

TOWNSHIP COMMITTEE WORKSHOP MEETING – SEPTEMBER 26, 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 – Municipal Complex operating hours.

2. Outstanding parking lot items. (PW)

Res. # 11-384 – 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 – SEPTEMBER 26, 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.

APPROVAL OF MINUTES

Motion offered by _____, seconded by _____, to approve the minutes of the meetings held on July 25th and August 8th.

PRESENTATION

Certificates of Appreciation will be presented to individuals who volunteered at the Hazardous Materials Emergency Preparedness exercise held on September 13th.

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 statement for August.

Monmouth County Board of Health September 20th agenda and minutes from the August 16th meeting.

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

Letter from the Johnson Family thanking the Public Works Department for their clean-up efforts on Sherry Lane following Hurricane Irene.

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. 11-41 – An ordinance to amend Volume I, Chapter XIII of the Code of the Township of Neptune by applying the regulations for parks and playfields to all township owned open space – Final Reading

Explanatory Statement: This ordinance makes existing rules and regulations for parks and playfields applicable to all Township open space.

Public Hearing:

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

ORDINANCE NO. 11-42 – An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding a handicapped parking zone on Heck Avenue and removing handicapped parking zones on Atlantic and Seaview Avenues – Final Reading

Explanatory Statement: This ordinance authorizes a handicapped parking stall on the south side of Heck Avenue between Central and Beach Avenues and deletes existing handicapped stalls on Atlantic and Seaview Avenues.

Public Hearing:

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

ORDINANCE NO. 11-43 - An ordinance to amend Volume I, Chapter II, Section 2-23 of the Code of the Township of Neptune by amending the fee for Public Defender. – First Reading

Explanatory Statement: This ordinance sets the fee for the use of the Public Defender at a maximum of \$200.00 in accordance with state statute and based on an individual's ability to pay.

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 11-44 - An ordinance to amend Volume I, Chapter VII, Section 7-7.8 of the Code of the Township of Neptune by designating no parking during certain hours on a portion of Wakefield Road – First Reading

Explanatory Statement: This ordinance establishes a no parking zone on the west side of Wakefield Road between Newgate Lane and Fenchurch Way between 8am and 5pm - Monday through Friday.

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 11-45 - An ordinance to amend Volume I, Chapter III, Section 3-5 of the Code of the Township of Neptune by amending the “Curfew Ordinance of the Township of Neptune”. – First Reading

Explanatory Statement: This ordinance fully amends the Township’s curfew ordinance for minors. The curfew is 9:30 p.m. for minors 13 years of age and under and 11:00 p.m. for minors between 14 and 17 years of age. The ordinance provides exceptions, enforcement procedures and penalties for violations.

Offered by: _____ Seconded by: _____

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

The Public Hearings on Ordinances 11-43 through 11-45 will be held on Thursday, October 6, 2011.

CONSENT AGENDA

Res. # 11-385 – Accept a FY2011 Emergency Management Assistance/Emergency Management Performance Grant from the New Jersey State Police.

Res. # 11-386 – Adopt rates for the Municipal Marina.

Res. # 11-387 – Authorize an amendment to the 2011 Municipal Budget to realize monies from a 2011 Cops in Shops grant.

Res. # 11-388 – Designate 2012 floating holiday.

Res. # 11-389 – Establish standard business hours of 8:00 A.M. to 4:00 P.M. throughout the Municipal Complex.

Res. # 11-390 – Request the Division of Local Government Services to grant approval of a Dedication by Rider of revenues received for Wesley Lake improvements.

Res. # 11-391 – Request the Division of Local Government Services to grant approval of a Dedication by Rider of revenues received for Veterans Memorial Park improvements.

Res. # 11-392 – Authorize the cancellation of a mortgage in connection with a Regional Contribution Agreement project.

Res. # 11-393 – Release surety bond for stabilization work at 113 Fenchurch Way.

Res. # 11-394 – Reclassify employee to the position of Custodian.

Res. # 11-395 – Appoint School Crossing Guard for the 2011-2012 school year.

Res. # 11-396 – Authorize the refund of taxes as a result of an overpayment.

Res. # 11-397 – Appoint member to the Wesley Lake Commission.

Res. # 11-398 – Authorize temporary no parking in connection with the Star 99.1 Family Festival.

Res. # 11-399 – Approve the transfer of Taxi Medallion License No. 005.

Res. # 11-400 – Authorize temporary no parking and temporary road closures in connection with Riverfest.

Res. # 11-401 – Authorize the submission of grant applications to the New Jersey Department of Law & Public Safety for Hazardous Materials Emergency Preparedness Training and Planning.

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

Res. # 11-402 – Urge Township of Neptune Sewerage Authority to re-rate the capacity of the TNSA treatment facility.

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

Res. # 11-403 – Award bid for Senior Center site improvements.

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

Res. # 11-404 – Employ Administrative Assistant to the Director of Public Works on a probationary basis.

