

TOWNSHIP COMMITTEE WORKSHOP MEETING – OCTOBER 26, 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; Edward J. Hudson, Assistant Chief Financial Officer; Gene Anthony, Township Attorney; and Richard J. Cuttrell, Municipal Clerk.

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

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Discussion – 2016 marina fees.

2. Review Committee calendars/update on outstanding issues and capital items.
- Various on-going capital improvement projects.

Res. # 15-419 – 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 – OCTOBER 26, 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; Edward J. Hudson, Assistant Chief Financial Officer; Gene J. Anthony, Township Attorney; and Richard J. Cuttrel, Municipal Clerk.

Silent Prayer and Flag Salute

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

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

PROCLAMATION - CURFEW

The Mayor will announce a proclamation extending curfew hours for minors on October 30th and October 31st. All persons under the age of 18 must be off public streets and places between 9:00 p.m. and 4:00 a.m. unless accompanied by an adult.

PRESENTATION

Mr. Gadaleta will present certificates from the County of Monmouth and FEMA acknowledging the Township's successful participation in the National Flood Insurance Program Community Rating System.

COMMENTS FROM THE DAIS

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

PUBLIC COMMENTS ON RESOLUTIONS

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

ORDINANCES

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

ORDINANCE NO. 15-47 – An ordinance authorizing an agreement for payment in lieu of taxes between Neptune Township and Sebastian-Neptune Urban Renewal, LLC for the ownership, operation, management and rehabilitation of Sebastian Villa Apartments - Final Reading

Explanatory Statement: This ordinance authorizes an agreement for payment in lieu of taxes pursuant to the “Long Term Tax Exemption Law” with the purchaser of the Sebastian Villa Apartments located at 2305 West Bangs Avenue for the purposes of maintaining the apartments as affordable housing and rehabilitating and upgrading said housing.

Public Hearing:

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

ORDINANCE NO. 15-48 – 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 Ocean Pathway and Heck Avenue - First Reading

Explanatory Statement: This ordinance authorizes a Resident Handicapped On-Street Parking zone in front of 3 Ocean Pathway.

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

ORDINANCE NO. 15-49 – An ordinance to amend Section 419 of the Land Development Ordinance of the Township of Neptune entitled Flood Hazard Regulations by amending the architectural design requirements - First Reading

Explanatory Statement: This ordinance further defines the accepted architectural treatments for structures in the flood zone that have been elevated.

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

ORDINANCE NO. 15-50 – An ordinance to amend Volume I, Chapter II, Section 2-41 of the Code of the Township of Neptune by adopting amendments to the Agreement of Charter of the Wesley Lake Commission - First Reading

Explanatory Statement: This ordinance authorizes amendments to certain sections of the Agreement of Charter of the Wesley Lake Commission including Purposes, Representation, and Quorum.

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

ORDINANCE NO. 15-51 – Bond Ordinance providing for Shark River dredging, by and in the Marina Utility of the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$160,000 therefor and authorizing the issuance of \$152,000 bonds or notes of the Township to finance part of the cost thereof - First Reading

Explanatory Statement: This Bond Ordinance authorizes an appropriation of \$160,000 from the Marina utility for the dredging of the Shark River.

Offered by: _____ Seconded by: _____

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

The Public Hearings on Ordinances 15-48 through 15-51 will be held on Monday, November 9th.

CONSENT AGENDA

Res. # 15-420 – Determination of Need from the Township of Neptune to Winding Ridge Family Ventures, LLC Winding Ridge Apartments.

Res. # 15-421 – Place lien on 45 Ridge Avenue.

Res. # 15-422 – Grant Social Affair Permit to Richard S. Bascom Scholarship Fund.

Res. # 15-423 – Grant Social Affair Permit to American Legion Frederick Dempsey Post #266.

Res. # 15-424 – Authorize a reduction in the performance guarantee filed by 1700 Route 33, LLC for site improvements at Foodini (Hawthorne and Corlies Avenues)

Res. # 15-425 – Authorize an amendment to the 2015 municipal budget to realize monies from the U.S. Environmental Protection Agency for Brownfields Hazardous Substances Assessment Program.

