

**TOWNSHIP COMMITTEE WORKSHOP MEETING – APRIL 25, 2011**

Mayor McMillan 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	_____
Mary Beth Jahn	_____
Kevin B. McMillan	_____

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

Mayor McMillan announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 6, 2011, 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 – Traffic safety cameras.
  
  
  
  
  
  
  
  
  
  
2. Discussion – Permit parking in the Gables.
  
  
  
  
  
  
  
  
  
  
3. Discussion – Snow Plan
  
  
  
  
  
  
  
  
  
  
4. Outstanding parking lot items. (PW)

Res. # 11-191 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

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

**TOWNSHIP COMMITTEE MEETING – APRIL 25, 2011**

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

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>	<u>PRESS REPRESENTATIVES</u>
J. Randy Bishop	_____	Don Stine The Coaster
Dr. Michael Brantley	_____	
Eric J. Houghtaling	_____	Michelle Gladden Asbury Park Press
Mary Beth Jahn	_____	
Kevin B. McMillan	_____	

Also present at the dais: Gene Anthony, Township Attorney; Philip D. Huhn, Business Administrator; Michael J. Bascom, Chief Financial Officer; 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 fire, you will be notified by fire alarm and/or public address system, then move to the nearest smoke-free exit."

Mayor McMillan announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 6, 2011, 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](http://www.neptunetownship.org).

**REPORT OF THE CLERK**

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

Notice of public hearing on an amendment to the Land Development Ordinance of the Borough of Tinton Falls.

Senior Center monthly statistics for March.

**COMMENTS FROM THE DAIS**

The Mayor will now request 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 will be permitted one visit to the microphone with a limit of five minutes.

**ORDINANCE NO. 11-20** - An ordinance to amend Volume I, Chapter IV, Section 4-28 of the Code of the Township of Neptune by amending the provisions regulating clothing donation bins – Final Reading

Public Hearing:

*Explanatory Statement: This ordinance amends the regulations governing the number of clothing donation bins permitted on a property and the process for issuing violations.*

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

**ORDINANCE NO. 11-21** - An ordinance to add Volume I, Chapter IV, Section 4-29 of the Code of the Township of Neptune by establishing provisions for the purchase of precious metals and previously owned jewelry – Final Reading

*Explanatory Statement: This ordinance establishes procedures for establishing a business of purchasing previously owned metals or items comprised of precious metals, gems or previously owned jewelry. The ordinance also establishes certain record keeping on individuals selling such items to the business.*

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

**ORDINANCE NO. 11-22** - An ordinance to add Volume I, Chapter III, Section 3-30 of the Code of the Township of Neptune by establishing provisions for solicitations on roadways for charitable organizations. – Final Reading

*Explanatory Statement: This ordinance establishes the procedure and approval process for charitable organizations to solicit donations on roadways.*

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

**ORDINANCE NO. 11-23** - An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding handicapped parking zones on Pilgrim Pathway. – Final Reading

*Explanatory Statement: This ordinance adds four handicapped parking zones on the west side of Pilgrim Pathway near the Great Auditorium.*

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

**ORDINANCE NO. 11-24** – Bond ordinance providing for the Wesley Lake Wall Reconstruction – Phase II, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$350,000 therefor (including a grant received or expected to be received in the amount of \$250,000) and authorizing the issuance of \$95,000 bonds or notes of the Township to finance part of the cost thereof – Final Reading

*Explanatory statement: This ordinance authorizes bonding for the Wesley Lake Wall Reconstruction – Phase II, including but not limited to, the reconstruction of the bulkhead wall.*

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

**ORDINANCE NO. 11-25** – Bond ordinance providing for various roadway improvements, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$400,000 therefor (including a grant received or expected to be received in the amount of \$244,151) and authorizing the issuance of \$148,000 bonds or notes of the Township to finance part of the cost thereof – Final Reading

*Explanatory Statement: This ordinance authorizes bonding for various roadway improvements to the entire lengths or portions, as applicable various roads, including but not limited to, reconstruction and resurfacing of Millbrook Avenue and various drainage improvements in the Brockton Estates area, such improvements shall include but are not limited to, as applicable, milling, paving, reconstruction and resurfacing the roadways, the repairing and/or installation of curbs, sidewalks and driveway aprons, drainage work, various storm drainage improvements, roadway painting, landscaping and aesthetic improvements.*