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

Res. # 11-405 – 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. 11-43

AN ORDINANCE TO AMEND VOLUME I, CHAPTER II, SECTION 2-23 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY AMENDING THE FEE FOR PUBLIC DEFENDER

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

SECTION 1. Volume I, Chapter II, Section 2-23 "Public Defender" of the Code of the Township of Neptune be and is hereby amended as follows:

2-23.5 "Fee for Representation" is amended to read:

a. The Township of Neptune pays for the services rendered to an indigent defendant by the Township Public Defender.

b. The Public Defender fee shall be set forth as \$200.00 per case made payable to the Township of Neptune.

c. The Municipal Court Judge may waive any such required application fee in whole or in part, if the court determines in its discretion, that the application fee represents an unreasonable burden on the person seeking such representation.

SECTION 2. This ordinance shall become effective immediately upon its adoption and publication according to law.

APPROVED ON FIRST READING:

APPROVED, PASSED AND ADOPTED:

ATTEST:

Richard J. Cuttrell,
Municipal Clerk

Kevin B. McMillan,
Mayor

ORDINANCE NO. 11-44

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-7.8 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY DESIGNATING NO PARKING DURING CERTAIN HOURS ON A PORTION OF WAKEFIELD ROAD

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 7-7.8 – Parking Prohibited During Certain Hours on Certain Streets, is hereby amended by adding the following:

<u>Name of Street</u>	<u>Side</u>	<u>Hours</u>	<u>Location</u>
Wakefield Road	West	8:00 am – 5:00 pm Monday - Friday	Between Newgate Lane and Mayfair Lane.

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
Mayor

B. McMillan,

ORDINANCE NO. 11-45

AN ORDINANCE TO AMEND VOLUME I , CHAPTER III,
SECTION 3-5 OF THE CODE OF THE TOWNSHIP OF
NEPTUNE BY AMENDING "THE CURFEW ORDINANCE OF
THE TOWNSHIP OF NEPTUNE

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

SECTION 1.

Volume I, Chapter III, Section 3-5, of the Code of the Township of Neptune entitled "Curfew for Minors," is hereby amended in its entirety as follows:

3-5 CURFEW FOR MINORS.

3-5.1 Title. This section shall be known and may be cited as the "Curfew Ordinance of the Township of Neptune."

3-5.2 Definitions. As used in this section:

Township shall mean the Township of Neptune, Monmouth County, State of New Jersey, a municipal corporation of the State of New Jersey with its principal office located at 25 Neptune Blvd., Neptune, New Jersey.

Minor shall mean a person under the age of eighteen (18), or an equivalent phrasing often herein employed, any person seventeen (17) or less years of age.

Parent shall mean any person having legal custody of a minor:

- a. As a natural or adoptive parent,
- b. As a legal guardian,
- c. As a person who stands in loco parentis,
- d. As a person to whom legal custody has been given by court order.

Street shall mean a way or place, of whatsoever nature, open to the use of the public as a matter of right for purposes of vehicular traffic or in the case of sidewalk thereof for pedestrian travel. The term street includes the legal right-of-way, including but not limited to, the cartway or traffic lanes, the curb, the sidewalks whether paved or unpaved, and any grass plots or other grounds found within the legal right-of-way of a street. The term "street" applies irrespective of what it is called or formally named, whether alley, avenue, court, road or otherwise. The term street also includes the boardwalk, shopping areas, parking lots, public buildings, and similar areas that are open to the use of the public.

Time of night shall mean and is based upon the prevailing standard of time, whether Eastern/Standard Time or Eastern/Daylight Savings Time, generally observed at that hour by the public in the Township, or then observed in the police station.

Year of age shall mean and continue from one (1) birthday, such as the seventeenth, but not including the day of the next, such as the eighteenth birthday; making it clear that seventeen (17) or less years of age is herein treated as equivalent to the phrase “under eighteen years of age.” Similarly, for example, thirteen (13) or less years of age means under fourteen (14) years of age.

3-5.3 Curfew for Minors.

a. It shall be unlawful for any persons seventeen (17) or less years of age to be or remain in or upon the public streets, highways, roads, public places and/or public buildings, places of amusement and/or entertainment, public transportation facility, public vehicles used for transportation, vacant lots or other public places within the confines of the Township at night, during the period ending at 6:00 a.m. and beginning:

1. At 9:30 p.m. for minors thirteen (13) or less years of age.
2. At 11:00 p.m. for minors fourteen (14) or more years of age.

b. In addition, it shall be unlawful for any parent or guardian to allow or permit any minor to be in or upon any public streets, highways, roads, public places and/or public buildings, places of amusement and/or entertainment, public transportation facility, public vehicles used for transportation, vacant lots or other public places within the confines of the Township at any time during the hours in which said minor’s school is in session, unless such minor has been officially excused (excluding suspension and expulsion) from attendance at such school by school authorities.

c. Similarly, it shall be unlawful for any owner, operator or employee of an establishment to knowingly allow or permit any minor to remain in or upon such establishment at any time during the hours in which such minor’s school is in session, unless such child has been officially excused (excluding suspension and expulsion) from attendance at such school by school authorities.