Res. # 15-426 – Authorize an amendment to the 2015 municipal budget to realize monies from the U.S. Environmental Protection Agency for Brownfields Petroleum Substances Assessment Program.

Res. # 15-427 – Authorize submission of a grant application and execution of a grant contract with the New Jersey Department of Transportation for improvements to 10th Avenue.

Res. # 15-428 – Authorize a reduction in the performance guarantee filed by Neptune Partners, LLC for site improvements at Signature Place at Neptune (Jumping Brook Road and Route 66).

Res. # 15-429 – Authorize the Township Engineering Consultant to perform environmental assessments on various properties in conjunction with grant awards from the US Environmental Protection Agency.

Res. # 15-430 – Authorize execution of an Off-Site Contribution Agreement with Jersey Shore University Medical Center in connection with off-site improvements necessitated by the construction of the HOPE Tower and parking garage.

Res. # 15-431 – Employ part-time Yard Attendant in the Department of Public Works.

Res. # 15-432 – Employ on-call part-time Customer Service Representative.

Res. # 15-433 – Amend Resolution #15-367 which authorizes application to the Monmouth County Municipal Open Space Program to correct the amount of the total cost of the project.

Res. # 15-434 – Designate 2016 floating holiday.

Res. # 15-435 – Authorize an amendment to the 2015 municipal budget to realize monies from the State Body Armor Replacement Fund.

Res. # 15-436 – Adopt summer dockage rates for the Municipal Marina.

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

Res. # 15-437 – Express position of the Neptune Township Committee regarding the Monmouth County Assessment Demonstration Program (ADP).

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

Res. # 15-438 – 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. 15-48

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 OCEAN PATHWAY AND HECK AVENUE

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

SECTION 1

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

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Ocean Pathway	1	North side of westbound Ocean Pathway beginning 168 feet west of the northwest intersection of Ocean Pathway and Ocean Avenue
Heck Avenue	1	South side of Heck Avenue beginning 82 feet west of the southwest intersection of Heck Avenue and Ocean Avenue

SECTION 2

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Mary Beth Jahn,
Mayor

ORDINANCE NO. 15-49

AN ORDINANCE TO AMEND SECTION 419 OF THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE ENTITLED FLOOD HAZARD REGULATIONS BY AMENDING THE ARCHITECTURAL DESIGN REQUIREMENTS

BE IT ORDAINED by the Township of Neptune of the County of Monmouth in the State of New Jersey that the Land Development Ordinance, Volume II, Section 419 entitled "Flood Hazard Regulations" shall be amended as follows:

SECTION 1.

Subsection 419L shall be amended in its entirety replaced with the following:

- L. Architectural Design. In all cases where elevation of a constructed or reconstructed improvement is either necessary or desirable, façade treatment shall be necessary to at least two and one half (2 ½) feet from the finished grade of the building with regard to all sides of the building. Architectural treatment shall be consistent with the balance of the structure. The following treatment alternatives are not permitted: parging; concrete block; stucco (unless the entire structure is comprised of stucco); and lattice. Structures constructed on piles are subject to the requirements herein.

SECTION 2.

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 3.

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5.

This Ordinance shall take effect upon its passage and publication according to law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Mary Beth Jahn,
Mayor

ORDINANCE NO. 15-50

AN ORDINANCE TO AMEND VOLUME I, CHAPTER II, SECTION 2-41 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADOPTING AMENDMENTS TO THE AGREEMENT OF CHARTER OF THE WESLEY LAKE COMMISSION

WHEREAS, on July 14, 2015, the Wesley Lake Commission approved and recommended amendments to the Agreement of Charter of the Wesley Lake Commission; and,

WHEREAS, the Township Committee has reviewed said amendments and desires to convey its approval; and,

WHEREAS, amendments to the Wesley Lake Charter must be approved by the governing bodies of both the Township of Neptune and the City of Asbury Park,

THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Neptune that Volume I, Chapter II, Section 2-41, entitled Wesley Lake Commission, shall be amended as follows:

SECTION 1.