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

**ORDINANCE NO. 11-26** - An ordinance authorizing the execution of a service agreement between the Township of Neptune, the Borough of Tinton Falls, Michael & Jennifer Sullivan, and the Township of Neptune Sewerage Authority to provide sanitary sewerage service to a residential dwelling at 1961 Jumping Brook Road, in the Borough of Tinton Falls. - First Reading

*Explanatory Statement: This ordinance authorizes the execution of agreement which outlines the terms and payments required to allow a residential home located in the Borough of Tinton Falls to utilize the Township's sanitary sewer system.*

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

The Public Hearing on Ordinance 11-26 will be held on Monday, May 9, 2011.

### **CONSENT AGENDA**

Res. # 11-192 – Accept a grant from the Hazardous Discharge Site Remediation Fund Public Entity Program through the New Jersey Economic Development Authority and the Department of Environmental Protection.

Res. # 11-193 – Accept the resignation of Marc DiGiorgio as a Trustee of the Economic Development Corporation.

Res. # 11-194 – Accept a FY09 EMPG Exercise Pass Through Grant and authorize the execution of required grant documents.

Res. # 11-195 – Accept the resignation of Michael Donovan as a member of the Environmental/Shade Tree Commission.

Res. # 11-196 – Authorize Vajarian Associates to submit an application to the Hazardous Discharge Site Remediation Fund for remediation of the former Welsh Farms property.

Res. # 11-197 – Authorize the cancellation of sewer rent (1945 Corlies Avenue).

Res. # 11-198 – Authorize the refund of taxes as a result of an overpayment (52 Pitman Avenue).

Res. # 11-199 – Authorize excavation and assess penalty for excavation to disconnect gas utilities at 65

Abbott Avenue.

Res. # 11-200 – Reject all bids for improvements to Broadway NJDOT Municipal Aid Project.

Res. # 11-201 –Authorize the Purchasing Agent to initiate competitive contracting for the Traffic Safety Project in conformance with N.J.S.A. 40a11-4.3(j)

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

Res. # 11-202 – Authorize the removal and disposal of soil/materials at the former Chidnese Property (1825 West Bangs Avenue).

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

Res. # 11-203 – Authorize amendments to the 2011 approved municipal budget.

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

Res. # 11-204 – Adopt 2011 Municipal Budget.

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

Res. # 11-205 – Authorize the payment of bills.

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

**PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS**

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

**ADJOURNMENT**

ORDINANCE NO. 11-26

AN ORDINANCE AUTHORIZING THE EXECUTION OF A SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF NEPTUNE, THE BOROUGH OF TINTON FALLS, MICHAEL & JENNIFER SULLIVAN, AND THE TOWNSHIP OF NEPTUNE SEWERAGE AUTHORITY TO PROVIDE SANITARY SEWERAGE SERVICE TO A RESIDENTIAL DWELLING AT 1961 JUMPING BROOK ROAD, IN THE BOROUGH OF TINTON FALLS

WHEREAS, N.J.S.A. 40:8A-1 authorizes the Township of Neptune to enter into a contract with another "local unit" as defined therein; and,

WHEREAS, the Borough of Tinton Falls is a local unit within the meaning of N.J.S.A. 40:8A-1, et seq.; and,

WHEREAS, Michael and Jennifer Sullivan (" the Sullivans") own lands located in the Borough of Tinton Falls on which a single family residential dwelling is located and maintained; and,

WHEREAS, the dwelling owned by the Sullivans which is located within the Borough of Tinton Falls was provided with an on-site sanitary sewage disposal system that is now failing and therefore constitutes a health hazard; and,

WHEREAS, at the present time no sewer facilities exist at the facilities operated by the Sullivans and within the Borough of Tinton Falls, but a Township owned sewer line does exist directly in front of the property on Jumping Brook Road; and,

WHEREAS, the Township of Neptune has agreed to permit the sewage flow from the Sullivans to pass through its sanitary sewer system for treatment by Township of Neptune Sewerage Authority; and,

WHEREAS, the Borough of Tinton Falls and the Township of Neptune have entered into sewer service agreements with the Township of Neptune Sewerage Authority whose consent to the proposal by both municipalities is sought,

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

SECTION 1. The Mayor and Clerk be and are hereby authorized to execute and deliver a Service Agreement with the Borough of Tinton Falls, Michael and Jennifer Sullivan and the Township of Neptune Sewerage Authority to provide sewer service to the Sullivans, at 1961 Jumping Brook Road, through the facilities of the Township of Neptune and with the consent of the Township of Neptune Sewerage Authority in accordance with the terms of the agreement which is annexed hereto and which shall be on file for public inspection in the Office of the Neptune Township Municipal Clerk.

