, for improvements to Sunshine Village Park, including, but not be limited to, placement of new parks equipment and construction of a new running/walking track facility.

Public Hearing:

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 15-41 – An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding resident handicapped on-street parking zones on New Jersey Avenue, Heck Avenue, and Beach Avenue and removing a handicapped parking zone on Broadway - First Reading

Explanatory Statement: This ordinance authorizes the installation of resident only handicapped parking zones on New Jersey Avenue adjacent to 102 Broadway and in front of 126 Heck Avenue and 45 Beach Avenue and the removal of a zone in front of 102 Broadway.

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 15-42 – An ordinance to amend and supplement Volume I, Chapter IV, Section 4-29 of the Code of the Township of Neptune entitled Dealers of Precious Metals and other Second Hand Goods - First Reading

Explanatory Statement: This ordinance amends the regulations and registration requirements for dealers of precious metals and second hand goods.

Offered by:_____ Seconded by:_____

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

The Public Hearings on Ordinances 15-41 and 15-42 will be held on Monday, September 28th.

CONSENT AGENDA

Res. # 15-368 – Appoint member to the Neptune Township Housing Authority.

Res. # 15-369 – Authorize the endorsement of the tax sale certificate affecting Block 8000, Lot 31 (304 Michelle Court).

Res. # 15-370 – Place lien on various properties.

Res. # 15-371 – Reclassify Drivers to permanent full-time status in the Department of Public Works.

Res. # 15-372 – Release all surety bonds and developer's escrow for improvements to Ocean Pathway Condominiums (30 Ocean Pathway).

Res. # 15-373 – Authorize an amendment to the 2015 municipal budget to realize monies from the United States Department of Justice.

Res. # 15-374 – Authorize execution of a Memorandum of Understanding with Coastal Habitat for Humanity for neighborhood revitalization in conjunction with an Aging in Place Rehabilitation Grant.

Res. # 15-375 – Renew liquor license held by ROS Associates, LLC.

Res. # 15-376 – Authorize the refund of taxes as a result of an overpayment.

Res. # 15-377 – Authorize the cancellation of sewer rent.

Res. # 15-378 – Authorize execution of a Treatment Works Application for a sanitary sewer line extension.

Res. # 15-379 – Authorize issuance of Duplicate Tax Sale Certificate.

Res. # 15-380 – Cancel checks outstanding for over ninety days.

Res. # 15-381 – Authorize Change Order #3 in connection with the Shark River Municipal Marina Building.

CONSENT AGENDA Offered by:_____ Seconded by:_____

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

Res. # 15-382 – Support the 2nd annual Pound the Pavement for Purple Run/Walk on October 24th to combat pancreatic cancer.

Offered by: _____ Seconded by: _____

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

Res. # 15-383 – Rescind Resolution #15-358 and award bid to Bird Construction for the reconstruction of Ocean Grove Boardwalk – North End.

Offered by: _____ Seconded by: _____

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

Res. # 15-384 – 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

ORDINANCE NO. 15-41

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING RESIDENT HANDICAPPED ON-STREET PARKING ZONES ON NEW JERSEY AVENUE, HECK AVENUE, AND BEACH AVENUE AND REMOVING A HANDICAPPED PARKING ZONE ON BROADWAY

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:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
New Jersey Avenue	1	East side of New Jersey Avenue beginning 50 feet south of the southeast intersection of New Jersey Avenue and Broadway
Heck Avenue	1	South side of Heck Avenue beginning 30 feet east of the southeast intersection of Heck Avenue and Whitefield Avenue
Beach Avenue	1	West side of Beach Avenue beginning 30 feet north of the northwest intersection of Beach Avenue and Olin Street

SECTION 2

Volume I, Chapter VII, Section 7-21.1 - Handicapped Parking Spaces on Public Roads - Locations Designated, is hereby amended by *deleting* the following:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Broadway	1	South side of Broadway beginning 30 feet east of the southeast intersection of Broadway and New Jersey Avenue

SECTION 3

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrel,
Municipal Clerk

Mary Beth Jahn,
Mayor

TABLED

ORDINANCE NO. 15-42

AN ORDINANCE TO AMEND AND SUPPLEMENT VOLUME I, CHAPTER IV, SECTION 4-29 OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED DEALERS OF PRECIOUS METALS AND OTHER SECOND HAND GOODS

WHEREAS, the purpose and intent of this chapter is to assist law enforcement officials and victims of crime in recovering stolen precious metals and other secondhand goods by requiring minimum identification, reporting, maintenance and distribution criteria for licensed dealers in these goods; and,

WHEREAS, no person shall use, exercise, or carry on the business, trade, or occupation of the buying, selling, or pawning of precious metals or other secondhand goods without complying with the requirements of this chapter in the exact manner described herein.

THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune that Volume I, Chapter IV, Section 4-29 is retitled and amended in its entirety as follows:

4-29 DEALERS OF PRECIOUS METALS AND OTHER SECOND HAND GOODS

4-29.1 Definitions

As used in this chapter, the following terms shall have the meanings indicated:

ACCEPTABLE IDENTIFICATION

A current valid New Jersey driver's license or identification card, a current valid photo driver's license issued by another U.S. state, a valid United States passport, or other verifiable U.S. government issued identification, which will be recorded on the receipt retained by the dealer and subsequently forwarded to the local police department or request.