Section 2-41.3 – Amendments, shall be amended as follows:

The Agreement of Charter of the Wesley Lake Commission dated July 14, 2015, shall be the official and adopted Agreement of Charter and that appointments to the Commission will be by the governing body of each municipality unless expressly stated otherwise in said Agreement of Charter.

SECTION 2.

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 3.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 4.

This Ordinance shall take effect upon its passage and publication according to law and upon adoption of a similar authorizing Ordinance by the City of Asbury Park.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Mary Beth Jahn,
Mayor

ORDINANCE NO. 15-51

BOND ORDINANCE PROVIDING FOR SHARK RIVER DREDGING, BY AND IN THE MARINA UTILITY OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$160,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$152,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Marina Utility of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the sum of \$160,000, said sum being inclusive of a cash down payment for said improvements required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Such cash down payment shall be in the amount of \$8,000, consisting of an appropriation of \$8,000 in cash currently on deposit in, and available therefor from, the Marina Utility general capital improvement fund by virtue of a provision or provisions in a previously adopted budget or budgets of the Marina Utility of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$160,000 appropriation not provided for by application hereunder of the cash down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$152,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$152,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are the dredging of the Shark River, including, but not be limited to, other related improvements, design work, preparation of plans and specifications, permits, bid documents, contract administration, work, materials, equipment, labor and appurtenances as necessary therefor or incidental thereto, all as set forth in the project documents on file in the Office of the Township Clerk.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$152,000.

(c) The estimated cost of said improvements or purposes is \$160,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the cash down payment in the amount of \$8,000 available for such improvements or purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Township, other than the

Monmouth County Open Space Grant, for the improvement and purpose authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth, other than the Monmouth County Open Space Grant, shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Marina Utility of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Marina Utility of the Township may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government

Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$152,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$152,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Mary Beth Jahn,
Mayor

RESOLUTION #15-419 – 10/26/15

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

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

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

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

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:

Personnel – Posting for Sergeant and Lieutenant
Personnel – Part-time Yard Attendant and part-time Customer Service Representative
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 OCTOBER 26, 2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-420 – 10/26/15

DETERMINATION OF NEED FROM THE TOWNSHIP OF NEPTUNE TO WINDING RIDGE
FAMILY VENTURES, LLC WINDING RIDGE APARTMENTS

WHEREAS, Winding Ridge Family Ventures, LLC (hereinafter referred to as the “Sponsor”) a partnership between the Affordable Housing Alliance and The Alpert Group proposes to rehabilitate 99 units of affordable housing for families with low & moderate incomes (hereinafter referred to as the “Project”) pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the “HMFA Requirements”) within the Township of Neptune (hereinafter referred to as the “Municipality”) on a site described as Block 3052, Lot 10, C01 through C99 as shown on the Official Assessment Map of the Township of Neptune, Monmouth County; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”); and

WHEREAS, the Project will or may be subject to requirements of the New Jersey Department of Community Affairs (hereinafter referred to as the "Department of Community Affairs"), Neighborhood Preservation Balanced Housing Program in accordance with N.J.S.A. 52:27D-320 and applicable rules promulgated thereunder at N.J.A.C. 5:43-1.1 et seq., and the mortgage and other loan documents executed between the Sponsor and the Commissioner of the Department of Community Affairs; and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Neptune (the “Committee”) that:

- (1) The Committee finds and determines that Winding Ridge Apartments, the 99-unit family housing Project proposed by the Sponsor meets or will meet an existing housing need;
- (2) The Committee finds and determines that Winding Ridge Apartments, the 99-unit family housing Project proposed by the Sponsor, meets all or part of the municipality's low and moderate income housing obligation;
- (3) The Committee does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor's application for Agency funding to finance the Project.