3-5.4 Exceptions. In the following exceptional cases, a minor on a Township street during the periods of time prohibited under subsection 3-5.3, shall not, however, be in violation of the curfew regulations when any of the following shall occur:

- a. When accompanied by a parent of such minor.
- b. When accompanied by an adult authorized by a parent of such minor to take the parent’s place in accompanying the minor for a designated period of time and purpose within a specified area.
- c. When exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech and the right of assembly. Such minor shall evidence the bona fides of such exercise by having in his/her possession a written communication, signed by such minor and countersigned, if practicable, by a parent of such minor with their home address and telephone number, specifying when, where and in what manner the minor

will be on the streets at night, an exercise of a First Amendment right specified in such communication.

- d. When the minor is returning home from a night school, fraternity, church, social or school meeting, or is en route to or returning from a doctor or dentist office, where treatment has been rendered or is to be rendered by such doctor or dentist, provided such minor can evidence the rendering of treatment or the need for treatment by a physician's statement.
- e. When the minor is no more than fifty (50) feet from the minor's place of residence.
- f. When the minor carries a certified card of employment or worker's permit, pursuant to State Law.
- g. When the minor is, with parental consent, in a motor vehicle. This contemplates normal travel. This clearly exempts bona fide interstate movement through the Township and interstate travel beginning or ending in the Township.

3-5.5 Parental Responsibility. It shall be unlawful for a parent having legal custody of a minor knowingly to permit or by inefficient control to allow such minor to be or remain in or upon any Township public streets, highways, roads, public places and/or public buildings, places of amusement and/or entertainment, public transportation facility, public vehicles used for transportation, vacant lots or other public places within the confines of the Township under circumstances not constituting an exception, or otherwise beyond the scope of, the curfew. The term "knowingly" includes knowledge which a parent would reasonably be expected to have concerning the whereabouts of a minor in the parent's legal custody. It is intended to continue to keep neglectful or careless parents up to a reasonable community standard of parental responsibility through an objective test. It is no defense that a parent was completely indifferent to the activities, conduct or whereabouts of such minor.

3-5.6 Enforcement Procedure. If a police officer reasonably believes that a juvenile is in or upon the public streets, highways, roads, public places and/or public buildings, places of amusement and/or entertainment, public transportation facility, public vehicles used for transportation, vacant lots or other public places within the confines of the Township in violation of the curfew regulations, the officer shall notify the juvenile that he or she is in violation of the regulations and shall require the juvenile to provide his or her name, address and telephone number and how to contact his or her parent or guardian. In determining the age of the juvenile and, in the absence of convincing evidence such as a birth certificate or driver's license, a police officer on the street shall use his or her best judgment in determining age. If the officer determines that a person is in violation of this section he/she shall take the juvenile to the police station, where a parent or guardian shall immediately be notified to come for the juvenile, and whereupon they shall be questioned. This is intended to permit ascertainment, under constitutional safeguards, of relevant facts and to centralize responsibility in the person designated there and then on duty for accurate, effective, fair, impartial and uniform enforcement and recording, thus making available experienced personnel and access to information and records.

- a. Police procedures shall constantly be refined in the light of experience and may provide that the police officer may deliver to a parent or guardian thereof a

juvenile under appropriate circumstances, for example, a juvenile of tender age near home whose identity and address may readily be ascertained or are known.

- b. A police officer discharging an enforcement obligation under this section shall file a written report with the Chief of Police or his/her designee or shall participate to the extent of the information for which he/she is responsible in the preparation of a report on the curfew violation. It is not the intention of this section to require extensive reports that will prevent police officers from performing their primary police duties. The reports shall be as simple as is reasonably possible and may be completed by police departmental personnel other than sworn police officers.
- c. When a parent or guardian, immediately called, has come to take charge of the juvenile, and the appropriate information has been recorded, the juvenile shall be released to the custody of such parent. If the parent cannot be located or fails to take charge of the juvenile, then the juvenile shall be released to the juvenile authorities, except that in accordance with police regulations, approved in advance by juvenile authorities, the juvenile may temporarily be entrusted to an adult relative, neighbor or other person who will on behalf of a parent or guardian assume the responsibility of caring for the juvenile pending the availability or arrival of a parent or guardian.
- d. In the case of a first violation by a juvenile, the Chief of Police or his/her designee shall send, by certified mail, to the parents or guardian of the minor, written notice of the violation with a warning that any subsequent violations will result in full enforcement of the curfew regulations, including enforcement of parental responsibility and of applicable penalties.

3-5.7 Presumption of Knowledge. There shall be a presumption that whenever a minor has been convicted of a violation of this section, the parents, guardians, or other adult persons having care of the minor knew or should have known of the minor's violation of this section if the minor had been convicted on a prior occasion within six (6) months of the date of the present violation.

3-5.8 Violations and Penalties.