DEALER

Any person, partnership, limited-liability company, corporation, or other entity who, either wholly or in part, engages in or operates any of the following trades or businesses: the buying for purposes of resale of precious metals, jewelry, or other secondhand goods as defined herein; pawnbrokers as defined herein; itinerant businesses as defined herein. For the purposes of this chapter, transient buyers, as defined herein, are subject to the same licensing and reporting requirements as any other dealers.

ITINERANT BUSINESS

A dealer who conducts business intermittently within the municipality or at varying locations.

PAWNBROKER

Any person, partnership, association or corporation lending money on deposit or pledge of personal property, other than choses in action, securities, or printed evidences of indebtedness; purchasing personal property on condition of selling it back at a stipulated price; or doing business as furniture storage warehousemen and lending money on goods, wares or merchandise pledged or deposited as collateral security.

PRECIOUS METALS

Gold, silver, platinum, palladium, and their alloys as defined in N.J.S.A. 51:5-1 et seq. and 51:6-1 et seq.

PUBLIC

Individuals and retail sellers, not to include wholesale transactions or transactions between other merchants.

REPORTABLE TRANSACTION

Every transaction conducted between a dealer and a member of the public in which precious metals, jewelry, or any other secondhand goods as defined herein are purchased or pawned.

SECONDHAND GOODS

Used goods such as antiques, gold, silver, platinum, or other precious metals, jewelry, coins, gemstones, gift cards, any tools, telephones, typewriters, word processors, GPS devices, computers, computer hardware and software, television sets, radios, record or stereo sets, electronic devices, musical instruments, sporting goods, automotive equipment, collectibles, game cartridges, DVDs, CDs, and other electronically recorded material, firearms, cameras and camera equipment, video equipment, furniture, clothing, and other valuable articles. For the purposes of this chapter, secondhand goods shall not include goods transacted in the following manner: i) judicial sales or sales by executors or administrators; ii) occasional or auction sales of household goods sold from private homes; iii) auctions of real estate; iv) the occasional sale, purchase, or exchange of coins or stamps by a person at his permanent residence or in any municipally owned building who is engaged in the hobby of collecting coins or stamps and who does not solicit the sale, purchase, or exchange of such coins or stamps to or from the general public by billboard, sign, handbill, newspaper, magazine, radio, television, or other form of printed or electronic advertising.

SELLER

A member of the public who sells or pawns used goods such as precious metal, jewelry, or other secondhand goods to a dealer.

TRANSIENT BUYER

A dealer, as defined herein, who has not been in a registered retail business continuously for at least six months at any address in the municipality where the dealer is required to register or who intends to close out or discontinue all retail business within six months.

4-29.2 License requirement for dealers.

A. No person, partnership, limited-liability company, corporation, or other entity shall engage in the business of buying, selling, or pawning of precious metals or other secondhand goods, as defined above, within the jurisdiction of the municipality, without having first obtained a license therefor from the Township Mercantile Officer, which license shall bear a number issued by the Township Mercantile Officer.

B. The application for a license to the Township Mercantile Officer shall set forth the name, date of birth, and address of the dealer, whether or not he or she is a citizen of the United States, and whether or not he or she has ever been convicted of any crime(s), disorderly persons offense(s), or municipal ordinance violation(s), and the date(s) thereof.

C. Advertising in any print or electronic media or by sign that any of those articles or secondhand goods referred to in Chapter 4-29.1 above are being bought in any location within the municipality shall constitute engaging in business as a dealer of secondhand goods for purposes of this chapter. No person, partnership, limited-liability company, corporation or other entity shall place or cause to be placed any advertisement for purchase of such articles or goods without stating in the advertising the license number issued to a person or entity by the municipality. In any print advertisement, the license number shall appear in type no smaller than eight-point in the lower-right-hand corner of the advertisement. In any advertisement in electronic media, the license number shall be visually or audibly stated. Failure to state or indicate the license number shall be a violation of this chapter and shall be subject to the penalties established in Chapter 4-29.8.

D. Licensees may not operate at any location other than site specified in the license. Licensees operating at multiple locations must have each location separately licensed. Each location must be permanent. Itinerant businesses and transient buyers, as defined in Chapter 4-29.1 above, are not eligible for licensure and are prohibited from operating in the Township.

4-29.3 Application process for dealers; approval or denial.

A. Upon receipt of an application completed pursuant to this chapter, the Township Mercantile Officer shall refer such application to the Chief of Police, who shall make an investigation of the prospective licensee, pursuant to this chapter for the purpose of determining the suitability of the applicant for licensing. The investigation shall include, but shall not be limited to, the following:

(1) The experience of the applicant in the business of purchase and sale of those articles or goods referred to in Chapter 4-29.1 above, although nothing in this section shall be construed to warrant denial of a license solely on the basis of lack of experience.

(2) The reputation of the applicant for fair dealing in the community, which shall be made among credible sources, which sources shall be disclosed to the applicant in the event of a denial of any license.

(3) Any criminal record of the applicant including any past convictions for any crime(s), disorderly persons offense(s), or municipal ordinance violation(s) within this or any other jurisdiction. The Chief of Police shall, as part of the initial application process and annual renewals, require fingerprint criminal background checks through the Federal Bureau of Investigation, Criminal Justice Information Services Division, for the applicant and all owners and employees, which may require payment of additional fees by the applicant.

