

TOWNSHIP COMMITTEE WORKSHOP MEETING – MAY 23, 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. Cuttrel, 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 – Renewal Energy Project.
2. Discussion – Monmouth County Open Space Grant.
3. Discussion – Neptune High School Graduation Ceremony.
4. Discussion – HPC application/administrative approval process.
5. Discussion – 9-11 Ceremony.
6. Outstanding parking lot items. (PW)

Res. # 11-206 – 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 – MAY 23, 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. 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 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.

PROCLAMATION

The Mayor will recognize Dyese Davis, Neptune High School Senior and winner of the 2011 Monmouth County Cotillion.

APPROVAL OF MINUTES

Motion offered by _____, seconded by _____, to approve the minutes of the meeting held on March 28th.

REPORT OF THE CLERK

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

Tax Collector's monthly reports for March and April and Senior Beacon for May.

Minutes from the March 15th and April 19th meetings of the Monmouth County Board of Health and the April 6th meeting of the Senior Advisory Council.

Letters of thanks to the Senior Center staff were received from Delores Smith, Lois and Loretta Bray, Frances Pettit, Anna White and Jersey Shore University Medical Center

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. 11-26 - 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. - Final Reading

Public Hearing:

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, _____.

ORDINANCE NO. 11-27 - An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding handicapped parking zones on Embury Avenue and Abbott Avenue. – First Reading

Explanatory Statement: This ordinance authorizes the addition of handicapped parking stalls on Embury Avenue near Central Avenue and Abbott Avenue near Beach Avenue.

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

ORDINANCE NO. 11-28 - An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding a municipal owned property parking prohibition at 1611 Sewall Avenue. – First Reading

Explanatory Statement: This ordinance prohibits the parking of vehicles on Township owned property located at 1611 Sewall Avenue.

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

ORDINANCE NO. 11-29 - An ordinance authorizing a Lease Agreement between the Township of Neptune and the First Pentecostal Church and MURC for the use of a portion of Liberty Park as a community garden – First Reading

Explanatory Statement: This ordinance leases a 50 x 100 foot portion of Liberty Park to First Pentecostal Church and MURC to plant and maintain a community garden to supply vegetables and crops to the church's food pantry.

Offered by: _____ Seconded by: _____

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

The Public Hearings on Ordinances 11-27, 11-28 and 11-29 will be held on Monday, June 13, 2011.

CONSENT AGENDA

Res. # 11-207 – Employ part-time Kitchen Aide in the Senior Center.

Res. # 11-208 – Authorize an amendment to the 2011 Municipal Budget to realize monies from a 2011 Click It or Ticket Mobilization Grant.

Res. # 11-209 – Authorize an amendment to the 2011 Municipal Budget to realize monies from a FY2009 Emergency Management Performance Grant Exercise Pass Through Grant.

Res. # 11-210 – Authorize temporary no parking on a portion of West Lake Avenue in connection with construction of West Lake Park.

Res. # 11-211 – Authorize the cancellation of mortgages in connection with regional contribution agreement projects.

Res. # 11-212 – Authorize the cancellation of a Façade Improvement Loan granted to Auto Audio.

Res. # 11-213 – Authorize the execution of a Release of Part of Mortgaged Property with TRF DP Ridge Avenue, LLC in connection with the Schoolhouse Square Project.

Res. # 11-214 – Accept a maintenance guarantee and release a performance bond filed by Jersey Shore University Medical Center for site improvements at the parking lot located on the east end of the hospital complex.

Res. # 11-215 – Approve Unexcelled Fire Company to solicit donations on a public roadway.

Res. # 11-216 – Authorize the cancellation of sewer rent (1501 Corlies Avenue).

Res. # 11-217 – Approve Neptune First Aid Squad to solicit donations on a public roadway.

Res. # 11-218 – Authorize an amendment to the 2011 Municipal Budget to realize monies for a Clean Communities Grant.

Res. # 11-219 – Authorize the re-issuance of a bail refund check.

Res. # 11-220 – Accept a performance guarantee filed by RD America, LLC for site improvements at Restaurant Depot (3560 Highway 66)

Res. # 11-221 – Authorize an amendment to the 2011 Municipal Budget to realize monies from a Recycling Tonnage Grant.

Res. # 11-222 – Authorize the closing of streets in connection with the Ocean Grove Chamber of Commerce vintage auto displays.

Res. # 11-223 – Accept donation of a 2002 Chevrolet Blazer from Neptune Township Fire District #1.

Res. # 11-224 – Acknowledge retirement of various Township employees.

Res. # 11-225 – Authorize the submission of a FY2010 Exercise Support Pass Through Grant.

Res. # 11-226 – Release all surety bonds and developers escrow for improvements to Gateway Center pad site (Route 66 and Jumping Brook Road)

Res. # 11-227 – Authorize change to summer operating hours for the Municipal Complex

Res. # 11-228 – Grant temporary extension of liquor license premises to Shore Lanes.