SECTION 2. This ordinance is contingent upon there being adequate funds available in accordance with the connection fees and annual service charges as described in the agreement.

SECTION 3. This ordinance is further contingent upon the execution of said agreement by all parties. If necessary, this section may be amended from time to time by ordinance of the Township Committee of the Township of Neptune.

SECTION 4. This ordinance shall take effect upon adoption and final publication as provided by law.

APPROVED ON FIRST READING:

APPROVED, PASSED AND ADOPTED:

ATTEST:

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Richard J. Cuttrel,  
Municipal Clerk

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Kevin B. McMillan,  
Mayor

RESOLUTION #11-191 – 4/25/11

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:

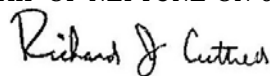
Personnel - Retirements

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**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 04/25/2011



Richard J. Cuttrel, R.M.C., Municipal Clerk



RESOLUTION #11-192 - 4/25/11

ACCEPT A GRANT FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND  
PUBLIC ENTITY PROGRAM THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT  
AUTHORITY AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the Township of Neptune has applied for and has been awarded a grant in the amount of \$43,280.00 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority for the remedial investigation and remedial action along with report preparation at the former Chidnese property (1825 West Lake Avenue),

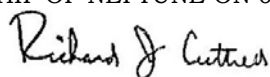
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the above referenced grant is hereby accepted and the Mayor is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Township of Neptune; and,

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority, the Chief Financial Officer, Business Administrator and Administrative Assistant to the C.F.O.

Date Adopted by Committee: April 25, 2011

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 04/25/2011



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #11-193 - 4/25/11

ACCEPT THE RESIGNATION OF MARC DIGIORGIO AS A  
TRUSTEE OF THE ECONOMIC DEVELOPMENT CORPORATION

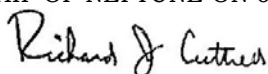
WHEREAS, the Township Committee has received notification from Marc DiGiorgio resigning as a Trustee of the Economic Development Corporation effective April 8, 2011,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Marc DiGiorgio as a Municipal Trustee of Economic Development Corporation is hereby accepted effective April 8, 2011; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Secretary of the Economic Development Corporation.

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 04/25/2011



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #11-194 - 4/25/11

ACCEPT A FY09 EMPG EXERCISE PASS THROUGH GRANT  
AND AUTHORIZE EXECUTION OF REQUIRED GRANT DOCUMENTS

WHEREAS, on October 25, 2010, the Township Committee authorized the submission of a New Jersey Department of Law & Public Safety FY2009 Emergency Management Preparedness Grant/Exercise Program Pass Through Grant for haz-mat equipment and training; and,

WHEREAS, the New Jersey Department of Law & Public Safety has notified the Township a grant has been awarded in the amount of \$15,000.00; and,

WHEREAS, the Township desires to accept said grant,

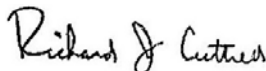
THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby accepts a New Jersey Department of Law and Public Safety FY2009 Emergency Management Preparedness Grant/FY2009 Exercise Support Program Pass Through Grant in the amount of \$15,000.00; and,

BE IT FURTHER RESOLVED, that Michael J. Bascom, Deputy Office of Emergency Management Coordinator, is hereby authorized to execute any and all required grant documents and/or agreements in connection with said grant; and,

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 04/25/2011



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #11-195 - 4/25/11

ACCEPT THE RESIGNATION OF MICHAEL DONOVAN AS A  
MEMBER OF THE ENVIRONMENTAL/SHADE TREE COMMISSION

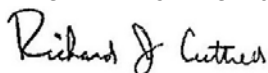
WHEREAS, the Township Committee has received notification from Michael Donovan resigning as a member of the Environmental/Shade Tree Commission effective April 13, 2011,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Michael Donovan as a member of the Environmental/Shade Tree Commission is hereby accepted effective April 13, 2011; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Secretary of the Environmental/Shade Tree Commission.

