

**TOWNSHIP COMMITTEE WORKSHOP MEETING – JANUARY 23, 2017 – 6:00 P.M.**

Mayor Brantley calls the workshop meeting to order at 6:00 p.m. and asks the Clerk to call the roll:

**ROLL CALL**

**PRESENT/ABSENT**

Robert Lane, Jr.

\_\_\_\_\_

Kevin B. McMillan

\_\_\_\_\_

Carol Rizzo

\_\_\_\_\_

Nicholas Williams

\_\_\_\_\_

Dr. Michael Brantley

\_\_\_\_\_

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

Mayor Brantley 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, 2017, 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 – Update on Assessment Demonstration Program.
2. Discussion – Recommendations from Ocean Grove Parking Task Force. (PW)
3. Review Committee calendars/update on outstanding issues and capital items.  
- Various on-going capital improvement projects.

Res. # 17-73 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

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

Vote: Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_; Brantley, \_\_\_\_\_.

**TOWNSHIP COMMITTEE MEETING – JANUARY 23, 2017 – 7:00 P.M.**

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

**ROLL CALL**

**PRESENT/ABSENT**

Robert Lane, Jr.

\_\_\_\_\_

Kevin B. McMillan

\_\_\_\_\_

Carol Rizzo

\_\_\_\_\_

Nicholas Williams

\_\_\_\_\_

Dr. Michael Brantley

\_\_\_\_\_

Also present at the dais: Vito D. Gadaleta, Business Administrator; Michael J. Bascom, Chief Financial Officer; Gene Anthony, Township Attorney; and Richard J. Cuttrell, Municipal Clerk.

Silent Prayer and Flag Salute

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

Mayor Brantley announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press on January 5, 2017 and in the Coaster on January 12, 2017, 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).

**APPROVAL OF MINUTES**

Motion offered by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve the minutes of the meetings held on December 12<sup>th</sup> and December 22<sup>nd</sup>.

**PRESENTATION**

Representatives from Coral Harbor Rehabilitation and Healthcare Center will present a donation to the Neptune Police Department Bulletproof Vest Fund.

**COMMENTS FROM THE DAIS**

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

**PUBLIC HEARING – GREEN ACRES APPLICATION FOR ACQUISITION OF PROPERTY**

Leanne Hoffmann, Township Engineer, will present the Township's Green Acres Application to acquire flood prone property located on South Riverside Drive (Block 5305, Lot 1). Public Comments will then be taken on the application (one visit to the microphone/limit of five minutes)

Res. # 17-74 – Apply for a Green Acres Program Grant/Loan for acquisition of flood prone property (Block 5305, Lot 1) on South Riverside Drive.

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

Vote: Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_; Brantley, \_\_\_\_\_.

## **PUBLIC COMMENTS ON RESOLUTIONS**

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

## **ORDINANCES**

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

**ORDINANCE NO. 17-01** – An ordinance to repeal Ordinance No. 16-34 entitled “An ordinance to authorize a Declaration of Deed Restriction for recreation/conservation for Block 615, Lot 5, also known as 1825 West Lake Avenue, to the New Jersey Economic Development Authority” – Final Reading

*Explanatory Statement: This ordinance repeals Ordinance No. 16-34 which placed a Deed Restriction for recreation/conversation on 1825 West Lake Avenue. The New Jersey Economic Development Authority required this restriction as a part of a Hazardous Discharge Site Remediation Fund grant award. The Authority has since indicated that the deed restriction is not necessary and not applicable to the grant award.*

Public Hearing:

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

Vote: Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_; Brantley, \_\_\_\_\_.

**ORDINANCE NO. 17-02** – An ordinance authorizing acceptance of Deed of Dedication with regard to Block 4302, Lot 4 (formerly Block 1301, Lot 1) Old Corlies Avenue, a/k/a Greenville Cemetery to the Township of Neptune - Final Reading

*Explanatory Statement: This ordinance authorizes the Township to accept a Deed to the property known as the Greenville Cemetery located at the intersection of Old Corlies Avenue and Gully Road. The Township had previously dedicated this property to American Legion Post #346; however, the Post has requested that the Township take back ownership.*

Public Hearing:

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

Vote: Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_; Brantley, \_\_\_\_\_.

**ORDINANCE NO. 17-03** – An ordinance to amend Volume I, Chapter VII, Section 7-7 of the Code of the Township of Neptune by adding no parking zones on portions of Davis Avenue and Washington Avenue - Final Reading

*Explanatory Statement: This ordinance authorizes no parking zones on both sides of Davis Avenue between Highway 33 and Washington Avenue and on the south side of Washington Avenue between Neptune Blvd. and the Walgreens entrance.*

Public Hearing:

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

Vote: Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_; Brantley, \_\_\_\_\_.

**ORDINANCE NO. 17-04** – An ordinance to amend Volume I, Chapter VI, Section 6-8 of the Code of the Township of Neptune entitled “Employee regulations in facilities holding a plenary retail consumption license, plenary retail distribution license, and/or club license for alcoholic beverages” - First Reading

*Explanatory Statement: This ordinance amends certain definitions and provisions of the identification card requirements for persons selling and/or distributing alcoholic beverages in licensed premises*

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

Vote: Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_; Brantley, \_\_\_\_\_.

**ORDINANCE NO. 17-05** – An ordinance to exceed the municipal budget appropriation limits and establish a cap bank for purposes of introducing the 2017 municipal budget - First Reading

*Explanatory Statement: This ordinance permits the introduction of the annual municipal budget with a maximum appropriations increase of 3.5%. This ordinance does not change or negate the 2% tax levy cap.*

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

Vote: Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_; Brantley, \_\_\_\_\_.

