

**TOWNSHIP COMMITTEE WORKSHOP MEETING – JANUARY 9, 2012 – 6:00 P.M.**

Mayor Bishop 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>
Dr. Michael Brantley	_____
Eric J. Houghtaling	_____
Mary Beth Jahn	_____
Kevin B. McMillan	_____
J. Randy Bishop	_____

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

Mayor Bishop 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 5, 2012, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. A revised notice regarding the postponement of the meeting was posted on the Township's web site and notification sent to the Asbury Park Press and the Coaster.

**ITEMS FOR DISCUSSION IN OPEN SESSION**

1. Discussion – Special workshop session to discuss 2012 goals and objectives.
  
2. Discussion – Township Committee calendar.
  
3. Outstanding parking lot items. (PW)

Res. # 12-52 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

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

**TOWNSHIP COMMITTEE MEETING – JANUARY 9, 2012 – 7:00 P.M.**

Mayor Bishop 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>
Dr. Michael Brantley	_____	Don Stine The Coaster
Eric J, Houghtaling	_____	
Mary Beth Jahn	_____	Michelle Gladden Asbury Park Press
Kevin B. McMillan	_____	
J. Randy Bishop	_____	

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 calmly move to the nearest smoke-free exit."

Mayor Bishop 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 5, 2012, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at [www.neptunetownship.org](http://www.neptunetownship.org).

**REPORT OF THE CLERK**

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

A letter from the Neptune City Police Department thanking members of the Neptune Police Department for their assistance in apprehending a suspect in a robbery at a Neptune City business.

Tax Collector's monthly statement for December.

**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. 12-01** - An ordinance to amend Section 2-59 of the Code of the Township of Neptune by extending the exemption of the payment of certain township fees to volunteers of the Office of Emergency Management and ANSWER Team – First Reading

*Explanatory Statement: This ordinance extends the exemption from certain Township fees, currently granted to volunteer fire department and first aid squad members, to volunteer members of the Office of Emergency Management and ANSWER Team.*

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

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

The Public Hearing on Ordinance 12-01 will be held on Monday, January 23, 2012.

## **CONSENT AGENDA**

Res. # 12-53 – Accept performance guarantee filed by McDonalds Corporation for site improvements at McDonalds at Routes 33 & 35 (Block 266, Lot 28).

Res. # 12-54 – Employ seasonal/on-call Drivers in the Department of Public Works for snow plowing.

Res. # 12-55 – Place lien on various properties.

Res. # 12-56 – Reclassify Matthew Parker and Albert Fritz, Jr. as permanent full-time Drivers in the Department of Public Works.

Res. # 12-57 – Authorize replacement of pump controls at the Tremont Avenue sanitary sewer pumping station.

Res. # 12-58 – Appoint member to the Board of Adjustment.

Res. # 12-59 – Approve selection of legal counsel to represent police officers in lawsuits for punitive damages.

Res. # 12-60 – Authorize the sale of Veterans Poppies.

Res. # 12-61 – Support TRF DP Ridge Avenue, LLC application to the County of Monmouth for HOME Investment Partnership Act funding for the Schoolhouse Square Housing Development.

Res. # 12-62 – Authorize the refund of taxes as a result of an overpayment.

Res. # 12-63 – Authorize the cancellation of sewer rent.

Res. # 12-64 – Grant Social Affairs Permit to Shark River Hills P.T.A.

Res. # 12-65 - Authorize modification of mortgage and mortgage note between TRF DP Ridge Avenue, LLC and the Township of Neptune.

Res. # 12-66 – Cancel checks outstanding for more than ninety days.

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

Res. # 12-67 – Award bid for Traffic Control Signal Monitoring.

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

Res. # 12-68 – Authorize the payment of bills.