(4) The type of operation contemplated to be conducted by the applicant, particularly whether the business is to be operated from a fixed location, whether it is to be conducted from a location primarily devoted to the purchase and sale of precious metal or other secondhand goods, and other factors bearing on whether the licensed business will be of a fixed and permanent nature.

B. The Chief of Police shall complete any investigation pursuant to this chapter within 30 days of the submission of the application to the Township Mercantile Officer, fully completed by the applicant. If a criminal record check has been requested within the thirty-day period and has not been received by the Chief of Police within that period, the Chief of Police may, if all other factors are satisfactory, recommend a conditional issuance of the license subject to the finding regarding criminal record.

C. The Chief of Police shall, upon completion of the investigation, recommend "grant" or "denial" of the license to the Township Mercantile Officer, who shall grant or deny the license. Any recommendation of the Chief of Police shall be in writing and, in the case of a recommendation of denial, shall state fully and specifically the reasons for said recommendation. If the Township Mercantile Officer accepts the recommendation of the Chief of Police to deny any license, the applicant shall be notified in writing within 10 days of such denial and the Clerk shall forward to the applicant a statement of the reason or reasons for such denial.

D. Grounds for recommending denial of license may include reliable information indicating that the applicant has in the past engaged in fraudulent or deceptive business practices in a business identical to or similar to a dealer in secondhand goods. A license may be denied if the investigation reveals a conviction of the applicant or any of its principal officers or employees of any crime(s), disorderly persons offense(s) in which deceit or misrepresentation is an element; or any conviction of any crime(s), disorderly persons offense involving theft or the receiving of stolen goods, regardless of whether the applicant was a principal, accessory before the fact, after the fact, or a co-conspirator; or any prior municipal ordinance violation(s) by the applicant or any of its principal officers or employees in this or any other jurisdiction. A license may be denied if the applicant fails to demonstrate an ability to satisfactorily comply with the electronic reporting requirements specified in Chapter 4-29.4, the retention and inspection requirements of Chapter 4-29.5, or any other portion of this chapter. Upon receipt of the recommendation of the Chief of Police, the Township Mercantile Officer shall issue or deny the license accordingly, contingent upon the receipt of a bond as required by Chapter 4-29.6 of this chapter.

E. Whenever any application for a permit is denied, the applicant shall be entitled to a hearing before the Police Director at which time the applicant shall be permitted to introduce such evidence as may be deemed relevant to such denial. Any applicant exercising the right to

appeal must file a written notice of appeal within 10 days of receiving written notice of denial of a license to act as a dealer of secondhand goods.

F. No license shall be assignable by the dealer.

4-29.4 Identification of seller; recordkeeping requirements for dealers.

For every reportable transaction between a dealer and the public, the dealer shall be required to do as follows:

A. Require of each person selling or pawning precious metals or other secondhand goods acceptable identification as defined above in Chapter 4-29.1.

B. Require each seller to execute a "declaration of ownership," which shall contain the following certification: "My signature confirms that I am the sole legal owner of and am legally authorized to sell the goods being sold. By signing below I certify that I did not obtain and do not possess the identified goods through unlawful means. I am the full age of eighteen years and the identification presented is valid and correct."

C. Record and issue to each person selling or pawning such goods on a sequentially numbered receipt:

(1) The name, address, and telephone number of the purchaser, including the clerk or employee of the licensee making the purchase;

(2) The name, address, date of birth, and telephone number of the seller or sellers;

(3) A photographed recording of the seller in a format acceptable to the Chief of Police, along with a physical description of the seller, including height and weight (approximate), hair color, eye color, facial hair, if any, etc.;

(4) A photographed recording of the seller's presented acceptable identification, as set forth in Chapter 4-29.1, in a format acceptable by the Chief of Police;

(5) A photographed recording of all items sold in a format acceptable by the Chief of Police. When photographing, all items must be positioned in a manner that makes them readily and easily identifiable. Items should not be grouped together when photographing or imaging. Each item should have its own photograph;

(6) The receipt number;

(7) A detailed, legible description of the item(s) and the manufacturer and model of the item(s) if known; in the case of jewelry, the descriptions must include style, length, color, design, and stones, if any; any identifying marks, including numbers, dates, sizes, shapes, initials, names, monograms, social security numbers engraved thereon, serial numbers, series numbers, or any other information, which sets apart the particular object from others of like kind;

(8) The price paid for the purchase or pawn of the item(s);

(9) If precious metals, the net weight in terms of pounds Troy, pennyweight (Troy) or kilograms/grams; fineness in terms of karats for gold, and sterling or coin for silver, in accordance with N.J.S.A. 51:5-1 and 51:6-1 et seq.;

(10) The time and date of the transaction.

D. The information outlined in Subsection C above must additionally be electronically documented through the use of an electronic database system authorized by the Chief of Police. Installation and training in this software will be made mandatory as of the effective date of this chapter and licensing will be conditional upon compliance with proper use of the system as described herein. These records shall be subject to the inspection of any authorized police officer or any sworn law enforcement officer acting in the performance of his or her duty as set forth in Subsection E below. Through the use of applicably required computer equipment, and using the electronic format approved by the Chief of Police, every dealer shall enter all reportable transactions into the electronic database by the end of the close of business on the same date as the purchase or receipt of property for pawn or consignment. The information entered must contain all pertinent information outlined in Subsection C above.