- a. If, after receipt of a warning notice pursuant to subsection 3-6.6 of a first violation by a juvenile, a second curfew violation is adjudicated against the same minor, the parents or guardian of the minor shall be subject to prosecution under subsection 3-6.5. For the first parental offense a parent shall be subject to a mandatory fine of not less than eighty (\$80.00) dollars and for each subsequent offense by a parent there shall be a mandatory Municipal Court appearance with any penalties to be assessed by the Judge of the Municipal Court, in accordance with Subsection 1-5. The Judge of the Municipal Court, upon finding a parent guilty, may sentence the parent to pay this fine and the costs of prosecution.
- b. If a minor has been found to be in violation of this section on a second occasion within a six (6) month period, that minor shall receive a summons and complaint from the Police Officer who apprehended the minor for the violation of this section. The Judge of the Municipal Court, upon finding the minor guilty, may sentence the minor to perform community service for a period not to exceed ninety (90) days.

- c. In addition, any juvenile who shall violate any of the provisions of the curfew regulations more than three (3) times shall be reported by the Chief of Police or his/her designee to the juvenile authorities as a juvenile in need of supervision and the Chief of Police or his/her designee may proceed to file such charges with the Superior Court of New Jersey, Family Part, Monmouth County, as he/she may deem appropriate.

3-5.9 Notice. Notice of the existence of this section and of the curfew regulations established by it shall be posted in, on or about such public or quasi-public places as may be determined by the Chief of Police or his/her designee, in order that the public may be constantly informed of the existence of this section and its regulations.

SECTION 2.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately upon final passage and publication in accordance with the law.

SECTION 3.

BE IT FURTHER ORDAINED, that the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 4.

BE IT FURTHER ORDAINED, that all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Kevin B. McMillan,
Mayor

RESOLUTION #11-384 – 9/26/11

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,

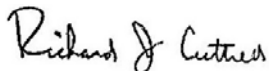
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, as follows:

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 – RCA mortgage note
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 09/26/11



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

RESOLUTION #11-385 - 9/26/11

ACCEPT A FY11 EMERGENCY MANAGEMENT ASSISTANCE/EMERGENCY MANAGEMENT PERFORMANCE GRANT FROM THE NEW JERSEY STATE POLICE

WHEREAS, the Township of Neptune has applied for and has been awarded a FY11 Emergency Management Assistance/Emergency Management Performance grant in the amount of \$5,000.00 from the New Jersey State Police; and,

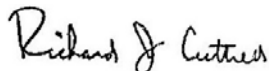
WHEREAS, the Emergency Management Coordinator recommends that the grant be accepted,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the above referenced grant is hereby accepted and the Mayor and/or Emergency Management Coordinator be are hereby authorized to execute grant documents, as needed, as representatives of the Township of Neptune; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Emergency Management Coordinator, Chief Financial Officer, Business Administrator and Administrative Assistant to the 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 09/26/11



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

RESOLUTION #11-386 - 9/26/11

ADOPT RATES FOR THE MUNICIPAL MARINA

WHEREAS, the Neptune Township Committee has adopted Ordinance No. 06-30 which provides for the adoption of fees and rates for the Municipal Marina by adoption of a Resolution of the Neptune Harbor Commission with approval of the Township Committee; and,

WHEREAS, the Township desires to adopt an updated rate schedule in accordance with the Harbor Commission's recommendations,

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

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

<u>Boat Size</u>	<u>Fee Per Foot</u>
18 to 22 feet	\$82.50
23 to 25 feet	88.50
26 to 29 feet	92.00
30 to 35 feet	96.00
36 to 40 feet	98.00
41 feet and up	100.00

25% deposit due no later than December 15th of prior year. Payment in full due no later than March 15th. Late fee charged after April 1st.

b. Daily Dockage/Transient Rate

Per day/night: \$2.00 per foot per day/night with the 7th night free for every 6 nights paid

Per month: \$400.00 flat rate per month to be paid in full prior to renting the slip.

c. Boat ramp

Daily - One boat or PWC - \$14.00 both ways

Daily - Two PWC's same trailer - \$16.00 both ways

Annual (paid on or before March 15th) - One boat or PWC - \$170.00 unlimited use

Annual (paid on or before March 15th) - Two PWC's same trailer - \$195.00 unlimited use

Annual (after March 15th) - One boat or PWC - \$215.00 unlimited use

Annual (after March 15th) - Two PWC's same trailer - \$240.00 unlimited use

d. Dry Winter storage

Dry winter storage (September 15th to May 15th) - \$20.00 per foot payable to Neptune Township plus \$10.00 per foot made payable to Monmouth Marine Engines for

hauling, blocking, power washing and spring launch.

25% deposit due upon execution of customer contract. Full payment is due no later than November 15th. Late fee charged after December 1st.

e. Wet winter storage

Wet winter storage (December 1st to March 15th) - \$20.00 per foot made payable to Township of Neptune.