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

**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. 12-01

AN ORDINANCE TO AMEND SECTION 2-59 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY EXTENDING THE EXEMPTION OF THE PAYMENT OF CERTAIN TOWNSHIP FEES TO VOLUNTEERS OF THE OFFICE OF EMERGENCY MANAGEMENT AND ANSWER TEAM

WHEREAS, on June 2, 1997, the Township Committee adopted Ordinance No. 97-20 which provided for the exemption of certain municipal fees to volunteer first aid squad members and fire department members within the Township of Neptune Fire Districts No. 1 and 2 as an incentive to these volunteers to recognize their community service and to encourage other citizens to join these respective organizations and volunteer their services; and,

WHEREAS, the Township Committee desires to extend this incentive to volunteer members of the Township Office of Emergency Management and ANSWER team,

THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune that Section 2-59 of the Code of the Township of Neptune be and is hereby amended as follows:

SECTION 1

2-59.1 – Definitions, is hereby amended as follows:

Active member - Volunteers in a Township fire company, first aid squad, Office of Emergency Management or ANSWER team who meet the definition of active member or active life member as certified in writing by the Chief Executive Officer of a Volunteer Fire Company, Volunteer First Aid Squad, Volunteer Office of Emergency Management or Volunteer ANSWER team within the Township of Neptune to have served at least one (1) year of continuous volunteer service in the company or squad, to possess the necessary certifications and/or training required by the said company or squad.

Fees - Those charges established by the Township of Neptune which are fully retained by the Township of Neptune as revenue. Specifically excluded is any portion of the fee which is collected by the Township on behalf of another entity including but not limited to the State of New Jersey, the County of Monmouth, or an outside vendor.

2-59.2 - Incentive, is hereby amended as follows:

The reference to “active members of any Township fire company or first aid squad “ shall be amended to read “active members, as defined in 2-59.1”.

2-59.3 - Exclusions, shall remain in full effect

2-59.4 - Administration, subsection a., shall be amended as follows:

a. On or about January 31 of each calendar year each fire company, first aid squad, Officer of Emergency Management, and ANSWER team shall submit to the Business Administrator a list of all individuals who meet the definition for Active Member status. Updates shall be provided by the

fire companies and first aid squads to the Business Administrator on a periodic basis to add those individuals who have completed their probationary status or to delete individuals who have dropped their membership or who have no longer met the criteria for active member status.

The remainder of Section 2-59.4 shall remain in full effect.

## SECTION 2.

Any Ordinance, or parts thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency. Should any section, paragraph, clause or any other portion of this Ordinance be adjusted by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

## SECTION 3.

This ordinance shall take effect immediately following adoption and publication pursuant to law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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J. Randy Bishop,  
Mayor

RESOLUTION #12-52 – 1/9/12

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:

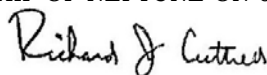
Potential Litigation – Outstanding escrow accounts  
Contract negotiations – Recreation contracts  
Personnel – Part-time positions

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 01/09/12



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

RESOLUTION #12-53 - 1/9/12

ACCEPT PERFORMANCE GUARANTEE FILED BY MC DONALDS CORPORATION  
FOR SITE IMPROVEMENTS AT MC DONALDS AT ROUTES 33 AND 35  
(BLOCK 266, LOT 28)

WHEREAS, McDonalds Corporation has filed performance bond 404002711, written by Safeco Insurance Company of America in the amount of \$72,360.00, guaranteeing site improvements at the McDonalds located at Routes 33 and 35 (Block 266, Lot 28); 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,

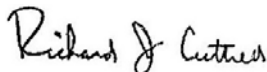
WHEREAS, the acceptance of this Performance Guarantee does not authorize the issuance of any licenses or permits by the Construction Department but serves as certification to the Planning Board/Board of Adjustment that compliance with the Land Development Ordinance of the Township of Neptune has been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

**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 01/09/12



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



RESOLUTION #12-54 - 1/9/12

EMPLOY SEASONAL/ON-CALL DRIVERS IN THE DEPARTMENT OF  
PUBLIC WORKS FOR SNOW PLOWING

WHEREAS, the Township has created a pool of individuals with commercial drivers licenses who will be called upon during major snowfalls to operate snow plows as a supplement to the full-time Public Works staff; and,

WHEREAS, the Director of Public Works has conducted interviews and has forwarded his recommendations to employ two additional workers for this purpose; and,

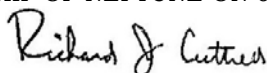
WHEREAS, funds will be provided for the first three months of 2012 in the 2012 Temporary Budget and funds for the balance of 2012 will be provided in the Budget for the year 2012, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that John P. Blecki and Richard Hulsart be and are hereby employed in the Department of Public Works as Casual Employees on an on-call basis only for snow plowing during major snow/ice events during the 2011-2012 winter season at an hourly rate of \$25.00; and,