Res. # 11-229 – Appoint Health Benefits Program Broker/Consultant.

Res. # 11-230 – Reject all bids for commercial kitchen equipment for Senior Center.

Res. # 11-231 – Extend contract with First Vehicle Services to provide fleet management and maintenance through August 31, 2011.

Res. # 11-232 – Authorize a person-to-person transfer of the inactive plenary retail consumption license presently issued to the Four E’s, Inc.

Res. # 11-233 – Employ Special Law Enforcement Officers in the Police Department on a probationary basis.

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

Res. # 11-234 – Authorize the execution of a Shared Service Agreement with the County of Monmouth to provide emergency dispatch services to the Township.

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

Res. # 11-235 – Authorize Leon S. Avakian, Inc. to prepare a survey, plans and specifications for reconstruction of the Wesley Lake wall.

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

Res. # 11-236 – Authorize Change Order #2 in connection with the conversion of the former Rite Aid building to a Senior Center.

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

The Mayor announces the following appointments to the Environmental/Shade Tree Commission:

Barry Auerbacher and Peter Longo to unexpired three year terms expiring December 31, 2013.

Res. # 11-237 - Confirm Mayor's appointment to the Environmental/Shade Tree Commission.

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

The Mayor announces the following appointment to the Economic Development Corporation:

Peggy Hordt for an unexpired one year term expiring December 31, 2011.

Res. # 11-238 - Confirm Mayor's appointment to the Economic Development Corporation.

Offered by: _____ Seconded by: _____

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

Res. # 11-239 – 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. 11-27

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING HANDICAPPED PARKING ZONES ON EMBURY AVENUE AND ABBOTT 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 7-21.2 - Handicapped Parking Spaces on Public Roads - Locations Designated, is hereby amended by adding the following:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Embury Avenue	1	South side of Embury Avenue beginning 50 feet east of the southeast intersection of Embury Avenue and Central Avenue.
Abbott Avenue	1	South side of Abbott Avenue beginning 25 feet east of the southeast intersection of Abbott Avenue and Beach 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

Kevin B. McMillan,
Mayor

ORDINANCE NO. 11-28

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE
CODE OF THE TOWNSHIP OF NEPTUNE BY AMENDING A
MUNICIPAL OWNED PROPERTY PARKING PROHIBITION AT
1611 SEWALL 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 7-25 - is hereby added as follows:

7-25 – MUNICIPAL OWNED PROPERTY – PARKING PROHIBITED

No person shall park a vehicle at any time upon any portion of property owned by the Township of Neptune herein described:

Address of property

Location

1611 Sewall Avenue

Sewall Avenue 100 feet west of the Asbury Park border

SECTION 2

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrel, Municipal Clerk

Kevin B. McMillan, Mayor

ORDINANCE NO. 11-29

AN ORDINANCE AUTHORIZING LEASE AGREEMENT
BETWEEN THE TOWNSHIP OF NEPTUNE AND THE FIRST
PENTECOSTAL CHURCH AND MURC FOR THE USE OF A
PORTION OF LIBERTY PARK AS A COMMUNITY GARDEN

WHEREAS, Liberty Park is a municipal park located on Monroe Avenue in Neptune Township at Block 231, Lot 40; and

WHEREAS, the First Pentecostal Church of Neptune Township, located at 144 Oxonia Avenue, Neptune Township, New Jersey 07753 and MURC, located at 238 Neptune Blvd., Neptune Township, New Jersey 07753 have requested use of a portion of Liberty Park for the purposes of a "community garden" to be utilized for maximum space of 50 ft. x 100 ft. behind Liberty Court and Block 231, Lot 01 on the Tax Map of the Township of Neptune; and

WHEREAS, the Township of Neptune is ready, willing and able to enter into a lease agreement, a true copy of which is attached hereto and made a part hereof as Exhibit A, with the above stated parties, for non-exclusive use as a "community garden" with the understanding that the garden shall be maintained by the aforesaid parties and that the vegetables and crops grown in this garden will not be sold to the public but will supplement the Church's food pantry that is authorized by the Monmouth and Ocean County Food Bank.

NOW, THEREFORE BE IT ORDAINED AND ENACTED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey that pursuant to State Statute allowing municipalities to lease public property for public use the governing body hereby authorizes a lease agreement aforesaid as Exhibit A between Neptune Township and the First Pentecostal Church and MURC for the sole purpose of vegetable and crop growth in the location aforesaid as long as said garden is maintained by the Church and MURC and is not sold for private profit and to supplement the Church food pantry that serves the entire community as well as allowing other citizens to use the designated plant area as a community service.