25% deposit due upon execution of customer contract. Full payment is due no later than November 15th. Late fee charged after December 1st.

f. Commercial Boat fees

The fee shall be \$2,000.00 per year.

25% deposit due no later than December 15th of prior year. Full payment is due no later than March 15th. Late fee charged after April 1st.

g. Miscellaneous fees

1. Any boat left in the water after December 1st will be charged a flat rate of \$100.00 per week plus \$5.00 per foot per week until the boat is hauled or removed (no fee if using wet winter storage)

2.. Dead-On-Land Storage (boat on chocks/blocks) from April 1st to December 1st - \$60.00 per foot

3. Dry Land Storage (on trailer with ramp access) from April 1st to December 1st - \$37.00 per foot.

4. Slip Transfer Fee (after April 1st) - \$50.00

5. Trailer Storage - \$250.00 per season from April 1st to December 1st. All trailers must be removed by December 1st.

6. Kayak/Canoe Storage - \$250.00 per season from April 1st to December 1st. All kayaks/canoes must be removed by December 1st.

h. Winter Storage Transient Fees

1. Any boat in the water after December 1st will be charged \$2.00 per foot per day with the 7th night free for every 6 nights paid for a transient slip only.

i. Late fees

Any balance due after the deadline date for storage and dockage will be charged a late fee at an annualized rate of 18% (1.5% per month).

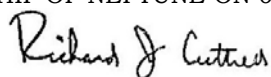
k. Prorated fees

Prorated fees shall be offered to new customers only and are calculated daily based on the number of days remaining in the season. Prorated fees apply to Summer Dockage Slips, Trailer Storage, Kayak / Canoe Storage, Summer Land Storage and Dead On Land Storage. No Prorating will be offered for the Summer Land Storage with Ramp or Dry Winter Storage.

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

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 09/26/11



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

RESOLUTION #11-387 - 9/26/11

AUTHORIZE AN AMENDMENT TO THE 2011 MUNICIPAL BUDGET TO REALIZE
MONIES FROM A 2011 COPS IN SHOPS 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 hereof 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 \$1,600.00 which is now available from a NJDL&PS Division of Highway Traffic Safety Cops in Shops – Summer Shore Initiative 2011 Grant in the amount of \$1,600.00; and,

BE IT FURTHER RESOLVED that the like sum of \$1,600.00 is hereby appropriated under the caption of Cops in Shops - Summer Shore Initiative 2011; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a NJDL&PS Division of Alcoholic Beverage Control Cops in Shops 2011 Summer Shore Initiative Grant in the amount of \$1,600.00; and,

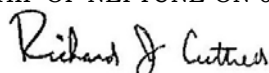
BE IT FURTHER RESOLVED, that the Clerk forward three certified copies of this resolution to Chief Financial Officer and one copy to the Assistant C.F.O., and Auditor.

Vote:

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

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 09/26/11



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

RESOLUTION #11-388 - 9/26/11

DESIGNATE 2012 FLOATING HOLIDAY

WHEREAS, Article XII, Section L, of the current contract between AFSCME Local #1844 and the Township states that the Lincoln's Birthday holiday benefit can be moved to any other day of the year upon mutual agreement by the Union and the Township; and,

WHEREAS, the Township and AFSCME Local #1844 have requested that the 2012 Lincoln's Birthday holiday benefit be used on Monday, December 24, 2012; and,

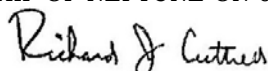
WHEREAS, the Township Committee accepts this request,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the 2012 Lincoln's Birthday Holiday benefit will be utilized by Township employees on Monday, December 24, 2012, all employees will be off-duty for that day, with the exception of Police Officers, Communications Operators, custodial staff and library staff; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to all Department Heads and AFSCME Local #1844.

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 09/26/11



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

RESOLUTION #11-389 - 9/26/11

ESTABLISH STANDARD BUSINESS HOURS OF 8:00 A.M. TO 4:00 P.M.
THROUGHOUT MUNICIPAL COMPLEX

WHEREAS, in recent years, a number of municipal departments, including Court, Police Records, Code/Construction, Recreation and Engineering, have switched to an operating schedule of 8:00 a.m. to 4:00 p.m. year round in order to better match the availability of residents utilizing the services of these Departments; and,

WHEREAS, during June, July and August, all municipal departments operate on a 8:00 a.m to 4:00 p.m. schedule; and,

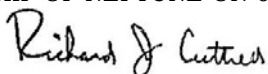
WHEREAS, it is the desire of the Township Committee to establish consistent and matching business hours throughout all municipal departments on a year round basis,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the business hours of the Municipal Complex for all departments shall be 8:00 a.m. to 4:00 p.m. year round effective Monday, October 3, 2011; and,

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

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 09/26/11



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

RESOLUTION #11-390 - 9/26/11

REQUEST THE DIVISION OF LOCAL GOVERNMENT SERVICES TO GRANT
APPROVAL OF A DEDICATION BY RIDER OF REVENUES RECEIVED FOR
WESLEY LAKE IMPROVEMENTS