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 01/09/12



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

RESOLUTION #12-55 - 1/9/12

PLACE LIEN ON VARIOUS PROPERTIES

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

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

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

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

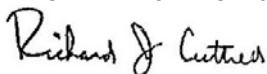
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Tax Collector be and is hereby authorized to place the following costs as a lien against the following properties; and,

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
241/3	1802 Brockton Avenue	\$1,020.00
201.01/28	1309 11 <sup>th</sup> Avenue	110.00

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 01/09/12



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

RESOLUTION #12-56 - 1/9/12

RECLASSIFY MATTHEW PARKER AND ALBERT FRITZ, JR. AS A PERMANENT  
FULL-TIME DRIVERS IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Matthew Parker was hired as a Driver in the Department of Public Works on August 15, 2011; and,

WHEREAS, Albert Fritz, Jr. was hired as a Driver in the Department of Public Works on August 1, 2011; and,

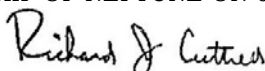
WHEREAS, both have performed their duties in a satisfactory manner and the Public Works Director has recommended that both be reclassified on a permanent full-time basis,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Matthew Parker and Albert Fritz, Jr. be and he is hereby reclassified as a permanent full-time Driver effective immediately; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Public Works Director, Business Administrator, Chief Financial Officer 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 01/09/12



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

RESOLUTION #12-57 - 1/9/12

AUTHORIZE REPLACEMENT OF PUMP CONTROLS  
AT THE TREMONT AVENUE SANITARY SEWER PUMPING STATION

WHEREAS, the Purchasing Agent solicited quotes for the replacement of pump controls at the Tremont Avenue Sanitary Sewer Pumping Station; and,

WHEREAS, the cost of said item is less than the bid threshold but exceeds \$17,500.00 and therefore must be awarded by Resolution of the governing body; and,

WHEREAS, said quotes were reviewed by the Director of Public Works and the Purchasing Agent who have recommended that the low quote be accepted in accordance with the Open Public Contracts Law; and,

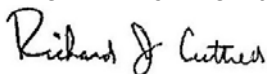
WHEREAS, funds will be provided for the first three months of 2012 in the 2012 Temporary Budget and funds for the balance of 2012 will be provided in the Budget for the year 2012, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a purchase order is hereby authorized to Pumping Services, Inc. for the replacement of pump controls at the Tremont Avenue Sanitary Sewer Pumping Station pursuant to their quote of \$19,571.00; 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., and Public Works Director.

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 01/09/12



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

RESOLUTION #12-58 - 1/9/12

APPOINT MEMBER TO THE BOARD OF ADJUSTMENT

WHEREAS, on January 1, 2012, the Township Committee appointed Robert Peters as the Alternate #4 member of the Board of Adjustment; and,

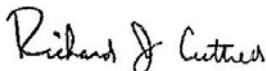
WHEREAS, Robert Peters resigned from this appointment in 2011, therefore the Township Committee desires to rescind this appointment and appoint another Township resident to this position,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Dianna Harris be and is hereby appointed as the Alternate #4 member of the Board of Adjustment for a two-year term expiring December 31, 2013; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Board of Adjustment Administrative Officer.

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 01/09/12



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

RESOLUTION #12-59 - 1/9/12

APPROVE SELECTION OF LEGAL COUNSEL TO REPRESENT POLICE OFFICERS  
IN LAWSUITS FOR PUNITIVE DAMAGES

WHEREAS, in the matters of Ryan Brown v. Township of Neptune and John Williams v. Township of Neptune, police officers named in each suit have requested legal counsel as to the claim for punitive damages; and,

WHEREAS, in accordance with the current P.B.A. Local #74 contract, the Township Committee must approve the selection of counsel; and,

WHEREAS, the Township will reimburse said police officers for legal fees incurred for personal counsel for lawsuits for punitive damages against officers pursuant to N.J.S.A. 40A:14-155; and,

WHEREAS, the Township's reimbursement will be limited to a rate per hour not to exceed the current hourly rate of the Township Attorney, the Township reserves the right to limit the total expenditure to a reasonable cost and the Township reserves the right to not reimburse for legal fees and costs should an officer be held liable for punitive damages,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted to the following police officers to retain legal counsel for the claim of punitive damages in the above referenced matters:

Matter of Ryan Brown v. Township of Neptune:

Police Chief Robert Adams retaining Matthew S. Adams of Fox Rothschild  
Officer John Jackson retaining Tim Donohue of Arleo, Donohue & Biancamano

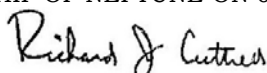
Matter of John Williams v. Township of Neptune:

Police Chief Robert Adams retaining Matthew S. Adams of Fox Rothschild  
Officer Marques Alston retaining Tim Donohue of Arleo, Donohue & Biancamano  
Officer Kristopher Daly retaining Michael Baldassare

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

**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 01/09/12



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

RESOLUTION #12-60 - 1/9/12

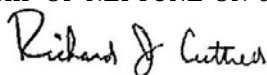
AUTHORIZE THE SALE OF VETERANS POPPIES

BE IT RESOLVED, that the Neptune Township American Legion Auxiliary Unit No. 346 and the O'Brien Major Post No. 2639 be and is hereby authorized to sell Veterans Poppies in the Township of Neptune for the month of May at various locations throughout the Township; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Neptune Township American Legion Auxiliary Unit No. 346, O'Brien Major Post No. 2639 and the Neptune Township Police Department.

**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 01/09/12



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

RESOLUTION #12-61 - 1/9/12

SUPPORT TRF DP RIDGE AVENUE, LLC APPLICATION TO THE  
COUNTY OF MONMOUTH FOR HOME INVESTMENT PARTNERSHIP ACT  
FUNDING FOR THE SCHOOLHOUSE SQUARE HOUSING DEVELOPMENT

WHEREAS, the Monmouth County Board of Chosen Freeholders has developed a housing program to encourage the development of affordable housing for lower income residents; and,

WHEREAS, the Monmouth County Community Development Office is soliciting applications for housing development financing assistance to be funding by the HOME Investment Partnership Act; and,

WHEREAS, TRF DP Ridge Avenue, LLC has indicated its intent to submit an application for financing assistance for phases of the Schoolhouse Square Housing Development not yet constructed; and,

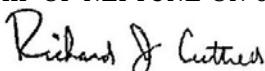
WHEREAS, a successful application will provide funding to ultimately increase the affordability of these housing units,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby fully supports the application of TRF DP Ridge Avenue, LLC to the County of Monmouth for Home Investment Partnership Act funding for the Schoolhouse Square Housing Development; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to TRF DP Ridge Avenue, LLC, Business Administrator and Economic Development Coordinator.

**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 01/09/12



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



RESOLUTION #12-62 - 1/9/12

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,

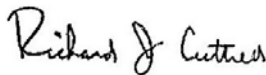
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to refund the taxes as stated herein; and,

<b>BLOCK</b>	<b>LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
116.01	1C326	GILLEN	65 WHITEFIELD AVE	2011	249.98
532	8	DEIBERT	415 MAPLE AVE	2011	250.00
419	1	AMADRUTO	126 MILFORD RD	2011	250.00

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 01/09/12



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

RESOLUTION #12-63 - 1/9/12

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,

<b>BLOCK/LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
175/532	Dolores Allen	1310 Heck Avenue	2011	430.00

**REASON:** Single Family per Assessing – Garage apartment demolished

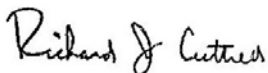
<b>BLOCK/LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>YEAR</b>	<b>AMOUNT</b>
217/58	Township of Neptune	1700 West Lake Ave.	2011	322.50

**REASON:** Property owned by Township

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 01/09/12



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

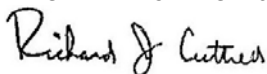
RESOLUTION #12-64 - 1/9/12

GRANT SOCIAL AFFAIR PERMIT TO THE SHARK RIVER HILLS PTA

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Municipal Clerk and Chief of Police be and are hereby authorized to approve the application of the Shark River Hills PTA for a social affair permit at Hamilton Banquet Hall, 10 Jumping Brook Road, on March 9, 2011 from 6:30 P.M. to 12:00 A.M.