E. In the event of a database failure, or dealer's computer equipment malfunction, all transaction information is required to be submitted on paper forms approved by the Chief of Police within 24 hours from the date of purchase. In the event that paper forms are used, the dealer is responsible to enter all transaction information set forth in Subsection C above into the database as soon as possible upon the dealer's equipment being repaired or replaced, or the database coming back into service. Failure by the dealer to properly maintain computer equipment in a reasonable fashion, or failure by the dealer to replace faulty computer equipment, may result in the dealer being cited for a violation of this chapter and subsequently being subject to the penalties for doing so including revocation of the dealer's license as described in Chapter 4-29.5.

F. It shall be the requisite duty of every dealer, and of every person in the dealer's employ, to admit to the premises during business hours any member of the Police Department to examine any database, book, ledger, or any other record on the premises relating to the reportable transactions of precious metals or other secondhand goods, as well as the articles purchased or received and, where necessary, relinquish custody of those articles as provided in Chapter 4-29.5.

4-29.5 Retention; revocation; other restrictions.

A. All precious metals, jewelry, and other secondhand goods purchased, received for pawn, or received for consignment as described above, are to be made available for inspection by the Chief of Police or designee thereof at the designated business address for a period of at least 15 calendar days from the date the transaction information is actually reported to the Chief of Police in the approved manner described above in Chapter 4-29.4. All precious metal or other secondhand goods subject to inspection must remain in the same condition as when purchased or received for pawn and shall not be sold, disposed of, changed, modified, or melted by the dealer until the fifteen-day retention period has expired. Itinerant businesses and transient buyers will be responsible for notifying the Chief of Police of the location where the purchased item(s) are being held.

B. Upon probable cause that goods held by a dealer are stolen, and providing that the seller signed the mandatory statement required by Chapter 4-29.4B upon the sale of those goods, a

law enforcement officer with jurisdiction should charge the seller with theft by deception under N.J.S.A. 2C:20-4 on behalf of the dealer, who shall be considered the "victim" of the offense for the purposes of N.J.S.A. 2C:43-3. The officer shall seize the goods, provide the dealer with a receipt, and issue a criminal complaint against the seller for theft by deception and any other criminal charges for which the officer has probable cause that the seller has committed. If convicted of theft by deception and if so found by an order of a court of valid jurisdiction, the seller will be responsible for providing restitution to the dealer under N.J.S.A. 2C:44-2 for the amount paid by the dealer to the seller for the stolen goods.

C. In addition to all other reporting requirements, every dealer shall maintain, for at least five years, a paper record of all purchases of precious metals and other secondhand goods in the form prescribed in Chapter 4-29.4C.

D. No dealer shall purchase any item covered by this chapter from any person under the age of 18 or in the absence of providing prior notification of such purchase to the Chief of Police or business designee identifying the individual from whom such purchase is to be made and the item to be purchased.

E. Suspension. The Chief of Police or a designee thereof is hereby empowered to temporarily suspend for cause any dealer's license and rights to operate thereunder. This penalty shall be in addition to any fines and penalties the dealer may incur pursuant to Chapter 4-29.8 of this chapter.

(1) Grounds for suspension. The following shall constitute grounds for suspension: violation of any provisions of this chapter, including failure to comply with any training or fees associated with the electronic database software system in use by the municipality; violation of any other statute, regulation, or local ordinance; or any other illegal, improper, or fraudulent activity.

(2) Procedure for suspension. Upon determination that appropriate grounds exist and that a suspension is warranted, the Chief of Police or a designee thereof shall issue a written notice of suspension of license to the offending dealer and to the Township Mercantile Officer, which shall set forth the grounds for the suspension and notify the dealer of his or her right to appeal pursuant to Subsection G. A temporary suspension shall issue immediately, pending the outcome of any appeal taken. Suspended dealers must immediately cease engaging in the business of purchasing for resale, receiving for pawn, and/or selling of precious metals and/or other secondhand goods in the municipality until reinstatement.

(3) Reinstatement. Suspended dealers may be reinstated only when the grounds leading to the suspension have, in the determination of the Police Director to review the grounds for suspension, been cured, corrected, or appropriately rectified.

F. Revocation. A license issued under this chapter may be revoked by the Township Mercantile Officer upon written recommendation from the Chief of Police or the Chief's designee that the dealer is no longer qualified, capable or competent to comply with the requirements of this chapter. This penalty shall be in addition to any fines and penalties the dealer may incur under Chapter 4-29.8.

(1) Grounds for revocation. The following shall constitute grounds for revocation: a third violation under this chapter; a second violation under this chapter less than one year after an earlier violation under this chapter; conviction for a criminal offense within this or any

jurisdiction; or multiple violations of any other regulations or local ordinances within this or any jurisdiction.

(2) Procedure for revocation. Upon a determination that appropriate grounds exist and that a revocation is warranted, the Chief of Police or the Chief's designee shall so report to the Township Mercantile Officer in writing. A temporary suspension will immediately and automatically issue, if one is not already in effect, pending the outcome of the charge. The Police Director shall review the stated grounds for revocation and shall issue an appropriate disposition of either suspension, revocation, or reinstatement. If it is determined that revocation is the appropriate disposition, the grounds therefor shall be set forth in writing in the form of a notice of revocation, which shall be provided to the dealer. The notice shall advise the dealer of the right to appeal. If determined that suspension is the appropriate disposition, the dealer shall be so notified in writing and shall be advised of the right to appeal. Following revocation, the dealer must relinquish his or her license and must immediately and indefinitely cease operating as a dealer of precious metals or other secondhand goods within the municipality.