BE IT FURTHER ORDAINED, that the Township Committee authorizes the use of the garden for the limited 50 ft. x 100 ft. space behind Liberty Court and Block 231, Lot 01 in Liberty Park and sets forth the requirements for maintenance and other important aspects of the lease arrangement in the attached Exhibit A lease agreement.

BE IT FURTHER ORDAINED, that the Mayor and Clerk are authorized to execute the attached lease agreement.

BE IT FURTHER ORDAINED, that this Ordinance shall go into effect upon adoption and advertisement according to law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Kevin B. McMillan,
Mayor

RESOLUTION #11-206 – 5/23/11

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:

Potential Litigation – Recreation fields

Contract negotiations – Insurance Broker/Consultant RFQs

Contract negotiations – Shared Service Agreement/lease with County of Monmouth

3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.

4. This Resolution shall take effect immediately.

RESOLUTION #11-207 - 5/23/11

EMPLOY PART-TIME KITCHEN AIDE IN THE SENIOR CENTER

WHEREAS, there is a vacancy in the position of part-time Kitchen Aide in the Senior Center;
and,

WHEREAS, the position was advertised and the Senior Center Director has conducted interviews and made her recommendation; and,

WHEREAS, funds will be provided 2011 Municipal Budget in the appropriation entitled _____, known as Account No. _____, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Teresa Richard be and is hereby employed as a part-time Kitchen Aide in the Senior Center, for an average of 27.5 hours per week, effective May 9, 2011, at an hourly wage of \$9.49; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Senior Center Director, Business Administrator, Chief Financial Officer, Assistant C.F.O., Mandy To and Carina Santos.

RESOLUTION #11-208 - 5/23/11

AUTHORIZE AN AMENDMENT TO THE 2011 MUNICIPAL BUDGET TO REALIZE
MONIES FROM A 2011 CLICK IT OR TICKET MOBILIZATION GRANT

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 2011 in the sum of \$4,000.00 which is now available from a NJDL&PS Division of Highway Traffic Safety Click It or Ticket 2011 Mobilization Grant in the amount of \$4,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$4,000.00 is hereby appropriated under the caption of Click It or Ticket 2011 Mobilization; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a NJDL&PS Division of Highway Traffic Safety Click It or Ticket 2011 Mobilization Grant in the amount of \$4,000.00; and,

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

Vote:

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

RESOLUTION #11-209 - 5/23/11

AUTHORIZE AN AMENDMENT TO THE 2011 MUNICIPAL BUDGET TO REALIZE
MONIES FROM A FY2009 EMERGENCY MANAGEMENT PERFORMANCE
GRANT EXERCISE PASS THROUGH GRANT

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 2011 in the sum of \$15,000.00 which is now available from a NJDL&PS Division of State Police FY 2009 Emergency Management Performance Grant Exercise Pass Through Grant in the amount of \$15,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$15,000.00 is hereby appropriated under the caption of FY2009 EMPG Exercise Pass Through Grant; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a NJDL&PS Division of State Police FY2009 EMPG Exercise Pass Through Grant in the amount of \$15,000.00; and,

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

Vote:

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

RESOLUTION #11-210 - 5/23/11

AUTHORIZE TEMPORARY NO PARKING ON A PORTION OF WEST LAKE AVENUE
IN CONNECTION WITH CONSTRUCTION OF WEST LAKE PARK

WHEREAS, construction of West Lake Park is due to commence on or about May 15, 2011;
and,

WHEREAS, it is necessary to designate a temporary no parking zone to allow construction
equipment to access the new park area,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of
Neptune hereby authorizes the establishment of a temporary no parking zone on the north side of
West Lake Avenue beginning 150 feet east of the intersection with Highway 35 and continuing 250
feet to the east from May 15, 2011 to August 15, 2011; and,

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

RESOLUTION #11-211 - 5/23/11

AUTHORIZE THE CANCELLATION OF MORTGAGES IN CONNECTION
WITH REGIONAL CONTRIBUTION AGREEMENT PROJECTS

WHEREAS, the Township of Neptune holds three mortgages in connection with Regional Contribution Agreement Projects; and,

WHEREAS, six full years have passed since the date of the mortgages and the properties remain in the ownership of the borrowers; and;

WHEREAS, the Township desires to cancel said mortgages in accordance with the terms of the mortgage notes,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and they are hereby authorized to execute the cancellation of mortgages issued to Dahrouge, Lillard and Jones in connection with Regional Contribution Agreement Program projects and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the RCA Administrator and RCA Attorney.