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance: and,

WHEREAS, N.J.S.A. 40A:5-29 et seq. authorizes a municipality to accept donations and utilize same so long as the use is consistent with the laws of this State and of the United States; and,

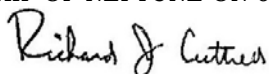
WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of said monies by dedication by rider;

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

- 1) The Township Committee does hereby request permission of the Director of the Division of Local Government Services to utilize donated funds received for Wesley Lake Improvements.
- 2) The Township Clerk is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.
- 3) The Township Clerk shall forward certified copies of this resolution to the Business Administrator, Chief Financial Officer and 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 09/26/11



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

RESOLUTION #11-391 - 9/26/11

REQUEST THE DIVISION OF LOCAL GOVERNMENT SERVICES TO GRANT
APPROVAL OF A DEDICATION BY RIDER OF REVENUES RECEIVED FOR
VETERANS MEMORIAL PARK IMPROVEMENTS

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance: and,

WHEREAS, N.J.S.A. 40A:5-29 et seq. authorizes a municipality to accept donations and utilize same so long as the use is consistent with the laws of this State and of the United States; and,

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of said monies by dedication by rider;

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

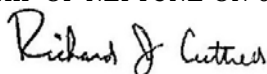
1) The Township Committee does hereby request permission of the Director of the Division of Local Government Services to utilize donated funds received for Veterans Memorial Park Improvements.

2) The Township Clerk is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

3) The Township Clerk shall forward certified copies of this resolution to the Business Administrator, Chief Financial Officer and 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 09/26/11



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

RESOLUTION #11-392 - 9/26/11

AUTHORIZE THE CANCELLATION OF A MORTGAGE IN CONNECTION
WITH A REGIONAL CONTRIBUTION AGREEMENT PROJECT

WHEREAS, the Township of Neptune holds a mortgage dated September 22, 2005 in connection with a Regional Contribution Agreement Project at 453 Drummond Avenue; and,

WHEREAS, the mortgage note states that when six full years has passed since the date of the mortgage and the property remains in the ownership of the borrower, the mortgage can be cancelled; and;

WHEREAS, the borrower sold the property on August 30, 2011, or about three weeks before the six year anniversary of the mortgage; and,

WHEREAS, the rehabilitation project was originally planned for the Neighborhood Preservation Program, a bid was awarded to a Contractor and a mortgage was prepared on May 12, 2005 in preparation of the commencement of the project; and,

WHEREAS, the Neighborhood Preservation Program guidelines state when five (not six) full years has passed since the date of the mortgage and the property remains in the ownership of the borrower, the mortgage can be cancelled; and;

WHEREAS, the original Contractor was unable to begin the work so the May 12, 2005 mortgage was not filed, the project was rebid in September 2005, a contract was awarded utilizing Regional Contribution Agreement funds and a new mortgage dated September 22, 2005 was signed and filed; and,

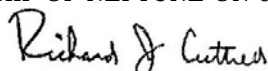
WHEREAS, given the extenuating circumstances of a change in funding programs, difference in length of time the borrower is required to hold the property before the mortgage can be cancelled and a change in the contractor, the Regional Contribution Agreement Attorney and Municipal Clerk agree that the intent of the program was served and the mortgage should be cancelled even though the property was sold three weeks prior to the sixth anniversary of the mortgage date,

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 a cancellation of mortgage in connection with the Regional Contribution Agreement Project at 453 Drummond Avenue; and,

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

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 09/26/11



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

RESOLUTION #11-393 - 9/26/11

RELEASE SURETY BOND FOR STABILIZATION WORK
AT 113 FENCHURCH WAY (BLOCK 3018, LOTS 42-45)

WHEREAS, the Township Engineer required that P&C Contractors, LLC file a performance guarantee in the amount of \$4,380.00 for stabilization measures at 113 Fenchurch Way (Block 3018, Lots 42-45); and,

WHEREAS, P&C Contractors, LLC posted this guarantee in cash which is in escrow with the Township; and,

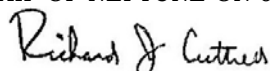
WHEREAS, on September 21, 2011, the Township Engineer certified that all site work has been completed and said guarantee may be released,

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

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

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 09/26/11



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

RESOLUTION #11-394 - 9/26/11

RECLASSIFY EMPLOYEE TO THE POSITION OF CUSTODIAN

WHEREAS, there is a vacancy in the position of Custodian in the Building Maintenance Department; and,

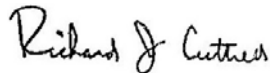
WHEREAS, the Business Administrator has made a recommendation to reclassify an employee who previously held the title of Custodian and was transferred to the position of Driver in the Public Works Department last year,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that William Poole be and is hereby reclassified to the position of Custodian in the Building Maintenance Department at no change in base salary effective September 21, 2011; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Public Works Director, Chief Financial Officer, Assistant C.F.O., and AFSCME Local #1844.