Adopted: October 26, 2015

Mary Beth Jahn, Mayor

Richard J. Cuttrell, Township 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 OCTOBER 26, 2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-421 - 10/26/15

PLACE LIEN ON 45 RIDGE AVENUE

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>
504/16	45 Ridge Avenue	908.00

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 OCTOBER 26, 2015



Richard J. Cuttrell, Municipal Clerk

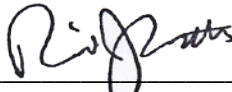
RESOLUTION #15-422 - 10/26/15

GRANT SOCIAL AFFAIR PERMIT TO RICHARD S. BASCOM SCHOLARSHIP FUND

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Municipal Clerk and Chief of Police be and are hereby authorized to approve the application of the Richard S. Bascom Scholarship Fund for a social affair permit at The Headliner, Route 35, on November 5, 2015 from 6:30 P.M. to 11:00 P.M.

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON OCTOBER 26, 2015



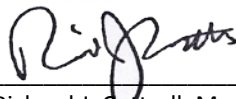
Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-423 - 10/26/15

GRANT SOCIAL AFFAIR PERMIT TO AMERICAN LEGION
FREDERICK DEMPSEY POST #266

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Municipal Clerk and Chief of Police be and are hereby authorized to approve the application of American Legion Frederick Dempsey Post #266 for a social affair permit at 240 Drummond Avenue, on October 31, 2015 from 8:00 P.M. to 12:00 A.M.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON OCTOBER 26, 2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-424 - 10/26/15

AUTHORIZE A REDUCTION IN THE PERFORMANCE GUARANTEE FILED BY
1700 ROUTE 33, LLC FOR SITE IMPROVEMENTS AT FOODINI
(HAWTHORNE AND CORLIES AVENUES)

WHEREAS, on November 6, 2013, the Township Committee adopted a resolution which accepted a cash performance guarantee in the amount of \$6,000.00 filed by 1700 Route 33, LLC guaranteeing site improvements at Foodini, located at Hawthorne and Corlies Avenue; and,

WHEREAS, at the request of the Developer, the Township Engineer has inspected the site improvements and has recommended a reduction in the performance guarantee in the amount of \$1,350.00 based on the percentage of site improvements completed and,

WHEREAS, since the guarantee was wholly posted in the form of cash, the reduced amount will be in the form of cash,

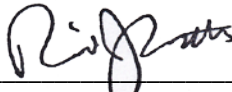
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a reduction in the Performance Guarantee for Foodini, Hawthorne Avenue and Corlies Avenue be and is hereby approved to the amount of \$4,650.00; and,

BE IT FURTHER RESOLVED, that the cash performance guarantee in the amount of \$1,350.00 shall be refunded to the Developer; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON OCTOBER 26, 2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-425 - 10/26/15

AUTHORIZE AN AMENDMENT TO THE 2015 MUNICIPAL BUDGET TO REALIZE
MONIES FROM THE U.S. ENVIRONMENTAL PROTECTION AGENCY FOR
BROWNFIELDS HAZARDOUS SUBSTANCES ASSESSMENT PROGRAM

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 \$200,000.00 which is now available from the U.S. Environmental Protection Agency in the amount of \$200,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$200,000.00 is hereby appropriated under the caption of U.S. Environmental Protection Agency – Brownfields Hazardous Assessment; and,


BE IT FURTHER RESOLVED, that the above is the result of funds from a United States Environmental Protection Agency for a local Brownfields Hazardous Substances Assessment Program in the amount of \$200,000.00; and,

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

Vote:

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON OCTOBER 26, 2015


Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-426 - 10/26/15

AUTHORIZE AN AMENDMENT TO THE 2015 MUNICIPAL BUDGET TO REALIZE
MONIES FROM THE U.S. ENVIRONMENTAL PROTECTION AGENCY FOR
BROWNFIELDS PETROLEUM SUBSTANCES ASSESSMENT PROGRAM

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 \$200,000.00 which is now available from the U.S. Environmental Protection Agency in the amount of \$200,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$200,000.00 is hereby appropriated under the caption of U.S. Environmental Protection Agency – Brownfields Petroleum Assessment; and,


BE IT FURTHER RESOLVED, that the above is the result of funds from a United States Environmental Protection Agency for a local Brownfields Petroleum Substances Assessment Program in the amount of \$200,000.00; and,

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

Vote:

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON OCTOBER 26, 2015


Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-427 - 10/26/15

AUTHORIZE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO 10TH AVENUE

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-2016-Neptune Township-00452 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 Business Administrator and Chief Financial Officer and three certified copies to the Township Engineer.