RESOLUTION #11-212 - 5/23/11

AUTHORIZE THE CANCELLATION OF A FAÇADE IMPROVEMENT
LOAN GRANTED TO AUTO AUDIO

WHEREAS, the Township of Neptune issued a Façade Improvement Loan in the amount of \$10,000,00 to Mark Kachersky d/b/a Auto Audio for improvements at Auto Audio located at 124 Highway 35; and,

WHEREAS, Auto Audio has made full payment on the loan; and;

WHEREAS, the Township desires to cancel said loan in accordance with the terms of the loan agreement,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Façade Improvement Program loan issued to Mark Kachersky d/b/a Auto Audio for improvements at Auto Audio located at 124 Highway 35 be and is hereby cancelled and considered paid in full; and,

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

RESOLUTION #11-213 - 5/23/11

AUTHORIZE THE EXECUTION OF A RELEASE OF PART OF MORTGAGED
PROPERTY WITH TRF DP RIDGE AVENUE. LLC IN CONNECTION WITH
THE SCHOOLHOUSE SQUARE PROJECT

WHEREAS, the Township of Neptune holds a mortgage dated April 8, 2009 in the amount of \$400,000 with TRF DP Ridge Avenue, LLC in connection with the Schoolhouse Square project; and,

WHEREAS, Block 197.03, Lot 4, with an address of 1508 Embury Avenue is included in the properties bound by said mortgage; and,

WHEREAS, said property is being sold as a housing unit and TRF DP Ridge Avenue, LLC is requesting that this property be released from the mortgage,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute a Release of Part of Mortgaged Property to release Block 197.03, Lot 4, with an address of 1508 Embury Avenue, from the properties bound by the existing mortgage dated April 8, 2009 in the amount of \$400,000.00; and,

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

RESOLUTION #11-214 - 5/23/11

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND
FILED BY JERSEY SHORE UNIVERSITY MEDICAL CENTER FOR SITE IMPROVEMENTS
AT THE PARKING LOT LOCATED ON THE EAST END OF THE HOSPITAL COMPLEX

WHEREAS, on December 21, 1999, Meridian Health System filed a performance bond written by Travelers Casualty and Surety Company of America in the amount of \$122,153.40 guaranteeing site improvements at the additional parking lot located on Route 33 at the eastern end of the hospital complex (Block 283, Lots 1-5); and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of July 30, 2010 and said performance bond can be released; and,

WHEREAS, Jersey Shore University Medical Center has filed Maintenance Bond #105579783 written by Travelers Casualty and Surety Company of America guaranteeing said site improvements for a period of two years; and,

WHEREAS, the Township Attorney has reviewed and approved said maintenance bond,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Maintenance Guarantee as stated above be and is hereby accepted and the performance bond is authorized to be released; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee on escrow with the Township be and is hereby authorized to be refunded; and,

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

RESOLUTION #11-215 - 5/23/11

APPROVE UNEXCELLED FIRE COMPANY TO SOLICIT DONATIONS
ON A PUBLIC ROADWAY

WHEREAS, Ordinance No. 11-22 establishes procedures for qualified charitable organizations to solicit donations on public roadways; and,

WHEREAS, Unexcelled Fire Company has completed the required application and received approval from the NJDOT to solicit donations on a state highway; and,

WHEREAS, the Chief of Police has approved said request,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Unexcelled Fire Company be and is hereby authorized to solicit donations on State Highway 33 in front of Unexcelled Fire House at 1120 Corlies Avenue on the following dates and times:

May 27, June 3, July 1, September 2 and September 9 – 4:00 p.m. to 8:00 p.m.

May 28, May 29, June 4, July 2, July 3, September 3 and September 10 – 8:00 a.m. to 4:00 p.m.

July 4 - 8:00 a.m. to 12:00 p.m.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Chief of Police and Unexcelled Fire Company.

RESOLUTION #11-216 - 5/23/11

AUTHORIZE THE CANCELLATION OF SEWER RENT

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
270/18	Baldwin Realty, LLC	1501 Corlies Avenue	2011	860.00

REASON: Disconnected from sewer

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

RESOLUTION #11-217 - 5/23/11

APPROVE NEPTUNE FIRST AID SQUAD TO SOLICIT DONATIONS
ON A PUBLIC ROADWAY

WHEREAS, Ordinance No. 11-22 establishes procedures for qualified charitable organizations to solicit donations on public roadways; and,

WHEREAS, Neptune First Aid Squad has completed the required application and received approval from the NJDOT to solicit donations on a state highway; and,

WHEREAS, the Chief of Police has approved said request,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Neptune First Aid Squad be and is hereby authorized to solicit donations on at the intersection of State Highway 35 and 6th Avenue on the following dates and times:

May 28, May 29, June 4, June 5, July 2, July 3, July 9, July 10, September 3, September 4, September 10 and September 11 – 8:00 a.m. to 4:00 p.m.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Chief of Police and Unexcelled Fire Company.