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 09/26/11



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

RESOLUTION #11-395 - 9/26/11

APPOINT SCHOOL CROSSING GUARD FOR THE 2011-2012 SCHOOL YEAR

WHEREAS, there is a need for a School Crossing Guard for the 2011-2012 school year;
and,

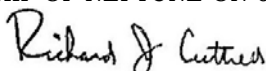
WHEREAS, funds are available for this purpose in the appropriation entitled Police - Salaries and Wages known as Account No. Police S & W 240-010 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Carmelo Gonzalez be and is hereby appointed as a School Crossing Guard for the 2011-2012 school year and to perform such other duties as prescribed by the Chief of Police, at an hourly rate of \$12.84; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief of Police, Business Administrator, Chief Financial Officer and 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 09/26/11



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

RESOLUTION #11-396 - 9/26/11

AUTHORIZE THE REFUND OF TAXES
AS A RESULT OF AN OVERPAYMENT

WHEREAS, the properties listed below reflect overpayments; and,

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

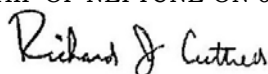
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to refund the taxes as stated herein; and,

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
52	1024	MILLERING	65 ABBOTT AVE	2011	322.94
231.01	2	HAMID	1607 MONROE AVE	2011	682.01
34	1545C312	SCHNECK	52 PITMAN AVE	2011	158.97
486	576	MURRAY	316 WILSON RD	2011	1,634.86

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 09/26/11



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

RESOLUTION #11-397 - 9/26/11

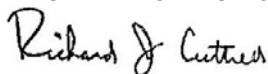
APPOINT MEMBER TO THE WESLEY LAKE COMMISSION

BE IT RESOLVED, by the Township Committee that Sharon Davis be and is hereby appointed as the at-large member to the Wesley Lake Commission for the year 2011; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Secretary to the Wesley Lake 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 09/26/11



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

RESOLUTION #11-398 - 9/26/11

AUTHORIZE TEMPORARY NO PARKING IN CONNECTION
WITH THE STAR 99.1 FAMILY FESTIVAL

WHEREAS, the Star 99.1 Family Festival, in conjunction with the Ocean Grove Camp Meeting Association, is planned for the Pathway in Ocean Grove on Saturday, October 1, 2011; and,

WHEREAS, for the safety of the participants and to permit an area to unload goods, a temporary no parking zone is necessary,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the establishment of temporary no parking zones on Saturday, October 1, 2011, between the hours of 7:00 A.M. and 7:00 P.M. at the following locations:

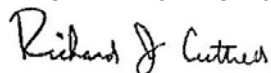
- 1) the north side of eastbound Ocean Pathway and the south side of westbound Ocean Pathway from Central Avenue to Ocean Avenue
- 2) both sides of Beach Avenue between eastbound Ocean Pathway and westbound Ocean Pathway
- 3) the west side of Ocean Avenue between eastbound Ocean Pathway and westbound Ocean Pathway
- 4) the east side of Central Avenue between eastbound Ocean Pathway and westbound Ocean Pathway

BE IT FURTHER RESOLVED, that Beach Avenue between eastbound Ocean Pathway and westbound Ocean Pathway shall be closed to vehicular traffic on Saturday, October 1, 2011, between the hours of 7:00 A.M. and 7:00 P.M.; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Director of Public Works, Fire Inspector 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 09/26/11



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

RESOLUTION #11-399 - 9/26/11

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 005

WHEREAS, Ahmed Hassaballa is the owner of Neptune Township Taxi Medallion No. 005;
and,

WHEREAS, he has notified the Taxi License Coordinator of the intent to sell and transfer
ownership of said medallion to Ahmed Moustafa & Ibrahim Tawfic Mostafa; and,

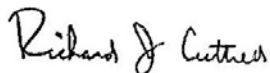
WHEREAS, the Taxi License Coordinator has certified that all requirements of transfer have
been satisfied,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune
that approval is hereby granted for the transfer of Taxi Medallion License No. 005 to Ahmed
Moustafa & Ibrahim Tawfic Mostafa; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Taxi
License Coordinator and Municipal Clerk.

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 09/26/11



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

RESOLUTION #11-400 - 9/26/11

AUTHORIZE TEMPORARY NO PARKING AND TEMPORARY ROAD CLOSURES
IN CONNECTION WITH RIVERFEST

WHEREAS, the Township of Neptune has planned Riverfest, a Township-wide celebration, for the South Concourse area on Saturday, October 1, 2011; and,

WHEREAS, for the safety of the participants and vendors, temporary no parking zones and temporary road closures are necessary,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the establishment of temporary no parking zones and temporary road closures on Saturday, October 1, 2011, between the hours of 7:00 A.M. and 7:00 P.M. at the following locations:

Road Closures:

- Riley Road from South Concourse to New York Road
- South Concourse from Route 35 to New York Road

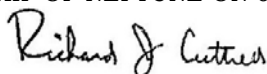
No Parking:

- Both sides of Riley Road from South Concourse to New York Road
- Both sides of South Concourse from Route 35 to New York Road

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief of Police, Director of Public Works, Neptune Fire District #1 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 09/26/11



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

RESOLUTION #11-401 – 9/26/11

AUTHORIZE THE SUBMISSION OF GRANT APPLICATIONS TO THE NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY FOR HAZARDOUS MATERIALS
EMERGENCY PREPAREDNESS TRAINING AND PLANNING

WHEREAS, the New Jersey Department of Law & Safety, Division of State Police ~~of~~ sub grants to municipalities for Hazardous Materials Emergency Preparedness (HMEP) training and drills; and,

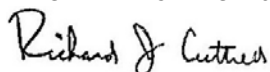
WHEREAS, the Emergency Management Coordinator recommends that the Township submit funding applications for hazardous materials response training and a hazardous materials incident drill,

THEREFORE, BE IT FURTHER RESOLVED, by the Township Committee of the Township of Neptune that the Emergency Management Coordinator be and is hereby authorized to submit grant applications to the New Jersey Department of Law & Safety, Division of State, for a FY12 HMEP Training Subgrant for HazMat Response Training in the amount of \$26,000.00 and a FY12 HMEP Planning Subgrant for a HazMat incident drill in the amount of \$24,500.00, and,

BE IT FINALLY RESOLVED, that a copy of this resolution be forwarded to the O.E.M. Coordinator, Deputy O.E.M Coordinator and the 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 09/26/11



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

RESOLUTION #11-402 - 9/26/11

URGE TOWNSHIP OF NEPTUNE SEWERAGE AUTHORITY
TO RE-RATE THE CAPACITY OF THE TNSA TREATMENT FACILITY

WHEREAS, the Township of Neptune is the largest customer of the Township of Neptune Sewerage Authority (TNSA), a regional sewerage treatment authority serving a number of surrounding municipalities; and,

WHEREAS, the Township desires that the flow capacity of the TNSA treatment facility be properly represented; and,

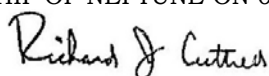
WHEREAS, it is anticipated that by re-rating the capacity of the treatment facility, the amount of capacity would be significantly increased,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby urges the Township of Neptune Sewerage Authority to re-rate the capacity of the treatment facility which will result in a significant increase of flow capacity; and,

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

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 09/26/11



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

RESOLUTION #11-403 - 9/26/11

AWARD BID FOR SENIOR CENTER SITE IMPROVEMENTS

WHEREAS, on September 1, 2011, the Township Engineering Consultant received bids for the award of a contract for Senior Center site improvements; and,

WHEREAS, said bids were reviewed by the Engineering Consultant and Township Attorney who have recommended that the bid be awarded to the lowest bid submitted by Mix-A-Lia Enterprises, LLC; and,

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

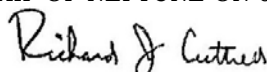
WHEREAS, funds for this purpose will be provided in Ordinance No. 11-02, which includes a \$176,765.00 Community Development Block Grant and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a contract be awarded to Mix-A-Lia Enterprises, LLC on their lowest responsible bid of \$481,500.00 for the base bid and alternate bid for Senior Center site improvements; 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., Township Engineer and Senior Center 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 09/26/11



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

RESOLUTION #11-404 - 9/26/11

EMPLOY ADMINISTRATIVE ASSISTANT TO THE DIRECTOR OF PUBLIC WORKS
ON A PROBATIONARY BASIS

WHEREAS, there is a vacancy in the position of Administrative Assistant to the Director of Public Works; and,

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

WHEREAS, the Business Administrator and Director of Public Works have made their recommendation; and,

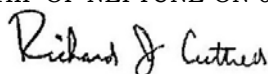
WHEREAS, funds will be provided in the appropriation entitled DPW S&W, known as Account No. 300-010, and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Tracey James be and is hereby employed as Administrative Assistant to the Director of Public Works, on a probationary basis for a period of not less than 90 days and not exceeding one year, pending favorable results of the required physical, effective October 17, 2011, at an annual salary of \$45,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., Director of Public Works, AFSCME Local #1844, Mandy To and Carina Santos.

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 09/26/11



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

RESOLUTION #11-405 – 9/26/11

AUTHORIZE THE PAYMENT OF BILLS

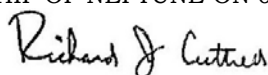
BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following bills be paid if properly certified:

CURRENT FUND	3,025,299.41
FEDERAL & STATE GRANT FUND	47,048.92
TRUST OTHER	40,370.53
GENERAL CAPITAL FUND	11,226,585.62
SEWER OPERATING FUND	1,083,055.02
SEWER CAPITAL FUND	4,108.50
MARINA OPERATING FUND	2,290.00
MARINA CAPITAL FUND	2,272.86
DOG TRUST	7,330.70
UDAG RECIPROCAL TRUST	2,123.13
BILL LIST TOTAL	\$15,440,484.69

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 09/26/11



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