**ORDINANCE NO. 17-06** – An ordinance amending Ordinance No. 16-46 entitled “An ordinance creating and setting the salary range for new job titles and amending the salary ranges for all other existing job titles of the Township of Neptune and repealing all parts of previous ordinances inconsistent herewith” - First Reading

*Explanatory Statement: This ordinance amends the Township’s salary range ordinance by adding the part-time positions of Code Enforcement Inspector, Senior Public Safety Officer, and Violations Clerk, replacing the title of part-time Secretary with part-time Customer Service Representative, and amending the salary range for Public Safety Officer Supervisor, Technical Assistant to the Construction Official, and Foreman.*

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

Vote: Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_; Brantley, \_\_\_\_\_.

The Public Hearings on Ordinances 17-04, 17-05 and 17-06 will be held on Monday, February 13th.

### **CONSENT AGENDA**

Res. # 17-75 – Authorize stand-by duty payment to Office of Emergency Management personnel.

Res. # 17-76 – Appoint Governing Body Redevelopment Subcommittee.

Res. # 17-77 – Authorize the execution of an agreement with Invoice Cloud to accept online property tax payments.

Res. # 17-78 – Authorize the sale of Veterans Poppies.

Res. # 17-79 – Authorize Ocean Grove Camp Meeting Association’s annual Independence Day Parade.

Res. # 17-80 – Authorize the Township of Neptune and the Neptune Joint Veterans Association to co-sponsor the Memorial Day Parade.

Res. # 17-81 – Establish hourly pay rates for Yard Attendant and School Crossing Guard.

Res. # 17-82 – Authorize additional appropriation in lawsuit seeking removal of zoning violations and addressing other collateral legal issues with regard to 1207 Highway 35 South, known as Stumpy's.

Res. # 17-83 – Extend offers of employment to the positions of on-call part-time Construction Sub-Code Officials.

Res. # 17-84 – Employ part-time temporary Tourism Representatives for the 2017 summer season.

Res. # 17-85 – Authorize submission of a Grant Application and execute a Grant Contract with the New Jersey Department of Transportation for the Pedestrian and Roadway Improvements to a portion of Neptune Boulevard.

Res. # 17-86 – Authorize appropriation for annual World Changers initiative.

Res. # 17-87 – Waive municipal portion of construction permit fees and dumpster fees for World Changers rehabilitation projects.

Res. # 17-88 – Accept the resignation of Tynisha Lonon as a Bookkeeper in the Tax Collection Department.

Res. # 17-89 – Authorize person-to-person transfer of the liquor license presently issued to BHTT Entertainment, Inc. t/a Brick House Tavern & Tap.

Res. # 17-90 – Authorize execution of contracts with various organizations to provide recreational program and services.

Res. # 17-91 – Authorize execution of Lease/Use Agreements with Youth Sports Organizations regulating the use of municipal ball fields.

Res. # 17-92 – Authorize a reduction in the performance guarantee filed by 1019 Old Corlies Ave., LLC for site improvements at Car Wash and Lube Express (1019 Old Corlies Avenue).

Res. # 17-93 – Rescind bid award for Central Avenue Road Improvement Project.

Res. # 17-94 – Accept FY16 Emergency Management Assistance/Emergency Management Performance Grant from the NJ Department of Law & Public Safety.

**CONSENT AGENDA** Offered by:\_\_\_\_\_ Seconded by:\_\_\_\_\_  
Vote: Lane, \_\_\_\_; McMillan, \_\_\_\_; Rizzo, \_\_\_\_; Williams, \_\_\_\_; Brantley, \_\_\_\_.

**The Mayor announces the following appointments to the Planning Board:**

**Mayor Michael Brantley, as the Class I Member for a one year term expiring December 31, 2017.**

**Robert Lane, Jr., as the Class III member for a one year term expiring December 31, 2017.**

**Keith P. Cafferty, as the Class IV Alternate #2 for an unexpired two year term expiring December 31, 2017.**

Res. # 17-95 – Confirm Mayor's appointments to the Planning Board.

Offered by:\_\_\_\_\_ Seconded by:\_\_\_\_\_  
Vote: Lane, \_\_\_\_; McMillan, \_\_\_\_; Rizzo, \_\_\_\_; Williams, \_\_\_\_; Brantley, \_\_\_\_.

Res. # 17-96 – Award bid for replacement of Senior Center roof.

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

Vote: Lane, \_\_\_\_; McMillan, \_\_\_\_; Rizzo, \_\_\_\_; Williams, \_\_\_\_; Brantley, \_\_\_\_.

Res. # 17-97 – Extend offer of employment for the position of Driver in the Department of Public Works.

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

Vote: Lane, \_\_\_\_; McMillan, \_\_\_\_; Rizzo, \_\_\_\_; Williams, \_\_\_\_; Brantley, \_\_\_\_.

Res. # 17-98 – Reclassify employee to the position of Sewer Supervisor in the Department of Public Works.

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

Vote: Lane, \_\_\_\_; McMillan, \_\_\_\_; Rizzo, \_\_\_\_; Williams, \_\_\_\_; Brantley, \_\_\_\_.

Res. # 17-99 – Authorize payment of bills.

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

Vote: Lane, \_\_\_\_; McMillan, \_\_\_\_; Rizzo, \_\_\_\_; Williams, \_\_\_\_; Brantley, \_\_\_\_.

#### **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. 17-04

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VI, SECTION 6-8 OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED "EMPLOYEE REGULATIONS IN FACILITIES HOLDING A PLENARY RETAIL CONSUMPTION LICENSE, PLENARY RETAIL DISTRIBUTION LICENSE, AND/OR CLUB LICENSE FOR ALCOHOLIC BEVERAGES"

BE IT ORDAINED by the Township Committee of the Township of Neptune of the County of Monmouth of the State of New Jersey that Neptune Township's Code of Ordinances, Chapter VI, Section 6-8 shall be amended in its entirety as follows:

Section 6-8 – Employee Regulation in facilities holding a Plenary Retail Consumption License, Plenary Retail Distribution License, and/or Club License for alcoholic beverages.

Section 6-8.1 – Employee Regulations; identification card; fees.