Certified as a true copy of the Resolution adopted by the Neptune Township Committee on this 26th day of October, 2015

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

Mary Beth Jahn,
Mayor

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON OCTOBER 26, 2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-428 - 10/26/15

AUTHORIZE A REDUCTION IN THE PERFORMANCE GUARANTEE FILED BY
NEPTUNE PARTNERS, LLC FOR SITE IMPROVEMENTS AT SIGNATURE PLACE
AT NEPTUNE (JUMPING BROOK ROAD AND ROUTE 66)

WHEREAS, on November 6, 2013, the Township Committee adopted a resolution which accepted three performance bonds issued by First Indemnity of America Insurance Company in the total amount of \$3,655,200.00 filed by Neptune Partners, LLC guaranteeing site improvements at the Signature Place complex at the intersection of Jumping Brook Road and Route 66 (Block 1500, Lots 23.04 and 23.05); and,

WHEREAS, on December 22, 2014, the Township Committee adopted Resolution #14-568, which authorized a reduction in the performance bonds to a total amount of \$1,553,312.70; and,

WHEREAS, Neptune Partners, LLC filed a single performance bond in the amount of \$1,553,312.70 with the Municipal Clerk on January 14, 2015; and,

WHEREAS, at the request of the Developer, the Township Engineer has inspected the site improvements and has recommended a further reduction in the performance guarantee; and,

WHEREAS, the Developer will be notified to post a Change Rider reducing the total amount of the performance bond from \$1,553,312.70 to \$986,904.00 and the Municipal Clerk will accept said Rider when posted; and,

WHEREAS, the cash portion of the performance guarantee will also be reduced by the proportionate amount of reduction of the performance bond,


THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a reduction in the Performance Guarantee for Neptune Partners, LLC for site improvements at Signature Place complex, intersection of Jumping Brook Road and Route 66 (Block 1500, Lots 23.04 and 23.05) be and is hereby approved to the amount of \$986,904.00 and the Change Rider submitted to affect said reduction is hereby accepted; and,

BE IT FURTHER RESOLVED, that the proportionate amount of cash portion of the performance guarantee in the amount of \$61,243.17 shall be refunded to the Developer; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON OCTOBER 26, 2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-429 - 10/26/15

AUTHORIZE THE TOWNSHIP ENGINEERING CONSULTANT TO PERFORM ENVIRONMENTAL ASSESSMENTS ON VARIOUS PROPERTIES IN CONJUNCTION WITH GRANT AWARDS FROM THE US ENVIRONMENTAL PROTECTION AGENCY

WHEREAS, the Township Engineering Department and T&M Associates (Township Engineering Consultant), collaboratively prepared and submitted grant applications to the United States Environmental Protection Agency (USEPA) to perform up to fifteen Phase I property assessments, up to ten Phase II site investigations, and up to five Remedial Action Plans for brownfields sites throughout the Township; and,

WHEREAS, the Township of Neptune has received two grants from the USEPA totaling \$400,000.00 and is desirous to undertake said project utilizing this grant funding; and,

WHEREAS, it is necessary for a Township Engineer Consultant from the approved list of 2015 Engineering Consultants appointed via Request for Proposals to perform professional environmental services as described herein; and,

WHEREAS, T&M Associates prepared the grant application and has submitted a proposal for this work to the Township Engineer; and,

WHEREAS, funds for this purpose will be provided in the 2015 Municipal Budget through grant funding received from the USEPA Brownfields Hazardous Substances Assessment Program and the USEPA Brownfields Hazardous Substances Assessment Program, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes T&M Associates to perform the services as stated herein as Township Engineering Consultant at an amount not to exceed \$396,000.00, said proposal on file in the Office of the Municipal Clerk; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON OCTOBER 26, 2015