G. Appeal. Any applicant wishing to appeal a suspension or revocation shall be entitled to a hearing as provided in Chapter 4-29.3E. Any applicant exercising the right to appeal must file a written notice of appeal within 10 days of receiving written notice of revocation or suspension of license.

H. A dealer shall have the right to change the location of the licensed business, provided that he or she notifies the Township Mercantile Officer, in writing, of the street address of said new location.

4-29.6 Bond.

Each dealer covered under this chapter shall deliver a bond to the Township Mercantile Officer executed by the applicant as principal and executed by a surety company authorized to do business under the laws of the State of New Jersey as surety. The bond shall be subject to review and approval by the Township Attorney, as defined in N.J.S.A. 40A:9-139, and shall be in the penal sum of \$10,000, conditioned for the due and proper observance of and compliance with the provisions and requirements of all ordinances of the municipality in force or which may be adopted respecting the conduct of this business and conditioned also that the bond shall be and remain for the benefit of any person or persons who shall have received judgment against the dealer licensed under this chapter, which damage shall be established by a judgment of a court of proper jurisdiction. Said bond shall contain the following language: "The obligation of this bond shall, in addition to the Township of Neptune, be and remain for the benefit of any person who shall obtain a judgment against obligor as a result of damage sustained in operation pursuant to any license granted under this chapter." Said bond shall be kept for a minimum of one year from the date of issuance of license and must be renewed annually along with the license.

4-29.7 Fees; license term.

A. A nonrefundable fee for initial application and license for a pawnbroker or a dealer in precious metals or other secondhand goods, as covered under this chapter, is \$200. The annual renewal fee for a license is \$100. These fees are separate from and in addition to any fees the dealer must pay in relation to the mandatory electronic database system designated by the

Chief of Police, as provided by Chapter 331-5D. Payments are to be made in the manner directed by the Township Mercantile Officer.

B. Licenses issued pursuant to this chapter are valid for one year, from January 1 through December 31. Initial applications and applications for renewal must be submitted no later than October 1.

4-29.8 Violations and penalties.

Violation of any provision of this chapter by any dealer shall, upon conviction thereof, be punished by a fine not in excess of the limitations of N.J.S.A. 40:49-5 or by a term of imprisonment or a period of community service not exceeding 90 days in addition to a suspension or revocation of operating license as provided in Chapter 4-29.5E and F above. Each and every violation shall be considered a separate violation. Each violation shall result in an additional suspension period. Any person who is found guilty of violating the provisions of this chapter within one year of the date of a previous violation and who was fined for the previous violation may be sentenced by the court to an additional fine as a repeat offender and, in addition, may be subject to revocation proceedings as provided in Chapter 4-29.5F. The additional fine imposed as a repeat offender shall not be less than the minimum or exceed the maximum fine provided herein, and same shall be calculated separately from the fine imposed for the violation of this chapter.

4-29.9 Implementation.

A. Effective January 1, 2016, no existing licensee may continue to operate without having been licensed pursuant to this chapter.

B. Nothing contained in this chapter is intended to replace any preexisting statutory requirements governing pawnbrokers, as in N.J.S.A. 45:22-1 et seq., the sale of precious metals as in N.J.S.A. 51:6A-1 et seq., the sale of secondhand jewelry as in N.J.S.A. 2C:21-36 et seq., or any other statutory provision regarding any subject matter discussed herein.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Mary Beth Jahn,
Mayor

RESOLUTION #15-366 – 9/14/15

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:

Contract negotiations – Sebastian Villa apartments
Personnel – Full-time PSOs, Outreach and Transportation Coordinators at Senior Center and Assessing/Land Use Inspector
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.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 14, 2015



Richard J. Currell, Municipal Clerk

RESOLUTION #15-367 - 9/14/15

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 Loffredo Fields" located at 2375 West Bangs Avenue, also known as Block 816, Lot 17; and,

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

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

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

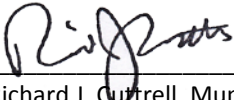
1. Michael J. Bascom, Chief Financial Officer, is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the principal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

CERTIFICATION

I, Richard J. Cuttrell, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Township of Neptune at a meeting held on the 14th day of September, 2015. In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 14th day of September, 2015.

Richard J. Cuttrell,
Municipal Clerk

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 14, 2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-368 - 9/14/15

APPOINT MEMBER TO THE NEPTUNE TOWNSHIP HOUSING AUTHORITY

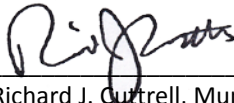
WHEREAS, due to the resignation of Edward Green, a vacancy exists on the Housing Authority,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby appoints Derrick Griggs as a member of the Neptune Township Housing Authority for an unexpired five year term expiring March 31, 2019; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Neptune Township Housing Authority.