A. Information of employees to Police Department

- (1) Every person, partnership or corporation holding any Plenary Retail Consumption License, any Plenary Retail Distribution License, or any Club License issued or to be issued in the Township of Neptune shall furnish to the Police Department of Neptune Township the name, address, date of birth and social security number of each employee who is required to register with the police in Subsection B. The names, addresses, dates of birth and social security numbers shall be furnished to the Police Department prior to the commencement of such employment.
- (2) Every person, partnership or corporation holding any Plenary Retail Consumption License, any Plenary Retail Distribution License, or any Club License issued or to be issued in the Township of Neptune shall be required to notify employees prior to their employment of their requirement to register with the police in Subsection B.
- (3) Every person, partnership or corporation holding any Plenary Retail Consumption License, any Plenary Retail Distribution License, or any Club License issued or to be issued in the Township of Neptune shall not employ any person who is required to register with the police or Division of Alcoholic Beverage Control who has failed, neglected or refused to do so.

B. Registration with Police. All persons who shall sell, solicit the sale of, mix, process or prepare any alcoholic beverage at or from any bar or establishment selling alcoholic beverages from the original package or container under a Plenary Retail Consumption License, a Plenary Retail Distribution License, or a Club License, shall register with the Police Department; provided, however, that this subsection shall not apply to:

- (1) Bus boys or bus girls.

- (2) Entertainers.
  - (3) Cooks.
  - (4) Kitchen help.
  - (5) Bouncers, identification and age checkers, doormen or any other security personnel
  - (6) Other persons performing strictly restaurant-related functions.
  - (7) Any person who individually or as a partnership or as an officer, director or holder of more than 10% of the stock of a corporation holding a Plenary Retail Consumption License or any Plenary Retail Distribution License is required to execute a questionnaire in a form provided by the Director of the Division of Alcoholic Beverage Control and maintain such form upon the licensed premises.
  - (8) All persons who shall sell, solicit the sale of, process or prepare any alcoholic beverage at or from the original package or container under a club license unless such person's employment exceeds 10 days in any one calendar year, and/or said person receives regular recurring monetary remuneration in connection with said employment, who then shall register with the Police Department. For purposes of this section, Club licenses shall maintain a log indicating the days of work for each employee.
- C. Application for identification card; fingerprints and photographs. Said registration with the Police Department shall be accomplished by completing or furnishing the following:
- (1) An application for an identification card, which application shall contain such information as the usual specifics of personal identification, date and place of birth, address and other employment, and such other information as deemed necessary and proper by the Chief of Police, or designee, to aid and assist in proper enforcement of the law.
  - (2) A photograph and a set of fingerprints is to be taken under the direction of the Department of Public Safety. The fingerprint records shall be submitted to the State of New Jersey Division of State Police Bureau of Identification for a thorough and complete criminal history check. An applicant shall pay a fee in accordance with a fee schedule set by the New Jersey State Police. Upon receipt of a report from the State, the Chief of Police, or designee, shall prepare a report to the Director of Public Safety, or other designee of the Township Committee, outlining any arrests or convictions recorded pertaining to any crimes. The Director of Public Safety, or other designee of the Township Committee shall then prepare a report to the Township Committee outlining any arrests or convictions recorded pertaining to any crime. A "crime" for purposes of this section shall be a criminal offense defined as a first degree crime, second degree crime, third degree crime and fourth degree crime as defined by N.J.S.A 2C:1-4a.



- (3) No identification card will be issued to any person convicted of a crime of moral turpitude. Such a crime is defined as an act of baseness, vileness or depravity in the private and social duties which a person owes to a fellow person, to society in general, contrary to accepted and customary rule of right and duty. Black's Law Dictionary.
- (4) No licensee shall employ a person convicted of a crime of moral turpitude.
- (5) If at any time within the licensed year a holder of an alcoholic beverage control identification card is found guilty of a crime of moral turpitude, the Township Committee shall immediately suspend the alcoholic beverage control license.
- (6) No person shall be issued a renewal to his/her alcoholic beverage card if he/she has been convicted of a crime of moral turpitude.

D. Possession of identification card; temporary receipt.

- (1) Possession of identification card. All persons required to register under Subsection B of this section shall be required to have in their possession, at all times, when in or about the licensed premises, an identification card on a form furnished by the Police Department, which shall contain such information as deemed necessary and proper by the Director of Public Safety to aid and assist in proper enforcement of the law. An owner or licensee shall be required to register and obtain an identification card, although such person may not be personally engaged in the sale, mixing, processing or preparation of alcoholic beverages.
- (2) Temporary receipt. Upon registering with the Township of Neptune as required by Subsection B, a temporary receipt will be issued which may be used as a temporary identification card for the purpose of satisfying this section only. This temporary receipt shall contain the applicant's name and expire 60 days upon application.

E. Term of identification card.

- (1) An original identification card shall be valid until December 31<sup>st</sup> of the calendar in which it was obtained. All identification cards shall be renewed each year by December 31<sup>st</sup> and will be valid through December 31<sup>st</sup> of the subsequent year.
- (2) The following fees shall be imposed for the issuance of each identification card:
  - (a) For each original card, the sum of that amount charged by any state agency for a fingerprint inquiry, which such an inquiry is permitted by law, which shall be paid by certified check or money order payable to the agency and a \$25.00 processing fee.
  - (b) For each renewal of an original card, the sum of \$10.00.
  - (c) For any owner or licensee, the original fee and renewal fee for the identification card is waived.

F. Age limits.

- (1) Bartender, waiter or sales clerk; 18 years.
- (2) Entertainer; 18 years.
- (3) Restaurant/hotel worker (must qualify as a restaurant as defined); 16 years.
- (4) Stock clerk in distribution license (permits for the employment of minors under 18 years must first be obtained); 15 years.
- (5) Pinsetter (permits for the employment of minors under 18 years of age must first be obtained); 15 years.
- (6) Worker (not selling alcohol) for consumption license, not a restaurant or hotel (permits for the employment of minors under 18 years of age must first be obtained); 16 years.