Richard J. Cuttrell, Municipal Clerk

AUTHORIZE EXECUTION OF AN OFF-SITE CONTRIBUTION AGREEMENT WITH
JERSEY SHORE UNIVERSITY MEDICAL CENTER IN CONNECTION WITH
OFF-SITE IMPROVEMENTS NECESSITATED BY THE CONSTRUCTION
OF THE HOPE TOWER AND PARKING GARAGE

WHEREAS, Jersey Shore University Medical Center has an Application pending before the Neptune Township Planning Board on Block 1201, Lots 4 & 5 which calls for the construction of a ten story building commonly referred to as the HOPE Tower and a nine level parking garage to be utilized in conjunction with the proposed HOPE Tower; and,

WHEREAS, in conjunction with the HOPE Tower and parking garage, off-site improvements are required as follows: a) construct a new sewer line; b) extend, relocate, or construct as necessary, the existing radio/cell tower located to the west of the Neptune Township Police Department Headquarters; and c) various street and intersection improvements to accommodate the anticipated increase in traffic; and,

WHEREAS, specifically, a new twelve inch sewer line under Route 33 is needed which will also benefit existing residents and businesses; the height of the HOPE Tower will block the signal from the existing radio/cell tower so a new tower may be required; and the municipal roads that will be improved are Davis Avenue, Washington Avenue and Neptune Boulevard, along with the intersections of these roadways; and,

WHEREAS, the Township and Jersey Shore University Medical Center desire to enter into an Off-Site Contribution Agreement to delineate cost responsibility for each off-site improvement,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes execution of an Off-Site Contribution Agreement with Jersey Shore University Medical Center (JSUMC), a copy of which is on file with the Municipal Clerk, in connection with the construction, by JSUMC, of a ten story building commonly referred to as the HOPE Tower and a nine level parking garage to be utilized in conjunction with the proposed HOPE Tower to delineate cost responsibility for off-site improvements as follows:

- a) Sanitary sewer improvements on Route 33 (total cost estimated at \$2,000,000) – Township will contribute \$200,000, JSUMC responsible for balance of total cost
- b) Township Radio/Cell Tower relocation or replacement (total cost estimated at \$200,000 to \$300,000) – JSUMC will contribute \$200,000, Township responsible for balance of total cost
- c) Various street and intersection improvements – JSUMC will be responsible for full cost

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON OCTOBER 26, 2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-431 - 10/26/15

EMPLOY PART-TIME YARD ATTENDANT IN THE
DEPARTMENT OF PUBLIC WORKS

WHEREAS, there is a need for an additional part-time Yard Attendant in the Public Works Department; and,

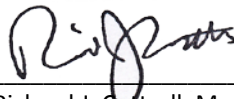
WHEREAS, the position was posted and the Human Resources Specialist has made her recommendations; and,

WHEREAS, funds will be provided in the 2015 Municipal Budget in the appropriation entitled _____, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby extends an offer of employment to James Brown as a part-time Yard Attendant in the Department of Public Works effective November 2, 2015, contingent upon favorable results of the required pre-employment screening and background check as applicable, at an hourly salary of \$13.98; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON OCTOBER 26, 2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-432 - 10/26/15

EMPLOY ON-CALL PART-TIME CUSTOMER SERVICE REPRESENTATIVE

WHEREAS, there is a need for an on-call part-time Customer Service Representative to serve in various Township departments as needed; and,

WHEREAS, the position was posted and the Human Resources Specialist has made her recommendations; and,

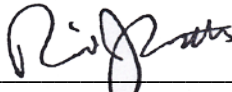
WHEREAS, funds will be provided in the 2015 Municipal Budget in the appropriation entitled _____, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby extends an offer of employment to Anita Lentz as an on-call part-time Customer Service Representative effective November 2, 2015, contingent upon favorable results of the required pre-employment screening and background check as applicable, at an hourly salary of \$12.89; and,

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

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON OCTOBER 26, 2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-433 - 10/26/15