RESOLUTION #11-218 - 5/23/11

AUTHORIZE AN AMENDMENT TO THE 2011 MUNICIPAL BUDGET TO REALIZE
MONIES FROM A CLEAN COMMUNITIES GRANT

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 2011 in the sum of \$51,982.82 which is now available from a NJDEP Clean Communities Grant in the amount of \$51,982.82; and,

BE IT FURTHER RESOLVED that the like sum of \$51,982.82 is hereby appropriated under the title NJDEP - Clean Communities Program; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a State of New Jersey Clean Communities Fund Grant in the amount of \$51,982.82; and,

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

Vote:

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

RESOLUTION #11-219 - 5/23/11

AUTHORIZE THE REISSUANCE OF A BAIL REFUND CHECK

WHEREAS, Lloyd Davis posted cash bail in the amount of \$50.00 to the Neptune Municipal Court on July 22, 2007; and,

WHEREAS, the Neptune Municipal Court issued a check to Mr. Davis in the amount of \$50.00 on January 16, 2009 to return said cash bail; and,

WHEREAS, the check remained outstanding for over six months and therefore the funds were turned over to the Township's Finance Department; and,

WHEREAS, Lloyd Davis is requesting that the funds be returned to the Municipal Court to allow for the bail to be refunded to him,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the transfer of \$50.00 from the Township to the Municipal Court to allow the re-issuance of a check in the same amount to Lloyd Davis representing a refund of cash bail posted on July 22, 2007; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer, Municipal Court Administrator and Auditor.

RESOLUTION #11-220 - 5/23/11

ACCEPT PERFORMANCE GUARANTEE FILED BY RD AMERICA, LLC
FOR SITE IMPROVEMENTS AT RESTAURANT DEPOT (BLOCK 10000, LOT 7.03)

WHEREAS, RD America, LLC has filed performance bond CMS-251720, written by RLI Insurance Company in the amount of \$325,512.00, guaranteeing site improvements at the proposed Restaurant Depot at 3560 Highway 66 (Block 10000, Lot 7.03); and,

WHEREAS, the Township Attorney has reviewed and approved said bond; and,

WHEREAS, the required 10% cash surety and inspection fee escrow have been posted; and,

WHEREAS, the acceptance of this Performance Guarantee does not authorize the issuance of any licenses or permits by the Construction Department but serves as certification to the Planning Board/Board of Adjustment that compliance with the Land Development Ordinance of the Township of Neptune has been met;

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

1. The Performance Guarantee as stated above be and is hereby accepted.
2. The Mayor and Clerk be and are hereby authorized to execute a Developer's Agreement for the above referenced project.
3. A copy of this resolution shall be forwarded to the Township Engineer, Planning Board, Construction Department, Director of Engineering and Planning, Chief Financial Officer and the Developer.

RESOLUTION #11-221 - 5/23/11

AUTHORIZE AN AMENDMENT TO THE 2011 MUNICIPAL BUDGET TO REALIZE
MONIES FROM A RECYCLING TONNAGE GRANT

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 2011 in the sum of \$51,831.93 which is now available from a State of New Jersey Recycling Tonnage Grant in the amount of \$51,831.93; and,

BE IT FURTHER RESOLVED that the like sum of \$51,831.93 is hereby appropriated under the title Recycling Tonnage Grant; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a State of New Jersey Recycling Tonnage Grant in the amount of \$51,831.93; and,

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

Vote:

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

RESOLUTION #11-222 - 5/23/11

AUTHORIZE THE CLOSING OF STREETS IN CONNECTION WITH THE
OCEAN GROVE CHAMBER OF COMMERCE VINTAGE AUTO DISPLAYS

WHEREAS, the Ocean Grove Chamber of Commerce has scheduled two vintage auto displays for Saturday, June 11, 2011 and Saturday, September 17, 2011, on Main Avenue in Ocean Grove; and,

WHEREAS, it is necessary to designate temporary no parking and close two blocks of Main Avenue and one block of Pilgrim Pathway prior to and during the events; and,

WHEREAS, the Police Department has reviewed and approved these closures,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates temporary closure and posting of temporary no parking on Main Avenue between New York Avenue and Central Avenue and Pilgrim Pathway between Main Avenue and Olin Street from 7:00 A.M. to 6:00 P.M. on Saturday, June 11, 2011 and Saturday, September 17, 2011; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Sgt. Gualario, Director of Public Works, Fire Inspector, Business Administrator, and Ocean Grove Chamber of Commerce.