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 14, 2015



Richard J. Currell, Municipal Clerk

RESOLUTION #15-369 - 9/14/15

AUTHORIZE THE ENDORSEMENT OF THE TAX SALE CERTIFICATE
AFFECTING BLOCK 8000, LOT 31 (304 MICHELLE COURT)

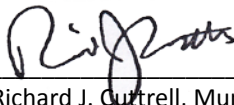
WHEREAS, all the taxes, costs and interest have been paid on the Tax Title Lien Certificate affecting the property listed below,

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 8000, Lot 31 (304 Michelle Court); and,

BE IT FURTHER RESOLVED, that a copy of this resolution and the endorsed Tax Sale Certificate be forwarded to the Tax Collector.

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 14, 2015



Richard J. Currell, Municipal Clerk

RESOLUTION #15-370 - 9/14/15

PLACE LIEN ON VARIOUS PROPERTIES

WHEREAS, Ordinance #843 of the Township of Neptune states that where a violation or condition exists on any property in the Township of Neptune that is of such a nature as to constitute an immediate threat to life, health, safety and the well being of residents in this township unless abated without delay, the Code Enforcement Supervisor may abate the violation or condition immediately or order the owner, operator or occupant to correct the violation or condition within a three-day period; and

WHEREAS, the Code Enforcement Supervisor determined that the condition of the properties listed below constituted such a threat; and,

WHEREAS, the Code Enforcement Supervisor has notified the Township Committee of the Township of Neptune that the owners of said property have failed to correct the condition/violation as ordered; and


WHEREAS, the Code Enforcement Supervisor has had the condition corrected in accordance with Article IV, Section 6.2 (a) of Ordinance #843 at a total cost as indicated below,

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
302/24	10 Vanderbilt Place	902.50
904/20	2005 Stratford Avenue	690.00
4804/7	108 Ivins Road	350.00
601/13	404 Myrtle Avenue	885.00

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 14, 2015


Richard J. Currell, Municipal Clerk

RESOLUTION #15-371 - 9/14/15

RECLASSIFY DRIVERS TO PERMANENT FULL-TIME
STATUS IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, three individuals were hired as Drivers in the Department of Public Works between July 28, 2014 and October 20, 2014; and,

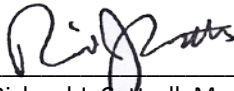
WHEREAS, each has performed his duties in a satisfactory manner and the Public Works Director has recommended that they be reclassified on a permanent full-time basis,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Brandon Moreski, Daniel Theliska, and Matthew Lomerson be and they are hereby reclassified as permanent full-time Drivers 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

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 14, 2015



Richard J. Currell, Municipal Clerk

RESOLUTION #15-372 - 9/14/15

RELEASE ALL SURETY BONDS AND DEVELOPERS ESCROW FOR
IMPROVEMENTS AT OCEAN PATHWAY CONDOMINIUMS (30 OCEAN PATHWAY)

WHEREAS, Jack Green Construction, LLC filed a performance bond written by First Indemnity of America Insurance Company in the amount of \$89,640.00, guaranteeing site improvements for the Ocean Pathway Condominiums located on 30 Ocean Pathway (former Block 24, Lot 482-484); and,

WHEREAS, on August 21, 2015, the Township Engineering Consultant certified that all site work has been completed and said performance bond may be released; and,

WHEREAS, the Township Engineering Consultant also recommends the waiver of the maintenance guarantee because work was completed over two years ago and the improvements have been maintained,

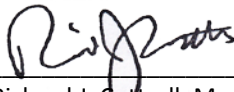
THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the release of the performance bond as stated herein and further authorizes a waiver of the posting of a maintenance guarantee; and,

BE IT FURTHER RESOLVED, that all remaining balances of the cash performance guarantee account and inspection escrow account be and are hereby authorized to be refunded; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 14, 2015



Richard J. Currell, Municipal Clerk

RESOLUTION #15-373 - 9/14/15

AUTHORIZE AN AMENDMENT TO THE 2015 MUNICIPAL BUDGET TO REALIZE
MONIES FROM THE UNITED STATES DEPARTMENT OF JUSTICE

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2015 in the sum of \$20,195.03 which is now available from a United States Department of Justice – Bureau of Justice Assistance Grant in the amount of \$20,195.03; and,

BE IT FURTHER RESOLVED that the like sum of \$20,195.03 is hereby appropriated under the caption of 2015 Bulletproof Vest Partnership Grant; and,


BE IT FURTHER RESOLVED, that the above is the result of funds from the United States Department of Justice – Bureau of Justice Assistance 2015 Bulletproof Vest Partnership Grant in the amount of \$20,195.03; 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:
Brantley:
Houghtaling:
McMillan:
Jahn:

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 14, 2015



Richard J. Currell, Municipal Clerk

RESOLUTION #15-374 - 9/14/15

AUTHORIZE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH COASTAL HABITAT FOR HUMANITY FOR NEIGHBORHOOD REVITALIZATION IN CONJUNCTION WITH AN AGING IN PLACE REHABILITATION GRANT

WHEREAS, the Township of Neptune and Coastal Habitat for Humanity desire to partner in a neighborhood revitalization project utilizing funds from an Aging in Place Rehabilitation Grant and the Township's COAH rehabilitation funds; and,


WHEREAS, under the terms of the Memorandum of Understanding, Coastal Habitat for Humanity will provide develop and submit the grant application, administer the grant, and provide housing rehabilitation services and oversight; and,

WHEREAS, the Township will provide grant administration, municipal services and housing rehabilitation funding,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Memorandum of Understanding with Coastal Habitat for Humanity for neighborhood revitalization utilizing funds through an Aging in Place Rehabilitation Grant and COAH Trust funds on deposit with the Township