G. Violations and Penalties

Violation of any provision of this chapter by any owner and/or employee shall, upon conviction thereof, be punished by a fine not in excess of the limitations of N.J.S.A. 40:49-5 or by a term of imprisonment or a period of community service not exceeding 90 days on both the owner and employee in violation. Each and every violation shall be considered a separate violation. Any person who is found guilty of violating the provisions of this chapter within one year of the date of a previous violation and who was fined for the previous violation may be sentenced by the court to an additional fine as a repeat offender and, in addition, will be subject to a hearing before the Neptune Township Committee where additional penalties may be imposed in accordance with New Jersey State Alcoholic Beverage Control regulations.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

BE IT FURTHER ORDAINED that the amended ordinance shall become effective immediately upon its passage and publication as required by law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Dr. Michael Brantley,  
Mayor

ORDINANCE NO. 17-05

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND ESTABLISH A CAP BANK FOR  
PURPOSES OF INTRODUCING THE 2017 MUNICIPAL  
BUDGET

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Neptune in the County of Monmouth finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$990,387.75 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Neptune, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Township of Neptune shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$1,155,452.38, and that the CY 2017 municipal budget for the Township of Neptune be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.  
Vote on Adoption:

Lane:  
McMillan:  
Rizzo:  
Williams:  
Brantley:

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Dr. Michael Brantley,  
Mayor

ORDINANCE NO. 17-06

AN ORDINANCE AMENDING ORDINANCE NO. 16-46 ENTITLED  
“AN ORDINANCE CREATING AND SETTING THE SALARY RANGE  
FOR NEW JOB TITLES AND AMENDING THE SALARY RANGES  
FOR ALL OTHER EXISTING JOB TITLES OF THE TOWNSHIP OF  
NEPTUNE AND REPEALING ALL PARTS OF PREVIOUS  
ORDINANCES INCONSISTENT HERewith”

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

SECTION 1

Ordinance No. 16-46 be and is hereby amended as follows:

A. The job titles of part-time Code Enforcement Inspector, part-time Senior Public Safety Officer and part-time Violations Clerk are hereby created and the salary range for said job titles is established in the table in Section 2.

B. The job title of part-time Secretary is hereby deleted and replaced with the title of part-time Customer Service Representative as described in Section 2.

C. The salary ranges for the existing job titles of Public Safety Officer Supervisor, Technical Assistant to the Construction Official, and Foreman are hereby amended as described in Section 2.

SECTION 2.

The salary ranges the following job titles in the Township of Neptune are hereby amended and established as follows:

<u>TITLE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Public Safety Officer Supervisor	\$ 39,000.00	\$ 60,000.00
Technical Asst. to the Construction Official	\$ 5,000.00	\$ 55,000.00
Foreman	\$ 61,000.00	\$ 85,000.00

Part-Time Positions

Code Enforcement Inspector	\$ 15.70/hr.	\$ 18.00/hr.
Senior Public Safety Officer	\$ 20.50/hr.	\$ 23.00/hr.
Customer Service Representative	\$ 15.00/hr.	\$ 20.00/hr.
Violations Clerk	\$ 15.00/hr.	\$ 20.00/hr.

The following position is hereby deleted:

<i>Part-time Secretary</i>	\$ 15.00/hr.	\$ 25.00/hr.
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SECTION 3.

This ordinance shall be effective as of January 1, 2017.

SECTION 4.

The salary for each position named above shall be established within the aforesaid ranges by adoption of a contract with employees of AFSCME Local 1844 or by Resolution of the Township Committee.

SECTION 5.

That all ordinances or parts of ordinances of the Township of Neptune in conflict or inconsistent with this ordinance are hereby repealed.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Dr. Michael Brantley,  
Mayor

RESOLUTION #17-73 – 1/23/17

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:

Contract negotiations – Lease renewal with County for former Senior Center building  
Personnel – Recommendation for hiring of Driver in Public Works  
Contract negotiations – Central Avenue Road Improvement Project  
Contract negotiations – Redevelopment issues

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

4. This Resolution shall take effect immediately.

RESOLUTION #17-74 - 1/23/17

APPLY FOR A GREEN ACRES PROGRAM GRANT FOR ACQUISITION  
OF FLOOD PRONE PROPERTY (BLOCK 5305, LOT 1) ON SOUTH RIVERSIDE DRIVE

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Neptune desires to further the public interest by obtaining funding in the amount of \$960,000 (75% grant/25% loan) from the State to fund the following project(s): Flood Prone Property Acquisition at a total cost \$1,280,000; and,

NOW, THEREFORE, the governing body/board resolves that Michael J. Bascom or the successor to the office of Chief Financial Officer is hereby authorized to:

- (a) make application for such a loan and/or such a grant
- (b) provide additional application information and furnish such documents as may be required
- (c) act as the authorized correspondent of the above named applicant, and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT RESOLVED BY THE Township Committee of Neptune as follows:

1. That the Chief Financial Officer of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Acquisition of Flood Prone Property Acquisition.
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$320,000.
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. That this resolution shall take effect immediately.



**CERTIFICATION**

I, Richard J. Cuttrell, Municipal Clerk do hereby certify that the foregoing is a true copy of a resolution adopted by Township Committee at a meeting held on the 23<sup>rd</sup> day of January, 2017.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 23<sup>rd</sup> day of January, 2017.

