

TOWNSHIP COMMITTEE WORKSHOP MEETING – JANUARY 26, 2009

Mayor Brantley calls the workshop meeting to order at 4:00 p.m. and asks the Clerk to call the roll:

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
J. Randy Bishop	_____
Mary Beth Jahn	_____
James W. Manning, Jr.	_____
Kevin B. McMillan	_____
Dr. Michael Brantley	_____

Also present: Philip D. Huhn, 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 8, 2009, a revised notice published in the Coaster on January 22, 2009 and in the Asbury Park Press on January 17, 2009 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 – Township Committee goals and priorities for 2009.

2. Discussion – League of Municipalities resolution requesting legislation to reduce the mandated funding rate for public libraries from 1/3 mil to 1/6 mil of assessed value. (PW)

3. Discussion – Regulation of clothing bins sample ordinance. (PW)

4. Discussion – Economic stimulus.

ITEMS FOR DISCUSSION

JANUARY 26, 2009

5. Discussion – 2009 municipal budget/cap index ordinance.

6. Outstanding parking lot items (PW)

Res. # 09-77 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____

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

TOWNSHIP COMMITTEE MEETING – JANUARY 26, 2009

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

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>	<u>PRESS REPRESENTATIVES</u>
J. Randy Bishop	_____	Bill Bowman Asbury Park Press
Mary Beth Jahn	_____	
James W. Manning, Jr.	_____	Don Stine The Coaster
Kevin B. McMillan	_____	
Dr. Michael Brantley	_____	

Also present at the dais: Gene Anthony, Township Attorney; Philip Huhn, Business Administrator; Michael J. Bascom, Chief Financial Officer; Richard J. Cuttrel, Municipal Clerk; and Pamela D. Howard, Deputy Municipal Clerk.

Silent Prayer and Flag Salute

The Clerk states, "Fire exits are located in the rear of the room and to my left and 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 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 8, 2009, a revised notice published in the Coaster on January 22, 2009 and in the Asbury Park Press on January 17, 2009, 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 on the afternoon of the business day preceding each meeting.

APPROVAL OF MINUTES

Motion offered by _____, seconded by _____, to approve the minutes of the meeting held on December 22nd, regular and executive sessions. (Mr. McMillan is not eligible to vote on this motion)

Motion offered by _____, seconded by _____, to approve the minutes of the meetings held on January 1st and January 12th, regular and executive sessions.

REPORT OF THE CLERK

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

Monmouth County Board of Health January 20th meeting agenda and November 18th minutes.

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

Tax Collector's monthly statements for October, November and December.

Rosemary Gray sent letters of thanks to the Forever Young Group for a donation and to the Early Childhood Center staff and students for their Holiday Pageant.

COMMENTS FROM THE DAIS

JANUARY 26, 2009

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. (All matters listed under the Consent Agenda are considered routine by the Township Committee and will be enacted by one motion)

ORDINANCES

ORDINANCE NO. 09-01 - An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by deleting a handicapped parking zone on Heck Avenue – Final Reading

Public Hearing:

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

ORDINANCE NO. 09-02 - An ordinance to designate a traffic control signal at the intersection of Hovchild Boulevard and Premium Outlets Boulevard. – Final Reading

Public Hearing:

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

ORDINANCE NO. 09-03 - An ordinance authorizing the conveyance of township owned property located in the Ridge Avenue School Site Redevelopment Area to TRF DP Ridge Avenue, LLC – Final Reading

Public Hearing:

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

ORDINANCE NO. 09-04 - An ordinance to amend Ordinance #05-45 entitled "An ordinance creating job titles and setting the salary ranges for said job titles and for existing job titles of the Township of Neptune in the County of Monmouth and repealing all parts of previous ordinances inconsistent herewith." by creating the position of Community Programs Coordinator. – Final Reading

Public Hearing:

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 09-05 - An ordinance to amend Volume I, Chapter II of the Code of the Township of Neptune by adding a provision regarding the use of powers of eminent domain. – First Reading

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 09-06 – An ordinance to authorize the imposition of an occupancy tax on hotels within the Township of Neptune, County of Monmouth, State of New Jersey – First Reading

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 09-07 - An ordinance amending township positions eligible for the Defined Contribution Retirement Program. – First Reading

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 09-08 - An ordinance to amend Ordinance #05-45 entitled "An ordinance creating job titles and setting the salary ranges for said job titles and for existing job titles of the Township of Neptune in the County of Monmouth and repealing all parts of previous ordinances inconsistent herewith." by creating the position of Director of Code and Construction. – First Reading

Offered by: _____ Seconded by: _____

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

The Public Hearings on Ordinances 09-05 through 09-08 will be held on Monday, February 9, 2008.

CONSENT AGENDA

Res. # 09-78 – Approve the transfer of Taxi Medallions Nos. 010, 022 and 044.

Res. # 09-79 – Confirm employment of part-time temporary Plumbing Sub-Code Officials.

Res. # 09-80 – Authorize the execution of an agreement with JSAS Health Care, Inc. for adult substance abuse services to Township residents.

Res. # 09-81 – Grant raffle licenses.

CONSENT AGENDA Offered by: _____ Seconded by: _____

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

Res. # 09-82 – Award bid for storm drainage and water quality improvements on Mayfair Lane.