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 04/25/2011



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #11-196 - 4/25/11

AUTHORIZE NAJARIAN ASSOCIATES TO SUBMIT AN APPLICATION TO THE  
HAZARDOUS DISCHARGE SITE REMEDIATION FUND FOR REMEDIATION  
OF THE FORMER WELSH FARMS PROPERTY

WHEREAS, the Township of Neptune has acquired the property known as the former Welsh Farms property located at 703 Old Corlies Avenue (Block 7013, Lot 11); and,

WHEREAS, the Deed indicating conveyance to the Township was filed with the County of Monmouth on December 30, 2010; and,

WHEREAS, the Township desires to preserve said property for open space and the recreational use and benefit of the citizens of the Township; and,

WHEREAS, the NJ Economic Development Authority has previously approved HDSRF funds for remediation of this site; and,

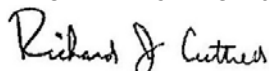
WHEREAS, immediate implementation of environmental remediation is necessary on the property due to the presence of sensitive receptor (community drinking water source) at the downstream location and the Township Engineer has recommended that application be made to the Hazardous Discharge Site Remediation Fund for funding to perform the necessary remediation,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Najarian Associates be and is hereby authorized to prepare and submit an application to the Hazardous Discharge Site Remediation Fund for funding to perform necessary environmental remediation at the former Welsh Farms property located at 703 Old Corlies Avenue (Block 7013, Lot 11); and,

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 04/25/2011



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #11-197 - 4/25/11

AUTHORIZE THE CANCELLATION OF SEWER RENT  
(1945 CORLIES AVENUE)

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

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and hereby is authorized to cancel Sewer Rent as stated herein; and,

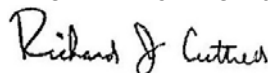
BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
3000/1.02	Meridian Hospital Corp.	1945 Corlies Avenue	2011	10,083.49

**REASON:** Error in calculation of water bills

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 04/25/2011



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #11-198 - 4/25/11

AUTHORIZE THE REFUND OF TAXES AS A  
RESULT OF AN OVERPAYMENT (52 PITMAN AVENUE)

WHEREAS, the properties listed below reflect overpayments; and,

WHEREAS, they have furnished the necessary documentation and have requested a refund; and,

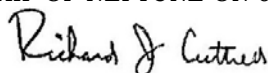
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to refund the taxes as stated herein; and,

<b>BLOCK/LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
34/1545C312	STANTON	52 PITMAN	2011	2,073.92

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 04/25/2011



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #11-199 - 4/25/11

AUTHORIZE EXCAVATION AND ASSESS PENALTY FOR EXCAVATION  
TO CONNECT UTILITIES AT 65 ABBOTT AVENUE

WHEREAS, Section 13-1.12A provides that street opening permits are not to be granted for an opening of improved street surface less than three (3) years old; and,

WHEREAS, said section of the Code also provides that the Township Committee may take special action to allow a permit to be issued provided that a penalty charge is assessed based on the age of the improved street surface and the dimension of the street opening; and,

WHEREAS, the Director of Public Works has forwarded a memo indicating that the property owner at 65 Abbott Avenue is requesting street openings for the purpose of gas disconnection,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the following street opening on the newly improved street surface on Abbott Avenue:

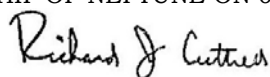
65 Abbott Avenue – Gas disconnection – penalty charge \$774.00

TOTAL PENALTY CHARGE - \$774.00

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 04/25/2011



Richard J. Cuttrel, R.M.C., Municipal Clerk



RESOLUTION #11-200 - 4/25/11

REJECT ALL BIDS FOR IMPROVEMENTS TO BROADWAY  
NJDOT MUNICIPAL AID PROJECT

WHEREAS, on April 6, 2011, the Township Engineer received bids for improvements to Broadway NJDOT Municipal Aid Project; and,

WHEREAS, after reviewing said bids and consulting with the bidders for the project, the Township Engineer has determined that the Responsible Contractor Certifications were not submitted with the bids in accordance with Ordinance #11-01 and all bids will be rejected in accordance with N.J.S.A. 40A:11-13.2; and,

WHEREAS, the Township Engineer recommends that all bids be rejected and the project be re-bid with the clarified specifications,