\_\_\_\_\_  
*Richard J. Cuttrell, Municipal Clerk*

RESOLUTION #17-75 - 1/23/17

AUTHORIZE STAND-BY DUTY PAYMENT TO OFFICE OF  
EMERGENCY MANAGEMENT PERSONNEL

WHEREAS, volunteer personnel in the Office of Emergency Management were placed on stand-by duty as a result of the snow emergency declared on January 7<sup>th</sup> and 8<sup>th</sup>; and,

WHEREAS, overtime payment at the rate of \$14.00 per hour is authorized by resolution of the Township Committee to be paid to said personnel in the event of a long duration situation such as storm or disaster which requires readiness and staffing; and,

WHEREAS, funds will be provided for the first three months of 2017 in the 2017 Temporary Budget and funds for the balance of 2017 will be provided in the Budget for the year 2017, 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 stand-by duty payment at the rate of \$14.00 per hour be and is hereby authorized to the following Office of Emergency Management staff for the hours indicated as a result of the snow emergency on January 7<sup>th</sup> and 8<sup>th</sup>, 2017:

Jeffrey Devlin – 16 hours  
William Van Meter – 16 hours  
Jose Perez – 16 hours

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

RESOLUTION #17-76 – 1/23/17

APPOINT GOVERNING BODY REDEVELOPMENT SUBCOMMITTEE

WHEREAS, on January 1, 2017, the governing body of the Township of Neptune appointed 2017 Subcommittees with representatives from the governing body participating with said Subcommittees as liaisons to the various departments and activities of the Township of Neptune for the benefit of the governing body and the Township of Neptune; and

WHEREAS, Committeepersons appointed to said Subcommittees shall serve in an advisory capacity and report back to the governing body as a liaison to report on departmental activities and make recommendations for improvements as stated more fully below; and

WHEREAS, the Committee desires to appoint an additional sub-Committee for matters concerning the redevelopment areas that exist within the Township,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorize the following amendment to Resolution #17-35 to add the following Subcommittee:

F. Redevelopment

Mayor Dr. Michael Brantley (Chairperson)  
Deputy Mayor Nicholas Williams  
Land Use Administrator  
Township Engineer  
Business Administrator  
Chief Financial Officer  
Township Planner  
Community Programs Coordinator  
Township Attorney (as needed)

BE IT FURTHER RESOLVED, that the duties and powers of the Committeepersons on said Subcommittee shall be as described in Resolution #17-35.

RESOLUTION #17-77 - 1/23/17

AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH INVOICE CLOUD  
TO ACCEPT ONLINE PROPERTY TAX PAYMENTS

WHEREAS, the Township of Neptune has offered its taxpayers the option of making property tax payments; and,

WHEREAS, Metropolitan Communications, LLC has provided the on-line service for tax payments since 2007; and,

WHEREAS, Invoice Cloud has purchased Metropolitan Communications, LLC and has forwarded an agreement to continue this service; and,

WHEREAS, the Tax Collector recommends that the Township continue the on-line service for tax payments under the new corporate entity,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an agreement with Invoice Cloud, a copy of which is on file in the Office of the Municipal Clerk, to provide online services for property tax payments; and,

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

RESOLUTION #17-78 - 1/23/17

AUTHORIZE THE SALE OF VETERANS POPPIES

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Neptune Township American Legion Auxiliary Unit No. 346 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 and the Chief of Police.

RESOLUTION #17-79 - 1/23/17

AUTHORIZE OCEAN GROVE CAMP MEETING ASSOCIATION'S  
ANNUAL INDEPENDENCE DAY PARADE

WHEREAS, the Ocean Grove Camp Meeting Association coordinates and sponsors an annual Independence Day Parade through the streets of the Ocean Grove Historic District that attracts thousands of residents and visitors each year; and,

WHEREAS, the Township participates in the parade as well as providing traffic support and a contribution toward parade expenses,

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

1. Permission is hereby granted for Ocean Grove Camp Meeting Association to hold their annual Independence Day Parade on Tuesday, July 4, 2017.

2. Temporary no parking will be designated from 7:00 A.M. to 1:00 P.M. on July 4, 2017 on the following streets:

Both sides of Whitefield Avenue from Stockton Avenue to Main Avenue  
Both sides of westbound Ocean Pathway from Central Avenue to Ocean Avenue  
West side of Central Avenue from westbound Ocean Pathway to McClintock Street

3. A contribution in the amount of \$1,000.00 toward expenses incurred in connection with the parade is hereby authorized and funds for this purpose will be available in the 2017 budget in the appropriation entitled Celebration of Public Events and the Chief Financial Officer has so certified in writing.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Ocean Grove Camp Meeting Association, Director of Public Works and the Chief of Police.

RESOLUTION #17-80 - 1/23/17

AUTHORIZE THE TOWNSHIP OF NEPTUNE AND THE NEPTUNE JOINT  
VETERANS ASSOCIATION TO CO-SPONSOR A MEMORIAL DAY PARADE

WHEREAS, the Township Committee desires to continue the tradition of co-sponsoring a Memorial Day parade with the Neptune Joint Veterans Association to honor those who gave the ultimate sacrifice in defense of our Nation,

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

1. Permission is hereby granted to conduct the annual Memorial Day Parade on Monday, May 29, 2017.
2. Temporary no parking will be designated the north side of Surf Avenue between Central Avenue and Ocean Avenue from 8:00 A.M. to 1:00 P.M. on May 29, 2017
3. A contribution in the amount of \$1,500.00 toward expenses incurred in connection with the parade is hereby authorized and funds for this purpose will be available in the 2017 budget in the appropriation entitled Celebration of Public Events and the Chief Financial Officer has so certified in writing.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Parade/Special Events Committee, Director of Public Works and the Chief of Police.