AMEND RESOLUTION #15-367 WHICH AUTHORIZES APPLICATION TO THE MONMOUTH COUNTY MUNICIPAL OPEN SPACE PROGRAM TO CORRECT THE AMOUNT OF THE TOTAL COST OF THE PROJECT

WHEREAS, on September 14, 2015, the Neptune Township Committee adopted Resolution #15-367 which authorized Michael J. Bascom, Chief Financial Officer, on behalf of the Township of Neptune, to (a) make an application to the County of Monmouth for Open Space Trust Funds in the amount of \$250,000.00 for the project entitled "Improvements to Loffredo Fields", (b) provide additional application information and furnish such principal 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,

WHEREAS, Resolution #15-367 incorrectly states the total cost of the project including all matching funds as \$333,000.00; and,

WHEREAS, the correct total cost of the project including all matching funds is \$506,000.00 and the Township Committee desires to correct this amount in Resolution #15-367; and,

WHEREAS, this does not change the amount of grant funding requested for the project as \$250,000.00 is the maximum amount of grant funding available under this program,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Resolution #15-367 be and is hereby amended to reflect the total cost of the project including all matching funds as \$506,000.00; and,

BE IT FURTHER RESOLVED, that all other findings, declarations and authorizations adopted in Resolution #15-367 remain in full force and effect including the amount of grant funding sought in the application (\$250,000.00); and,

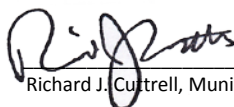
BE IT FURTHER RESOLVED, that this resolution shall take effect immediately and be transmitted to the Monmouth County Municipal Open Space Program for inclusion in the grant application submitted by the Township of Neptune.

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 26th day of October, 2015. In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 26th day of October, 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 OCTOBER 26, 2015


Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-434 - 10/26/15

DESIGNATE 2016 FLOATING HOLIDAY

WHEREAS, Article XII, Section J, of the current contract between AFSCME Local #1844 and the Township provides for a floating holiday that is set upon mutual agreement of AFSCME and the Township Administrator by July 1st of the previous year; and,

WHEREAS, since the 2016 calendar does not provide for a logical date for the use of the floating holiday, the Township Administrator and AFSCME Local #1844 have requested that employees be permitted to utilize the 2016 floating holiday benefit at their discretion; and,

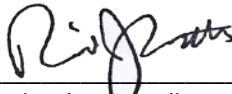
WHEREAS, the lack of a specific date for the 2016 floating holiday also means that there will be no designated 2016 floating holiday date on which municipal offices and operations will be closed,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the 2016 floating holiday benefit will be utilized by Township employees at their discretion at any time during the calendar year with the necessary approvals for employee time off; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to all Department Heads 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 OCTOBER 26, 2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-435 - 10/26/15

AUTHORIZE AN AMENDMENT TO THE 2015 MUNICIPAL BUDGET TO REALIZE
MONIES FROM THE STATE BODY ARMOR REPLACEMENT FUND

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 \$6,730.37 which is now available from the NJ Division of Criminal Justice Body Armor Replacement Fund in the amount of \$6,730.37; and,

BE IT FURTHER RESOLVED that the like sum of \$6,730.37 is hereby appropriated under the caption of Body Armor Replacement Fund – FY 2015; and,


BE IF FURTHER RESOLVED, that the above is the result of funds from a New Jersey Division of Criminal Justice Body Armor Replacement Fund Grant – FY15 in the amount of \$6,730.37; 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: aye
Brantley: aye
Houghtaling: aye
McMillan: aye
Jahn: absent

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON OCTOBER 26, 2015


Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-436 – 10/26/15

ADOPT 2016-2018 SUMMER DOCKAGE RATES FOR THE MUNICIPAL MARINA

BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby approves the following Summer Dockage Season Rate Schedule effective immediately and in effect until otherwise amended by subsequent resolution of the Township Committee:

a. Summer Dockage (April 1st to December 1st)