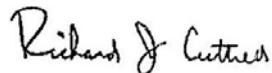
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that all bids received for improvements to Broadway NJDOT Municipal Aid Project be and are hereby rejected; and,

BE IT FURTHER RESOLVED, that the Committee authorizes the project be re-bid immediately; and,

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 04/25/2011



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #11-201- 4/25/11

AUTHORIZE THE PURCHASING AGENT TO INITIATE COMPETITIVE  
CONTRACTING FOR THE TRAFFIC SAFETY PROJECT IN  
CONFORMANCE WITH N.J.S.A. 40A:11-4.3(j)

WHEREAS, PL 1999 c.440 amended the Local Public Contracts Law and created a new category of contracting called Competitive Contracting; and

WHEREAS, N.J.S.A. 40A:11-4.3(a) requires that in order to initiate competitive contracting, the governing body shall pass a resolution authorizing the use of competitive contracting each time specialized goods or services enumerated in N.J.S.A. 40A:11-4; and,

WHEREAS, N.J.S.A. 40A:11-4.3(b) requires that the competitive contracting process shall be administered by a purchasing agent qualified pursuant to 40A:11-9, or by legal counsel of the contracting unit or by an administrator of the contracting unit; and,

WHEREAS, the Purchasing Agent has determined that it is in the Township's best interest to acquire the Traffic Safety Camera Program through Competitive Contracting; and,

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

- 1) That the Purchasing Agent be and is hereby authorized to initiate Competitive Contracting for the Traffic Safety Project in conformance with N..S.A. 40A:11-4.3(j)

Adopted: April 25, 2011

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Kevin B. McMillan, Mayor

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Richard J. Cuttrell, Municipal Clerk

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

RESOLUTION #11-202- 4/25/11

AUTHORIZE THE REMOVAL AND DISPOSAL OF SOIL/MATERIALS  
AT THE FORMER CHIDNESE PROPERTY (1825 WEST BANGS AVENUE)

WHEREAS, the Township Engineer received three solicited quotes for the removal and disposal of soil/materials at the former Chidnese property at 1825 West Bangs Avenue; and,

WHEREAS, the cost of said project is less than the bid threshold but exceeds \$17,500 and therefore must be awarded by Resolution of the Governing body; and,

WHEREAS, said quotes were reviewed by the Township Engineer who has recommended that the low quote be accepted in accordance with the Open Public Contracts Law; and,

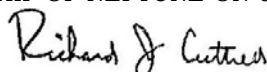
WHEREAS, funds for this purpose will be provided for the first four months of 2011 in the 2011 Temporary Budget in the appropriation entitled Ordinance # 04-14, Ordinance # 01-14 and General Engineering, and funds for the balance of 2011 will be provided in the Budget for the year 2011, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the removal and disposal of soil/materials at the former Chidnese property at 1825 West Bangs Avenue be and is hereby authorized through Enterprise Network Solutions, Inc. pursuant to their quote of \$19,123.00 to perform the services as stated herein; 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., Director of Engineering and Planning and Public Works Director.

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 04/25/2011



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #11-203-4/25/11

AUTHORIZE AMENDMENTS TO THE  
TOWNSHIP OF NEPTUNE APPROVED 2011 BUDGET

WHEREAS, the local municipal budget for the year 2011 was approved on the 14th day of March, 2011; and,

WHEREAS, the public hearing on said budget has been held as advertised on April 11, 2011, and,

WHEREAS, it is desired to amend said approved as described below;

NOW, THEREFORE, BE IT RESOLVED, by the Committee of the Township of Neptune of the County of Monmouth that the following amendments to the approved budget of 2011 be made:

	From	To
GENERAL REVENUES		
3. Miscellaneous Revenues – Section F: Special Items of General Revenue Anticipated with Prior Consent of Director of Local Government Services – Public and Private Revenues Offset with Appropriations:		
Municipal Alliance of Alcoholism and Drug Abuse	51,343.00	51,074.00
Total Section F: Special Items of General Revenue Anticipated with Prior Consent of Director of Local Government Services – Public and Private Revenues Offset with Appropriations:	106,952.83	106,683.83
SUMMARY OF REVENUES		
3. Miscellaneous Revenues:		
Total Section F: Special Items of General Revenue Anticipated with Prior Consent of Director of Local Government Services – Public and Private Revenues Offset with Appropriations:	106,952.83	106,683.83
Total Miscellaneous Revenues:	8,720,614.95	8,720,345.95
5. Subtotal General Revenues (Items 1, 2, 3 and 4)	13,385,491.51	13,385,222.51
7. Total General Revenues	37,216,467.83	37,216,198.83
8. GENERAL APPROPRIATIONS		