RESOLUTION #11-223 - 5/23/11

ACCEPT DONATION OF A 2002 CHEVROLET BLAZER FROM
NEPTUNE TOWNSHIP FIRE DISTRICT #1

WHEREAS, Neptune Township Fire District #1 has declared that a 2002 Chevrolet Blazer is no longer needed by the District and is therefore surplus equipment; and,

WHEREAS, the Township of Neptune Public Works Department is in need of a vehicle to replace a 1994 Chevrolet pick-up truck that will be sold at auction; and,

WHEREAS, the Public Works Director and Fleet Maintenance Manager have inspected said vehicle and found that it is in good mechanical condition and requires only minor repairs; and,

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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby accepts a donation of a 2002 Chevrolet Blazer bearing vehicle identification number 1GNDDT13W52K211210 from Neptune Township Fire District #1 at no cost to the Township for use by the Neptune Township Public Works Department; and

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

RESOLUTION #11-224 - 5/23/11

ACKNOWLEDGE RETIREMENT OF VARIOUS TOWNSHIP EMPLOYEES

WHEREAS, the Township Committee has received letters indicating that seven Township employees will be retiring from various positions within the Township of Neptune on either June 1st or June 30th,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following retirements of Township employees be and are hereby acknowledged:

Bernice Anderson	Admin Asst to the Business Administrator	June 1, 2011
Louise Coburn	Receptionist	June 1, 2011
Stacy Herms	Clerk/Typist	June 1, 2011
Elizabeth Sullivan	Deputy Court Administrator	June 1, 2011
Rebecca Northrup	Violations Clerk	June 1, 2011
Stanley Dierlam	Custodian	June 1, 2011
Jeannie Potts	Clerk/Typist	June 30, 2011

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

RESOLUTION #11-225 - 5/23/11

AUTHORIZE THE SUBMISSION OF A FY10 EXERCISE
SUPPORT PROGRAM PASS THROUGH GRANT

WHEREAS, the New Jersey Department of Law & Public Safety is providing FY2010 Exercise Support Program Pass Through Grants to improve emergency preparedness programs that have conducted local exercises and have identified areas in need of modifications and enhancement; and,

WHEREAS, the Office of Emergency Management Coordinator has recommended that an application be submitted to obtain a grant under this program for hazardous materials response equipment,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the submission of an application to the New Jersey Department of Law and Public Safety for an Emergency Management Preparedness Grant/FY2010 Exercise Support Program Pass Through Grant in the amount of \$15,000.00; 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.

RESOLUTION #11-226 - 5/23/11

RELEASE ALL SURETY BONDS AND DEVELOPERS ESCROW FOR
IMPROVEMENTS AT GATEWAY CENTER PAD SITE
(ROUTE 66 AND JUMPING BROOK ROAD)

WHEREAS, SSS Neptune Associates, LLC filed a performance guarantee written by International Fidelity Insurance Company in the amount of \$99,576.00, guaranteeing the performance of site improvements at the project known as Gateway Center pad site located at the west end of the project near Jumping Brook Road (Block 10017, Lots 7.03 and 7.07); and,

WHEREAS, the pad site was never developed and the approval for the pad site has been abandoned in order to expand the existing building (former Office Depot) which will house a Restaurant Depot and for which a new performance guarantee has been posted by a different owner; and,

WHEREAS, the Township Engineer has recommended that the bond, cash guarantee and inspection fee be released since the approval for the pad site has been abandoned,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the release of the performance bond as stated herein; and,

BE IT FURTHER RESOLVED, that all remaining balances of the cash performance guarantee account and inspection escrow account be and are hereby authorized to be refunded for the pad site as well as remaining inspection fee escrow for the existing building which formerly was the location of Office Depot; and,

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

RESOLUTION #11-227 - 5/23/11

AUTHORIZE CHANGE TO SUMMER OPERATING HOURS FOR
THE MUNICIPAL COMPLEX

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the hours of operation of the Municipal Complex shall be 8:00 a.m. to 4:00 p.m. from Tuesday, May 31, 2011 through Friday, September 2, 2011; and,

BE IT FURTHER RESOLVED, that effective Tuesday, September 6, 2011, normal operating hours of 8:30 a.m. to 4:30 p.m. shall resume; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to all Township Departments.

RESOLUTION #11-228 - 5/23/11

GRANT TEMPORARY EXTENSION OF LIQUOR LICENSE PREMISES TO SHORE LANES

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 Shore Lanes for a temporary extension of premises at Shore Lanes, 701 Highway 35, on June 11, 2011, (rain date June 18, 2011) from 10:00 A.M. to 8:00 P.M.

RESOLUTION #11-229 - 5/23/11

APPOINT HEALTH BENEFITS PROGRAM BROKER/CONSULTANT

WHEREAS, the Township of Neptune desires to appoint a Health Benefits Program Broker/Consultant through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Township accepted Requests for Proposals for said position on May 17, 2011 and will make a selection from the proposals received; and,

WHEREAS, funds will be provided in the 2011 municipal budget in the appropriation entitled _____, known as Account No. _____, 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 the execution of a contract to engage the services of Brown & Brown Benefit Advisors as Health Benefits Program Broker/Consultant for a one year period from June 1, 2011 through May 31, 2012 at the terms as indicated in said contract on file in the Office of the Municipal Clerk; and,