RESOLUTION #17-81 – 1/23/17

ESTABLISH 2017 HOURLY PAY RATES FOR YARD ATTENDANT  
AND SCHOOL CROSSING GUARD

WHEREAS, on January 1, 2017, the Township Committee adopted Resolution #17-53 which established hourly pay rates for certain part-time positions not covered by a collective bargaining contract or agreement for the year 2017; and,

WHEREAS, the rate for the title of Yard Attendant was incorrectly stated in said Resolution and the rate for School Crossing Guard was omitted,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune that Resolution #17-53 be and is hereby amended to reflect the pay rate for both part-time Yard Attendant and School Crossing Guard as \$15.00 per hour for the year 2017; and,

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



RESOLUTION #17-82 – 1/23/17

AUTHORIZE ADDITIONAL APPROPRIATION IN LAWSUIT SEEKING REMOVAL OF ZONING VIOLATIONS AND ADDRESSING OTHER COLLATERAL LEGAL ISSUES WITH REGARD TO 1207 HIGHWAY 35 SOUTH, KNOWN AS STUMPY'S

WHEREAS, on April 11, 2016, the Township Committee adopted Resolution #16-194 which authorized the Township Attorney to commence a legal action in the Superior Court of New Jersey, seeking Injunctive Relief and other remedies available in addressing the zoning violations and other possible collateral violations and issues associated with conditions now existing at 1207 Highway 35 South, Block 5602, Lot 31; and,

WHEREAS, said Resolution also authorized legal fees in an amount not to exceed \$10,000.00 for the purposes of this litigation; and,

WHEREAS, the authorized appropriation has been exhausted and the litigation is on-going; and,

WHEREAS, the Township Attorney recommends an additional authorization of \$10,000.00 for legal fees in this matter; and,

WHEREAS, funds will be provided for the first three months of 2017 in the 2017 Temporary Budget and funds for the balance of 2017 will be provided in the Budget for the year 2017, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby amends Resolution #16-194 to increase the appropriation authorization by \$10,000.00 for a total authorized appropriation of \$20,000.00 for legal expenses in connection with litigation addressing the zoning violations and other possible collateral violations and issues associated with conditions now existing at 1207 Highway 35 South, Block 5602, Lot 31; and,

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

RESOLUTION #17-83 - 1/23/17

EXTEND OFFERS OF EMPLOYMENT FOR THE POSITIONS OF ON-CALL  
PART-TIME CONSTRUCTION SUB-CODE OFFICIALS

WHEREAS, due to vacation time and work load, it is necessary to authorize on-call temporary employees to serve as Construction Sub-Code Officials to ensure uninterrupted processing of construction permits; and,

WHEREAS, the Construction Official recommends the employment of licensed individuals to serve in this capacity; and,

WHEREAS, funds will be provided for the first three months of 2017 in the 2017 Temporary Budget and funds for the balance of 2017 will be provided in the Budget for the year 2017, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby extends offers of employment to the following for the position of on-call part-time Sub-Code Official, for as-needed work in the absence of the appointed Township Sub-Code Official, pending favorable results of the required background check, effective immediately, at an hourly rate as established by prior Resolution of the Township Committee:

Plumbing: Robert Hartsgrove, Phil Price, John Palmer, Sal Farruggia, and Robert Corby  
Electrical: Donald Frangipane

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

RESOLUTION #17-84 - 1/23/17

EMPLOY PART-TIME TEMPORARY TOURISM REPRESENTATIVES  
FOR THE 2017 SUMMER SEASON

WHEREAS, there is a need to employ four part-time temporary Tourism Representatives to operate the Tourism Bureau for the 2017 Summer Season; and,

WHEREAS, the four representatives who worked in 2016 have expressed an interest in returning in this capacity; and,

WHEREAS, funds will be provided for the first three months of 2017 in the 2017 Temporary Budget and funds for the balance of 2017 will be provided in the Budget for the year 2017, 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 Catherine Goslee, Carol Bernard, Danielle Daly and Jacqueline Lyon be and are hereby employed as part-time temporary Tourism Representatives in the Tourism Bureau not to exceed an average of 25 hours per week per employee or an average of 40 hours per week in total staffing beginning April 17, 2017 and ending October 1, 2017, at an hourly salary as established by prior Resolution of the Township Committee; and,

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

RESOLUTION #17-85 - 1/23/17

AUTHORIZE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT  
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE  
PEDESTRIAN AND ROADWAY IMPROVEMENTS TO A PORTION OF NEPTUNE  
BOULEVARD PROJECT

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune formally approves the grant application for the above stated project; and,

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2017-Pedestrian & Roadway Improvements to a portion of Neptune Boulevard-00369 to the New Jersey Department of Transportation on behalf of the Township of Neptune; and,

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Neptune and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement; and,

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

Certified as a true copy of the Resolution adopted by the  
Neptune Township Committee on this 23rd day of January, 2017

\_\_\_\_\_  
Richard J. Cuttrell, Municipal Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

\_\_\_\_\_  
Richard J. Cuttrell,  
Municipal Clerk

\_\_\_\_\_  
Dr. Michael Brantley,  
Mayor

RESOLUTION #17-86 - 1/23/17

AUTHORIZE APPROPRIATION FOR ANNUAL WORLD CHANGERS INITIATIVE

WHEREAS, World Changers will again be visiting the Township to undertake an urban development program by making minor repairs to various residential homes and assisting our residents in cleaning their properties; and,

WHEREAS, there is the need to purchase building supplies and materials to utilize in this program; and,

WHEREAS, funds are available for this purpose in the U.D.A.G. Trust Fund and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes up to \$30,000.00 from the U.D.A.G. Trust Fund for the purchase of building materials and supplies in connection with the 2017 World Changers urban development initiative to repair various residential homes in the Township; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant Chief Financial Officer and Community Programs Coordinator.

RESOLUTION #17-87 – 1/23/17

WAIVE MUNICIPAL PORTION OF CONSTRUCTION PERMIT FEES AND  
DUMPSTER FEES FOR WORLD CHANGERS REHABILITATION PROJECTS

WHEREAS, this summer, World Changers will again be performing roof rehabilitation projects that require construction permits and dumpsters; and,

WHEREAS, World Changers is a non-profit volunteer organization providing home improvement projects at various locations throughout the Township; and,

WHEREAS, the Township Committee desires to authorize a waiver of the construction permit and dumpster fees associated with these projects,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby waives the municipal portion of the construction fee permits and all dumpster fees for repairs being performed by World Changers for the reasons as stated herein; and,

BE IT FURTHER RESOLVED, that this resolution does not waive the requirement to obtain applicable construction permits and the performance of construction inspections; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Construction Official and Community Programs Coordinator.