(A) Operations – within “CAPS”		
Employees Group Insurance	5,099,100.00	5,002,400.00
Total Operations {Item 8(A)} within “CAPS”	25,767,250.00	25,670,550.00
Total Operations Including Contingent within “CAPS”	25,777,250.00	25,680,550.00
Detail:		
Other Expenses (Including Contingent)	\$11,858,300.00	11,761,600.00
(H-1) Total General Appropriations for Municipal Purposes within “CAPS”	\$29,481,740.00	\$29,385,040.00
(A) Operations – Excluded from “CAPS”		
Aid to Free Public Library	0.00	\$1,264,825.00
Employee Group Insurance	0.00	96,700.00
Total Other Operations – Excluded from “CAPS”	48,000.00	1,409,525.00
DEDR – Drug and Alcohol Alliance	51,343.00	51,074.00
Total Public and Private Programs Offset by Revenues	389,634.83	389,365.83
Total Operations – Excluded from “CAPS”	922,456.83	2,283,712.83
Detail:		
Other Expenses	635,131.83	1,996,387.83
(H-2) Total General Appropriations for Municipal Purposes Excluded from “CAPS”	3,669,902.83	5,031,158.83
(O) Total General Appropriations – Excluded from “CAPS”	3,669,902.83	5,031,158.83
(L) Subtotal General Appropriations	33,151,642.83	34,416,198.83
9. Total General Appropriations	35,951,642.83	37,216,198.83

#### SUMMARY OF APPROPRIATIONS

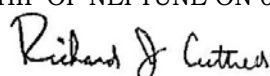
(H-1) Total General Appropriations for Municipal Purposes – within “CAPS”	29,481,740.00	29,385,040.00
(A) Appropriations Excluded from “CAPS”		

Other Operations	48,000.00	1,409,525.00
Total Operations – Excluded from “CAPS”	922,456.83	2,283,712.83
Total General Appropriations	35,951,642.83	37,216,198.83

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for her certification of the local municipal budget so amended and that a copy be forwarded to the Chief Financial Officer and the Township Auditor.

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 04/25/2011



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #11-204- 4/25/11

ADOPT 2011 TOWNSHIP OF NEPTUNE MUNICIPAL BUDGET

BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$22,566,151.32 for municipal purposes,

General Revenues

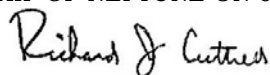
Surplus Anticipated	3,350,000.00
Miscellaneous Revenues Anticipated	8,720,345.95
Receipts from Delinquent Taxes	1,314,876.56
Local Tax for Municipal Purposes	22,566,151.32
Minimum Library Tax	1,264,825.00
Total Revenues	37,216,198.83

General Appropriations

Within "CAPS"	
Operations including contingent	25,680,550.00
Deferred Charges and Statutory Expenditures	3,704,490.00
Excluded from "CAPS"	
Operations	2,283,712.83
Capital Improvements	50,000.00
Municipal Debt Service	2,697,446.00
Reserve for Uncollected Taxes	2,800,000.00
Total General Appropriations	37,216,198.83

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 04/25/2011



Richard J. Cuttrel, R.M.C., Municipal Clerk

RESOLUTION #11-205 – 4/25/11

AUTHORIZE THE PAYMENT OF BILLS

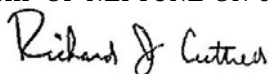
BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following bills be paid if properly certified:

CURRENT FUND	3,802,672.32
FEDERAL & STATE GRANT FUND	129,816.71
TRUST OTHER	454,515.79
GENERAL CAPITAL FUND	138,230.44
SEWER OPERATING FUND	11,815.71
MARINA OPERATING FUND	846.55
MARINA CAPITAL FUND	200.00
DOG TRUST	7,330.70
U.D.A.G RECIPRICOL TRUST	250.00
LIBRARY TRUST	7,811.00
BILL LIST TOTAL	\$4,553,489.36

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 04/25/2011



Richard J. Cuttrel, R.M.C., Municipal Clerk