SLIP SIZE SEASON RATES

	2016	2017	2018
18'	\$1,559.00	\$1,637.00	\$1,719.00
20'	\$1,733.00	\$1,819.00	\$1,910.00
21'	\$1,819.00	\$1,910.00	\$2,006.00
23'	\$2,137.00	\$2,244.00	\$2,356.00
25'	\$2,323.00	\$2,439.00	\$2,561.00
28'	\$2,705.00	\$2,840.00	\$2,982.00
30'	\$3,024.00	\$3,175.00	\$3,334.00
32'	\$3,226.00	\$3,387.00	\$3,556.00
35'	\$3,528.00	\$3,704.00	\$3,890.00
38'	\$3,830.00	\$4,022.00	\$4,223.00
40'	\$4,032.00	\$4,234.00	\$4,445.00

BE IT FURTHER RESOLVED, all other marina rate schedule provisions adopted by Resolution 13-522 shall remain in full force and effect until otherwise amended by subsequent resolution of the Township Committee; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Harbor Master, Township Chief Financial Officer, Township Business Administrator, Township Assistant C.F.O. and Township 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 OCTOBER 26, 2015


Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-437 – 10/26/15

EXPRESS POSITION OF THE NEPTUNE TOWNSHIP COMMITTEE REGARDING THE
MONMOUTH COUNTY ASSESSMENT DEMONSTRATION PROGRAM (ADP)

WHEREAS, as a result of an act of the NJ State Legislature, the Monmouth County Board of Taxation has instituted a pilot program for the management of Tax Assessments in the County and thereafter mandated a methodology for the implementation by local municipalities of a Monmouth County Assessment Demonstration Program (ADP); and

WHEREAS, the Township of Neptune was mandated by the County Board of Taxation to implement the ADP program and has, in reliance on that mandate, been compelled to expend large sums of moneys for reassessment and review by contractors who met the bid qualifications for services under the ADP program promulgated by the County; and

WHEREAS, as a result of a broad range and thorough review of the implementation and management of the ADP program by the Asbury Park Press, it has come to the attention of the general public that the ADP program is resulting in gross inequalities in the reassessment process and the implementation of safeguards that were granted to property owners by statute and practice in the Tax Courts and procedures for appeals; and

WHEREAS, as a result of the same investigation, it has become a matter of public record of the troubling interlocking relationships between the County Tax Board and contractors and subcontractors who have a familial, and local tax assessment responsibilities and business relationships that were not disclosed to the general public in a transparent manner of the time that the ADP was adopted; and

WHEREAS these troubling revelations cast the pall of interlocking familial, professional and business interests that are to be avoided in public policy initiatives and has caused the public to express its dissatisfaction with the legitimacy of the mandate from the County Tax Board; and

WHEREAS, the Township of Neptune is concerned that the local taxpayers of Neptune Township must pay for these mandated programs.

NOW THEREFORE BE IT RESOLVED that the governing body of the Township of Neptune, County of Monmouth and State of New Jersey hereby resolves the following:

1. Request the County Tax Board to exercise its authority in suspending the implementation of the program immediately;
2. Request that Senator Beck and Assemblypersons Casagrande and Angelini support legislative efforts to terminate the program immediately;
3. Request that the State Attorney General investigate the adoption and implementation of the program and its execution of same and allotment of contracts to participating entities;

4. Request the County and State of New Jersey fund the costs of all future assessment programs.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Senator Beck, Assemblypersons Casagrande and Angelini, the Monmouth County Tax Board, Township Attorney and Tax Assessor

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON OCTOBER 26, 2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-438 – 10/26/15

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	\$3,129,917.50
FEDERAL & STATE GRANT FUND	1,017.61
TRUST OTHER	25,397.01
GENERAL CAPITAL FUND	10,454.84
SEWER OPERATING FUND	124,980.00
SEWER CAPITAL FUND	27,907.58
MARINA OPERATING FUND	4,376.64
MARINA CAPITAL FUND	19,058.24
DOG TRUST	7,708.00
UDAG TRUST	1,500.00
LIBRARY TRUST	5,552.48
BILL LIST TOTAL	\$3,357,869.90

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 OCTOBER 26, 2015



Richard J. Cuttrell, Municipal Clerk