RESOLUTION #17-88 - 1/23/17

ACCEPT THE RESIGNATION OF TYNISHA LONON AS A  
BOOKKEEPER IN THE TAX COLLECTION DEPARTMENT

WHEREAS, the Township Committee has received a letter from Tynisha Lonon resigning as a Bookkeeper in the Tax Collection Department effective January 27, 2017,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Tynisha Lonon as a Bookkeeper in the Tax Collection Department is hereby accepted effective January 27, 2017; and,

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

RESOLUTION #17-89 - 1/23/17

AUTHORIZE A PERSON TO PERSON TRANSFER OF THE LIQUOR LICENSE  
PRESENTLY ISSUED TO BHTT ENTERTAINMENT, INC. T/A BRICK HOUSE TAVERN & TAP

WHEREAS, BHTT Entertainment, LLC has applied for a person-to-person transfer of Plenary Retail Consumption License # 1334-33-019-004 which is presently issued to BHTT Entertainment, Inc. t/a Brick House Tavern & Tap for premises at 3655 Route 66, Neptune, NJ; and,

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

WHEREAS, the sole purpose of the Application is to change the existing corporate entity from a corporation to a Limited Liability Corporation with no changes to the shareholders or parties with an interest in the license; and,

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

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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the person-to-person transfer of Plenary Retail Consumption License #1334-33-019-004 as stated herein to BHTT Entertainment, LLC t/a Brick House Tavern & Tap effective January 24, 2017; and,

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



RESOLUTION #17-90 - 1/23/17

AUTHORIZE EXECUTION OF CONTRACTS WITH VARIOUS ORGANIZATIONS TO  
PROVIDE RECREATION PROGRAMS AND SERVICES

WHEREAS, the Neptune Township Recreation Department has relationships with various organizations to organize and provide various recreational activities and programs in the Township of Neptune; and,

WHEREAS, in some instances, the Township of Neptune provides either sponsorship or funding to said organizations to provide these programs; and,

WHEREAS, it is the desire of the Township to renew the annual contracts with these organizations,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute contracts with various organizations and groups that are supported by the Township's Recreation Department and that provide recreational services and programs to Township residents for the year 2017; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Recreation Director, Chief Financial Officer, and Township Attorney.

RESOLUTION #17-91 - 1/23/17

AUTHORIZE EXECUTION OF LEASE/USE AGREEMENTS WITH YOUTH SPORTS  
ORGANIZATIONS REGULATING USE OF MUNICIPAL BALL FIELDS

WHEREAS, the Neptune Soccer Association, Neptune Little League and Neptune Fliers Youth Football and Cheer, Inc. conduct organized youth sports leagues and activities on Green Acres designated fields owned by the Township of Neptune; and,

WHEREAS, the Township and Youth Sports Organizations desire to enter into Lease/Use Agreement for the use of each respective Township owned field; and,

WHEREAS, the term of each Agreement is five years; each Agreement will go into effect upon execution by the Township and the respective Youth Sports Organization; however, each Agreement will be submitted to the State of New Jersey Green Acres Program for approval,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of Lease/Use Agreements with the Neptune Soccer Association, Neptune Little League and Neptune Fliers Youth Football and Cheer, Inc. to establish regulations for conducting organized youth sports leagues and activities on Sunshine Village Fields, Jumping Brook Ballfields and Loffredo Fields, respectively; and,

BE IT FURTHER RESOLVED, that each Agreement shall be for a term of five years from January 1, 2017 to December 31, 2021 and shall be in effect upon the execution of the Agreement by the Township and respective Youth Sports Organization but will be subject to approval by the State of New Jersey Green Acres Program; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Township Attorney, Business Administrator and Recreation Director.

RESOLUTION #17-92 - 1/23/17

AUTHORIZE A REDUCTION IN THE PERFORMANCE GUARANTEE FILED BY  
1019 OLD CORLIES AVE., LLC FOR SITE IMPROVEMENTS AT  
CAR WASH AND LUBE EXPRESS (1019 OLD CORLIES AVENUE)

WHEREAS, on September 16, 2015, 1019 Old Corlies Ave., LLC posted performance bond 5023556 in the amount of \$355,320.00, written by Bond Safeguard insurance Company guaranteeing site improvements at Car Wash and Lube Express, 1019 Old Corlies Avenue (Block 1016, Lot 2); and,

WHEREAS, at the request of the Developer, the Township Engineer has inspected the site improvements and has recommended a 70% reduction in the performance guarantees which is the maximum amount of reduction permitted under the Municipal Land Use Law; and,

WHEREAS, the Developer will be notified to post a Change Rider reducing the amount of the performance bond from \$355,320.00 to \$106,596.00 and the Municipal Clerk will accept said Rider when posted; and,

WHEREAS, the cash portion of the performance guarantee will also be reduced by 70%,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a reduction in the Performance Guarantee site improvements at Car Wash and Lube Express, 1019 Old Corlies Avenue (Block 1016, Lot 2), be and is hereby approved to the amount of \$106,596.00 and the Change Rider submitted to affect said reduction is hereby accepted; and,

BE IT FURTHER RESOLVED, that the proportionate 70% amount of cash portion of the performance guarantee in the amount of \$27,636.00 shall be refunded to the Developer; and,

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

RESOLUTION #17-93 - 1/23/17

RESCIND BID AWARD FOR CENTRAL AVENUE ROAD IMPROVEMENT PROJECT

WHEREAS, on June 16, 2016, the Township Engineering Consultant received bids for the award of a contract for the Central Avenue Road Improvement Project; and,

WHEREAS, on June 27, 2016, the Township Committee adopted Resolution #16-304, as amended by Resolution #16-328 on July 25, 2016, which awarded the bid for the Central Avenue Road Improvement Project to Lucas Construction; and,

WHEREAS, prior to the start of work, Lucas Construction has submitted additional costs for the project which has caused the total amount of the bid to exceed the engineer's estimate; and,

WHEREAS, the Township Engineer and Township Attorney recommend that all bids received on June 16, 2016 be rejected and that the project be rebid,

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

- 1) Resolution #16-304, as amended by Resolution #16-328, be and is hereby rescinded.
- 2) All bids received for the Central Avenue Road Improvement Project on June 16, 2016 are hereby rejected because the bids exceed the engineer's estimate.
- 3) The Township Engineer is directed to rebid the project immediately.