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

RESOLUTION #11-230 - 5/23/11

REJECT ALL BIDS FOR COMMERCIAL KITCHEN EQUIPMENT FOR SENIOR CENTER

WHEREAS, on May 5, 2011, the Purchasing Agent received bids for the award of a contract for commercial kitchen equipment for the Senior Center; and,

WHEREAS, a total of two bids were received; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that the low bid submitted by All Clean Building Services be rejected due to non-responsiveness to the bid specifications and the next lowest bid submitted by Devin Food Equipment be rejected because it exceeds the budget estimates,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that all bids for supplying commercial kitchen equipment for the Senior Center are hereby rejected due to the reasons as stated herein; and,

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

RESOLUTION #11-231 - 5/23/11

EXTEND CONTRACT OF FIRST VEHICLE SERVICES TO PROVIDE
FLEET MANAGEMENT AND MAINTENANCE THROUGH AUGUST 31ST

WHEREAS, the Township contracted with First Vehicle Services, Inc. to provide fleet management and maintenance services to the Township through May 31, 2011; and,

WHEREAS, the Township Committee desires to extend this contract for three additional months during which time the fleet management and maintenance contract will be put out to bid; and,

WHEREAS, funds will be provided in the 2011 municipal budget in the appropriation entitled Maintenance of Motor Vehicles O.E., known as Account No. _____, 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 the extension of the contract with First Vehicle Services to provide fleet management and maintenance to the Township of Neptune through August 31, 2011 at the same terms, conditions and monthly rate as stated in said contract; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to First Vehicle Services, Business Administrator, Chief Financial Officer, Assistant C.F.O.

RESOLUTION #11-232 - 5/23/11

AUTHORIZE A PERSON TO PERSON TRANSFER OF THE INACTIVE PLENARY
RETAIL CONSUMPTION LICENSE PRESENTLY ISSUED TO THE FOUR E'S INC.

WHEREAS, Neptune Ale House, LLC has applied for a person-to-person transfer of Plenary Retail Consumption License # 1334-33-023-005 which is presently issued to Four E's, Inc. and currently held in pocket (not licensed to a specific location); and,

WHEREAS, the application is complete in all respects; and,

WHEREAS, the required Affidavit of the source of funds of said liquor license has been filed by the applicant for the transfer and examined by the members of the Township Committee; and,

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey statutes, the regulations promulgated thereunder as well as the pertinent local ordinances and conditions imposed consistent with Title 33; and,

WHEREAS, all transfer procedures as outlined by state statute and local ordinances have been completed satisfactorily,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the person-to-person transfer of Plenary Retail Consumption License #1334-33-023-005 as stated herein to Neptune Ale House, LLC effective May 24, 2011; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the New Jersey Division of ABC, the Chief of Police and the Applicant.

RESOLUTION #11-233 - 5/23/11

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

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

WHEREAS, the positions were duly posted and advertised and applicants have been interviewed; and,

WHEREAS, the Chief of Police has made his recommendations; and,

WHEREAS, funds will be provided in the appropriation entitled _____, known as Account No. _____, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Victor Santos and Jean Pierre Marcent be and are hereby employed as part-time Special Law Enforcement Officers – Class I, and Glen Pacyna be and is hereby employed as a part-time Special Law Enforcement Officer – Class II and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, effective immediately, at an hourly rate of \$14.00 for Class I and \$17.00 for Class II; and,

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

RESOLUTION #11-234 - 5/23/11

AUTHORIZE THE EXECUTION OF A SHARED SERVICE AGREEMENT
WITH THE COUNTY OF MONMOUTH TO PROVIDE
EMERGENCY DISPATCH SERVICES TO THE TOWNSHIP

WHEREAS, the Township of Neptune, mindful of its duty and responsibility to protect and maintain the public health, safety and welfare of its inhabitants, has determined that its best interests would be served by joining the County of Monmouth Emergency Telecommunications System to provide emergency dispatch services for all Township emergency agencies; and,

WHEREAS, the Township of Neptune and the County of Monmouth desire to enter into a Shared Service Agreement pursuant to N.J.S.A. 40:8A-1 et seq. for the Township and County to cooperatively participate in this project; and,

WHEREAS, the County shall provide all calls to the Township by call relay, transfer, or direct emergency dispatch in accordance with the Township's participation plan; and,

WHEREAS, the County will provide direct emergency dispatch services for police, fire, emergency management and emergency medical services for the Township,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Shared Service Agreement with the County of Monmouth, a copy of which is on file in the Office of the Municipal Clerk, providing for the County to provide emergency dispatch services to the Township commencing January 1, 2012 and continuing for a period of five years at an annual fee to the Township of \$350,000 for years 2012 to 2014 and \$375,000 for years 2015 and 2016; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Business Administrator, Assistant C.F.O., Chief of Police, and the Monmouth County Sheriff's Department.