**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 01/09/12



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

RESOLUTION #12-65 – 1/9/12

AUTHORIZE MODIFICATION OF MORTGAGE AND MORTGAGE NOTE BETWEEN  
TRF DP RIDGE AVENUE, LLC AND THE TOWNSHIP OF NEPTUNE

WHEREAS, the Township of Neptune is the owner and holder of a certain Promissory Note totaling \$400,000.00 secured by a certain Mortgage for such sum made by TRF DP Ridge Avenue, LLC to the Township dated February 19, 2009 and recorded April 8, 2009 in Mortgage Book 8766, Page 4660 on the real estate described in said Mortgage; and,

WHEREAS, said Note and Mortgage requires principal payment in the amount of \$14,285.71 to the Township of Neptune upon closing of the sale of each of the final twenty-eight (28) residential units of the fifty-eight (58) unit project as that term is defined in a certain Redevelopment Agreement as amended and dated as of February 11, 2008 between the Township and TRF DP Ridge Avenue, LLC; and,

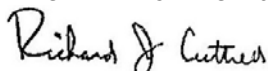
WHEREAS, TRF DP Ridge Avenue, LLC has requested as a result of the down housing market to amend the aforesaid Promissory Note and Mortgage to allow each purchaser of housing units to assume \$20,000.00 as the total debt to the Township reducing TRF DP Ridge Avenue, LLC's obligation by \$714.29 for each unit applicable to the sale of units only between January 1, 2012 and June 30, 2012 in order to encourage the sale of such units,

NOW THEREFORE BE IT RESOLVED, that the Mayor and Township Committee of the Township of Neptune hereby authorizes the execution and adoption of an amended Note and Mortgage Note from the original Note and Mortgage Note of February 9, 2009 so as to allow between January 1, 2012 and June 30, 2012 only that new purchasers of units in the Ridge Avenue Redevelopment Area also known as Schoolhouse Square provide the Township with a Secondary Mortgage of \$20,000.00 as part of the total debt due and owing from TRF DP Ridge Avenue, LLC to Neptune Township under the \$400,000.00 Note and Mortgage of February 9, 2009 reducing TRF DP Ridge Avenue, LLC's obligation to the Township by \$714.29 for each unit; and,

BE IT FURTHER RESOLVED that the Township Committee hereby authorizes the Mayor and Clerk to execute the amended Modified Mortgage and Mortgage Note prepared by TRF DP Ridge Avenue, LLC and reviewed by the Township 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 01/09/12



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

RESOLUTION #12-66 - 1/9/12

CANCEL CHECKS OUTSTANDING FOR OVER NINETY DAYS

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

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

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

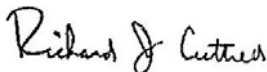
D.A.R.E. Account

<b>CHECK NO.</b>	<b>DATE</b>	<b>PAYEE</b>	<b>AMOUNT</b>
10041	04/12/10	Stavola Realty	\$1,000.00
10045	04/26/10	7-Eleven, Inc.	357.50

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 01/09/12



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

RESOLUTION #12-67 - 1/9/12

AWARD BID FOR TRAFFIC CONTROL SIGNAL MONITORING

WHEREAS, on November 22, 2011, the Purchasing Agent received bids for the award of a contract for traffic control signal monitoring; and,

WHEREAS, the Purchasing Agent has determined that the bid submitted by American Traffic Solutions is the lowest responsible bid; 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 through the municipal budget and be offset by revenues generated by the program and the Chief Financial Officer has so certified in writing,

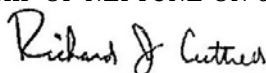
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a contract be awarded to American Traffic Solutions on their lowest responsible bid of not to exceed \$18,000.00 per month per intersection up to a maximum of four intersections to supply traffic control signal monitoring including equipment, hardware and software; and,

BE IT FURTHER RESOLVED, that the bid award is contingent upon American Traffic Solutions obtaining the necessary approvals for traffic control signal monitoring from the State of New Jersey; 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., and Chief of Police.

**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 01/09/12



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

RESOLUTION #12-68 – 1/9/12

AUTHORIZE THE PAYMENT OF BILLS

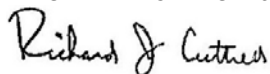
BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following bills be paid if properly certified:

CURRENT FUND	41,521.92
FEDERAL & STATE GRANT FUND	40,365.00
BILL LIST TOTAL	\$81,886.92

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 01/09/12



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