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 14, 2015



Richard J. Currell, Municipal Clerk

RESOLUTION #15-375 - 9/14/15

RENEW LIQUOR LICENSE HELD BY ROS ASSOCIATES, LLC

WHEREAS, ROS Associates, LLC is the holder of a retail consumption liquor license that is inactive; and,

WHEREAS, in accordance with State law, ROS Associates, LLC. has petitioned the State of New Jersey Division of Alcoholic Beverage Control to permit the renewal of said inactive license; and,


WHEREAS, the Division of A.B.C. has issued a special ruling, dated August 27, 2015, to authorize the Township of Neptune to consider the application for liquor license renewal filed by ROS Associates, LLC, the holder of an inactive license #1334-32-002-005; and,

WHEREAS, ROS Associates, LLC has applied for renewal of said license for the 2015-2016 license year to continue in in-pocket status,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Liquor License #1334-32-002-005 issued to ROS Associates, LLC be and is hereby renewed for the 2015-2016 licensing year; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control and the License Holder.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 14, 2015



Richard J. Currell, Municipal Clerk

RESOLUTION #15-376 - 9/14/15

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
3903	12	AC I Neptune LLC	3501 Route 66	2013	7,714.60
3903	4	Neptune Park for Industries, INC	3535 Route 66	2013	25,370.35
3903	4	Neptune Park for Industries, INC	3535 Route 66	2011	54,304.62
302	4	114 Atkins Ave, LLC	114 Atkins Ave	2015	930.43
5501	114	Chris Vanderstad	318 Spinnaker Wy	2015	1,867.18
1101	1	Meridian	2100 Wells Ave	2015	3,856.77
1004	11	Meridian	56 N Taylor Ave	2015	1,309.20

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 14, 2015


Richard J. Currell, Municipal Clerk

RESOLUTION #15-377 - 9/14/15

AUTHORIZE THE CANCELLATION OF SEWER RENT

WHEREAS, the Tax Collector has requested the cancellation of sewer rent to the properties 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
5316/1	Douglas & Diane Brophy	114 Fairview Place	2015	230.00


REASON: Disconnected in May, 2015

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
2912/22	John & Carol Mele	401 Old Corlies Ave.	2015	460.00

REASON: Property should be billed as a single family

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 14, 2015



Richard J. Currell, Municipal Clerk

RESOLUTION #15-378 - 9/14/15

AUTHORIZE EXECUTION OF A TREATMENT WORKS APPLICATION FOR
A SANITARY SEWER LINE EXTENSION

WHEREAS, Patrick J. Fasano has submitted a NJDEP Treatment Works Application to construct approximately 552 linear feet of sanitary sewer main and associated laterals to service 32 new townhouses in connection with the Fasano-Gifford residential development located at 774-778 Wayside Road also known as Block 2201, Lots 26 & 27; and,

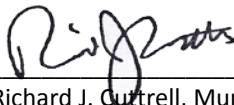
WHEREAS, the Director of Engineering and Planning has reviewed said application and has certified that available capacity exists,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Clerk to execute the Treatment Works Application Statement of Consent for the sanitary sewer extension to service the Fasano-Gifford residential development at 774-778 Wayside Road; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to TNSA along with the Treatment Works Application.

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 14, 2015



Richard J. Currell, Municipal Clerk

RESOLUTION #15-379 - 9/14/15

AUTHORIZE ISSUANCE OF DUPLICATE TAX SALE CERTIFICATE

WHEREAS, Fidelity Tax, LLC previously purchased a Tax Sale Certificate comprising a lien on the following property:

Certificate #	Block/Lot	Address	Property Owner
2006-070	217/474	284 Drummond Avenue	Leggiero, Carolina


WHEREAS, Fidelity Tax, LLC has filed a duly executed affidavit swearing that he is still the lawful owner of said certificate but has lost same; and,

WHEREAS, the Tax Collector has recommended the issuance of a duplicate tax sale certificate pursuant to Chapter 99, P.L. 1997,

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 issue a duplicate tax sale certificate to be marked "Duplicate Certificate" to Fidelity Tax, LLC upon payment of the sum of \$100.00; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 14, 2015



Richard J. Currell, Municipal Clerk

RESOLUTION #15-380 - 9/14/15

CANCEL CHECKS OUTSTANDING FOR OVER NINETY DAYS

WHEREAS, the Finance Department has advised that there are a number of outstanding checks that are over ninety (90) days old; and,


WHEREAS, the cancellation of said checks must be approved by resolution of the Township Committee,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following checks outstanding for greater than ninety (90) days be and are hereby approved for cancellation:

Payroll Account		
CHECK NO.	PAYABLE TO:	AMOUNT
4495	FOP	\$1,040.00
General Account		
CHECK NO.	PAYABLE TO:	AMOUNT
22111	Infomajic	\$ 275.00
22134	NJ Society	80.00
22484	When to Work	315.00
22608	Dany	200.00
22652	Richard Johnson	100.00

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 14, 2015


Richard J. Currell, Municipal Clerk

RESOLUTION #15-381 - 9/14/15

AUTHORIZE CHANGE ORDER #3 IN CONNECTION WITH
THE SHARK RIVER MUNICIPAL MARINA BUILDING

WHEREAS, a contract was awarded to Santorini Construction in the amount of \$2,622,001.00 in connection with the Shark River Municipal Marina Building; and,