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

RESOLUTION #17-94 - 1/23/17

ACCEPT A FY16 EMERGENCY MANAGEMENT ASSISTANCE/EMERGENCY MANAGEMENT  
PERFORMANCE GRANT FROM THE NJ DEPARTMENT OF LAW & PUBLIC SAFETY

WHEREAS, the Township received notification from the New Jersey Department of Law & Public Safety of a FY16 Emergency Management Performance Grant/EMAA subaward; and,

WHEREAS, the FY16 Emergency Management Performance Grant/EMAA, Subaward #FY16EMPG-EMAA-1334, is for the period July 1, 2016 to June 30, 2017; and,

WHEREAS, the total amount of the award is \$9,400.00 in federal dollars and a required local match of \$9,400.00; and;

WHEREAS, funds for the local match will be provided for in the 2017 municipal budget, when adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune does hereby accept the that the FY16 Emergency Management Performance Grant/EMAA subaward; and,

BE IT FURTHER RESOLVED, that the Township of Neptune is accepting the specific grant of funds for the purpose described in the application; and,

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

RESOLUTION #17-95 - 1/23/17

CONFIRM MAYOR'S APPOINTMENTS TO THE PLANNING BOARD

WHEREAS, on January 1, 2017, the Township Committee adopted Resolution #17-32 which confirmed the Mayor's appointments to the Planning Board; and,

WHEREAS, the Mayor designated a Mayor's appointee as the Class I member and therefore must appoint a member of the Township Committee, other than the Mayor, to serve as the Class III member; and,

WHEREAS, the Mayor desires to amend the appointments made on January 1, 2017 so that he can remain on the Planning Board in the Class I position,

THEREFORE, BE IT RESOLVED, that the Township Committee hereby confirms the Mayor's appointments to the Neptune Township Planning Board and amendments to Resolution #17-32 as follows:

Mayor Michael Brantley, as the Class I Member for a one year term expiring December 31, 2017.

Robert Lane, Jr., as the Class III member for a one year term expiring December 31, 2017.

Keith P. Cafferty, as the Class IV Alternate #2 for an unexpired two year term expiring December 31, 2017.

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

RESOLUTION #17-96 - 1/23/17

AWARD BID FOR REPLACEMENT OF SENIOR CENTER ROOF

WHEREAS, on January 11, 2017, the Township Engineer received bids for the award of a contract for the replacement of the roof on the Senior Center; and,

WHEREAS, said bids were reviewed by the Township Engineer and Consulting Engineer who have recommended that the bid be awarded to the lowest bid submitted by Strober-Wright Roofing, Inc.; 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 Ordinances No. 16-27 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 Strober-Wright Roofing, Inc. on their lowest responsible base bid of \$191,104.00 for the replacement of the Senior Center roof; and,

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

RESOLUTION #17-97 - 1/23/17

EXTEND OFFER OF EMPLOYMENT FOR THE POSITION OF DRIVER  
IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, due to a retirement, there is a vacancy in the position of Driver in the Public Works Department; and,

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

WHEREAS, the Human Resources Director and Business Administrator have made a recommendation; and,

WHEREAS, funds will be provided for the first three months of 2017 in the 2017 Temporary Budget and funds for the balance of 2017 will be provided in the Budget for the year 2017, 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 an offer of employment be and is hereby extended to Christopher Andrews for the position of Driver in the Department of Public Works, on a probationary basis for a period of not less than 90 days and not exceeding one year, contingent upon favorable results of the required pre-employment testing, effective January 30, 2017, at an annual salary of \$31,200.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Public Works Director, Chief Financial Officer, Assistant C.F.O., AFSCME Local #2792, and Human Resources Director.



RESOLUTION #17-98 - 1/23/17

RECLASSIFY EMPLOYEE TO THE POSITION OF  
SEWER SUPERVISOR IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, there is a vacancy in the position of Sewer Supervisor in the Department of Public Works; and,

WHEREAS, the position was duly posted; and,

WHEREAS, the Human Resources Director and Business Administrator have made a recommendation to reclassify an existing employee to said position; and,

WHEREAS, funds will be provided for the first three months of 2017 in the 2017 Temporary Budget and funds for the balance of 2017 will be provided in the Budget for the year 2017, 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 Justin Persico be and is hereby reclassified to the position of Sewer Supervisor in the Department of Public Works at an annual salary of \$81,426.14 effective January 24, 2017; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Public Works Director, Chief Financial Officer, Assistant C.F.O., Human Resources Director, AFSCME Local #2792 and the Department/Division Heads Association.

RESOLUTION #17-99 – 1/23/17

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	\$5,150,481.84
GRANT FUND	104,466.03
TRUST FUND	16,047.43
GENERAL CAPITAL FUND	202,544.15
SEWER OPERATING FUND	23,212.97
SEWER CAPITAL FUND	703,343.89
MARINA OPERATING FUND	10,129.15
MARINA CAPITAL FUND	62,327.37
DOG TRUST	14,983.40
PUBLIC ASSISTANCE	313.56
LIBRARY TRUST	4,325.99
 BILL LIST TOTAL	 \$6,292,175.78

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