RESOLUTION #11-235 - 5/23/11

AUTHORIZE LEON S. AVAKIAN, INC. TO PREPARE A SURVEY, PLANS AND SPECIFICATIONS FOR RECONSTRUCTION OF THE WESLEY LAKE WALL

WHEREAS, the Township of Neptune desired to undertake a project to reconstruct approximately 930 linear feet of the Wesley Lake wall; and,

WHEREAS, it is necessary for a survey to be prepared along with plans and specifications in connection with this project; and,

WHEREAS, the Township Engineer has recommended that Leon S. Avakian, Inc. be awarded this work based on their submitted quote; and,

WHEREAS, Leon S. Avakian, Inc. has been designated as one of the Township's Consulting Engineers; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 11-24, 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 Leon S. Avakian, Inc. to perform the services as stated herein at an amount not to exceed \$22,500.00; and,

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

RESOLUTION #11-236 - 5/23/11

AUTHORIZE CHANGE ORDER #2 IN CONNECTION WITH
THE CONVERSION OF THE FORMER RITE AID BUILDING TO A SENIOR CENTER

WHEREAS, on May 24, 2010, a contract was awarded to Structural Concepts, Inc. in the amount of \$1,359,000.00 in connection with the conversion of the former Rite Aid Building on Route 33 into the new Neptune Senior Center; and,

WHEREAS, on March 14, 2011, the Township Committee adopted Resolution #11-146 which authorized Change Order #1, increasing the amount of the contract by \$64,609.64; and,

WHEREAS, changes to the contract have been experienced as a result of replacing existing windows and frames; adding a new rolling counter/shutter screen; adding roof snow guards, adding a lobby cabinet; revising an office door; and revising the kitchen office to provide better visual capability over the kitchen; and,

WHEREAS, this change has been approved by the Director of Engineering and Planning; and,

WHEREAS, funds for this purpose are available in Ordinance No. 10-10 and 08-34 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #2 in the contract with Structural Concepts, Inc. in connection with the conversion of the former Rite Aid building on Route 33 into the new Neptune Senior Center resulting in a net increase of \$32,459.09 revising the total contract amount to \$1,456,068.73; and,

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

RESOLUTION #11-237 - 5/23/11

CONFIRM MAYOR'S APPOINTMENTS TO THE
ENVIRONMENTAL/SHADE TREE COMMISSION

BE IT RESOLVED, that the Township Committee confirms the Mayor's appointments of Barry Auerbacher and Peter Longo to the Environmental/Shade Tree Commission for unexpired three year terms expiring December 31, 2013; and,

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

RESOLUTION #11-238 - 5/23/11

CONSENT TO MAYOR'S APPOINTMENT TO THE
ECONOMIC DEVELOPMENT CORPORATION

BE IT RESOLVED, that the Township Committee hereby consents to the Mayor's appointment of Peggy Hordt as a Municipal Trustee to the Economic Development Corporation for the year 2011; and,

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

RESOLUTION #11-239 – 5/23/11

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	6,318,817.73
FEDERAL & STATE GRANT FUND	29,642.05
TRUST OTHER	40,119.91
GENERAL CAPITAL FUND	193,037.62
SEWER OPERATING FUND	1,082,067.40
SEWER CAPITAL FUND	3,963.06
MARINA OPERATING FUND	4,669.17
MARINA CAPITAL FUND	5,860.44
DOG TRUST	7,433.30
LIBRARY TRUST	2,015.64
BILL LIST TOTAL	\$7,687,626.32

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

RESOLUTION #11-240 - 5/23/11

SUPPORT CONTINUED USE OF THE GREAT AUDITORIUM AS THE VENUE FOR THE
NEPTUNE HIGH SCHOOL ANNUAL COMMENCEMENT CEREMONY

WHEREAS, for over seven decades, the Neptune Township Board of Education has used the Great Auditorium in Ocean Grove to conduct its annual commencement ceremony for graduating high school students; and,

WHEREAS, the Great Auditorium is the largest indoor venue in the area, is able to accommodate over 3000 friends and relatives of graduating students, and is within walking distance of many attendees; and,

WHEREAS, generations of Neptune High School seniors have enjoyed the unique experience of graduating in an over 100 year old national historic landmark; and,

WHEREAS, one individual via the American Civil Liberties Union has challenged the Board of Education's ability to conduct the commencement ceremony in the Great Auditorium because the building contains several religious symbols; and,

WHEREAS, the graduation ceremony is conducted in the Great Auditorium based on tradition, the structure's seating capacity and design, and its rich historical significance as a place that has been visited by nine U.S Presidents and virtually every Governor of the State of New Jersey; and,

WHEREAS, the hard working students of the Neptune High School deserve the right to be graduated in this special place as fitting tribute to their accomplishment of fulfilling the requirements to earn a high school diploma; and,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby supports the continued use of the Great Auditorium as the location of the annual Neptune High School commencement ceremony; and,

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