WHEREAS, on June 22, 2015, the Township Committee adopted Resolution #15-280 which authorized Change Order #1 resulting in a net increase of \$36,800.00; and,

WHEREAS, on September 14, 2015, the Township Committee adopted Resolution #15-339 which authorized Change Order #2 resulting in a net increase of \$27,603.02; and,

WHEREAS, changes to the contract have been experienced as a result of the need for additional piles, a larger slab, larger/more rebar, extended pile caps, added grade beams, step footings, and haunches due to the need for unanticipated soil excavation because of the discovery of old piles underneath the previous slab; and,

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

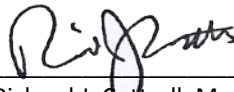
WHEREAS, funds for this purpose are available in Ordinance No. 15-04 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #3 in the contract with Santorini Construction in connection with the Shark River Municipal Marina Building resulting in a net increase of \$208,708.30 revising the total contract amount to \$2,895,112.32; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 14, 2015



Richard J. Currell, Municipal Clerk

RESOLUTION #15-382 - 9/14/15

SUPPORT THE 2nd ANNUAL POUND THE PAVEMENT FOR PURPLE RUN/WALK
ON OCTOBER 24th TO COMBAT PANCREATIC CANCER

WHEREAS, pancreatic cancer is currently the deadliest cancer in our nation, responsible for more than 35,000 deaths each year, and is currently rated as the fourth leading cause of death in the United States; and,

WHEREAS, 73 percent of pancreatic cancer patients will die within the first year of their diagnosis, 94 percent of pancreatic cancer patients will die within the first five years, and there have been no significant improvements in early detection, treatment methods, or survival rates in the past 30 years; and,

WHEREAS, currently there is no cure for pancreatic cancer, and when symptoms present themselves, it is usually too late for optimistic prognosis, with the average life expectancy of those diagnosed at three to six months; and,

WHEREAS, the Township of Neptune and the County of Monmouth are have organized the 2nd Annual Pound the Pavement for Purple 5km Run/2km Walk to benefit The Lustgarten Foundation; and,

WHEREAS, The Lustgarten Foundation is a non-profit organization whose mission is to improve the survival rate of individuals with pancreatic cancer. The Foundation has provided more than \$90 million in research support and in-depth information to patients and their families; and,


WHEREAS, the Run/Walk will be held at Veterans Memorial Park on October 24th; and,

WHEREAS, the Township Committee wishes to convey its support for this event and encourage Neptune Township and Monmouth County residents to participate in this important fund raising event,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby expresses its full support to the 2nd Annual Pound the Pavement for Purple 5km Run/2km Walk event on October 24, 2015 and urges all citizens of the County of Monmouth and the Township of Neptune to participate in this important event which benefits efforts to combat pancreatic cancer.

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 14, 2015



Richard J. Currell, Municipal Clerk

TABLED

RESOLUTION #15-383 - 9/14/15

RESCIND RESOLUTION #15-358 AND AWARD BID TO BIRD CONSTRUCTION FOR THE RECONSTRUCTION OF THE OCEAN GROVE BOARDWALK – NORTH END

WHEREAS, on August 12, 2015, the Township Consulting Engineer received bids for the award of a contract for the Reconstruction of the Ocean Grove Boardwalk – North End; and,

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

WHEREAS, on August 24, 2015, the Township Committee adopted Resolution #15-358 which awarded the bid to Epic Management, Inc. on their base bid of \$609,200.00; and,

WHEREAS, on August 25, 2015, a Bid Protest Letter was received by Bird Construction, the next lowest bidder, which stated that Epic Management, Inc. was non-responsive to the bid specifications due to a failure to submit Responsible Contractor Certifications for its subcontractors as required by the Township’s Responsible Contractor Ordinance; and,

WHEREAS, the Township Attorney has concluded that the bid submitted by Epic Management, Inc. failed to include Responsible Contractor’s Certifications for two subcontractors and is therefore non-responsive to the bid specifications; and,

WHEREAS, the next lowest bid submitted by Bird Construction is deemed to be the lowest responsible bid; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 14-09, as amended by Ordinance No. 14-43, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Resolution #15-358 which awarded a bid to Epic Management, Inc. for Reconstruction of the Ocean Grove Boardwalk – North End be and is hereby rescinded for the reasons stated herein; and,

BE IT FURTHER RESOLVED, that a contract be awarded to Bird Construction on their lowest responsible base bid of \$622,739.00 for Reconstruction of the Ocean Grove Boardwalk – North End; and,

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

RESOLUTION #15-384 – 9/14/15

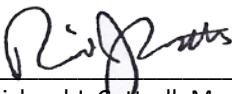
AUTHORIZE THE PAYMENT OF BILLS

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

CURRENT FUND	\$2,022,699.57
FEDERAL & STATE GRANT FUND	48,702.02
TRUST OTHER	32,321.81
GENERAL CAPITAL FUND	2,524,532.59
SEWER OPERATING FUND	157,622.80
SEWER CAPITAL FUND	103,230.47
MARINA OPERATING FUND	98,037.78
MARINA CAPITAL FUND	144,979.23
DOG TRUST	234.60
LIBRARY TRUST	2,079.90
BILL LIST TOTAL	\$5,134,440.77

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 14, 2015



Richard J. Currell, Municipal Clerk