Offered by: _____ Seconded by: _____

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

Res. # 09-83 – Award contract for emergency responder reply system.

Offered by: _____ Seconded by: _____

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

Res. # 09-84 – Authorize the execution of an Interlocal Service Agreement with the County of Monmouth for use of the County Vehicle and Equipment Wash Facility.

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

Res. # 09-85 – Authorize the execution of an Interlocal Service Agreement with the Borough of Bradley Beach for construction of a salt storage facility at the Township Public Works Yard.

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

Res. # 09-86 – Authorize the execution of an Interlocal Service Agreement with Neptune Fire District #1 for the establishment of a Special Operations Unit.

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

Res. # 09-87 – Authorize the execution of an Interlocal Service Agreement with the Borough of Neptune City to undertake a roadway improvement project on 5th Avenue.

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

Res. # 09-88 – Establish salaries for stipend positions not covered by contract.

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

Res. # 09-89 – Award bids for Department of Public Works equipment.

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

Res. # 09-90 – Award bid for 6-8 CY Dump Body for the Department of Public Works.

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

Res. # 09-91 – Award contract for software integration services.

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

Res. # 09-92 – Authorize the payment of bills.

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

ADJOURNMENT

ORDINANCE NO. 09-05

AN ORDINANCE TO AMEND VOLUME I, CHAPTER II OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A PROVISION REGARDING THE USE OF POWERS OF EMINENT DOMAIN

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., authorizes municipalities that have designated specific areas of their municipalities as areas "in need of redevelopment" to exercise the power of eminent domain and to transfer those properties to a private developer under certain conditions; and

WHEREAS, the Township Neptune has previously adopted "Gateways to Neptune: A Strategic Revitalization Plan" and has designated specific areas in need of development within the overall area of said Revitalization Plan; and

WHEREAS, the Township Committee adopted resolutions in the past limiting the power of eminent domain but recognizes that those resolutions were limited both in scope and authority based on their language and the inherent limitation of resolutions; and

WHEREAS, the Township Committee desires to memorialize a policy with regards to eminent domain in the form of an ordinance declaring its intent to exclude the power with regards to the taking of all property except for traditional public purposes.

THEREFORE BE IT ORDAINED by the Township Committee of the Township of Neptune that the Code of the Township of Neptune is hereby amended as follows:

SECTION 1

Volume I, Chapter II, Article VII, Section 2-62- Use of Powers of Eminent Domain, is hereby added as follows:

2-62.1 Purpose and Intent

It is the purpose and intent of the Township of Neptune to restrict the use of its authority pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. as that law may be amended and supplemented, to exercise the power of eminent domain under circumstances that would allow for the transfer of private property to or for the benefit of another private citizen or entity while not limiting the Township's authority of eminent domain for public use or public purposes established under the New Jersey Eminent Domain Act.

2-62.2 Use

Eminent Domain under traditional authority shall continue to exist as to both residential and non-residential property where required in the opinion of the Township Committee for public use or public purpose such as but not limited to road construction, park or recreation facility construction or use or where the public health, safety or welfare has been determined to be at issue and condemnation is the last and/or best process for correcting the situation. In all such

cases, the procedure and the taking shall be pursuant to state statute as set forth by the Eminent Domain Act and similar state legislation.

2-62-3 Prohibition

Eminent Domain shall be prohibited as to residential properties and commercial properties pursuant to the Local Redevelopment and Housing Law except where specifically allowed below.

2-62-4 Exclusions – Eminent Domain is Allowed as Exception.

The provisions of section 2-62-3 shall not apply in instances where areas of Neptune Township have already been designated for redevelopment or areas identified for redevelopment under the Township Strategic Revitalization Plan as of the date of this ordinance with regards to all commercial properties and those residential properties not limited by the provisions below and shall be limited further to the extent provided by the terms of the Redevelopment Agreements.

SECTION 2

RESIDENTS AND BUSINESS OWNERS BILL OF RIGHTS

1. Owner Occupied Residential Property in Areas of Redevelopment

Any residential property which is located in an area designated for redevelopment or located in an area for future designation under the Township Strategic Revitalization Plan and is an exemption to the prohibition against eminent domain set forth in Section 2-62-4 where said residential property is owner occupied as a primary residence the same shall be protected from the exemptions of Section 2-62-4, said protection of which shall extend to any family member who inherits, purchases or receives the property as a gift but shall not extend to subsequent contract purchasers after the effective date of the Township's Strategic Revitalization Plan. Nothing in this provision shall prevent a property owner from voiding this protection at any time.

2. Residential Tenants Displaced

Any residential tenant displaced by acquisition of property subject to Section 2-62-4 entitled "Exclusions – Eminent Domain is Allowed as Exception" shall be entitled to relocation assistance by the Township. Said tenants shall be entitled to be offered an apartment of comparable size and rent within the Township, if possible. They will also be given the right of first refusal for rental properties being provided by the Township's Strategic Revitalization Plan.

3. Business Tenants Displaced

All business tenants displaced as a result of any acquisitions obtained pursuant to the Local Redevelopment and Housing Law shall be entitled to relocation assistance by the Township. Every effort to locate a comparable property, in terms of size and rent, within the Township will be made. Such tenants shall also be entitled to relocation costs.

4. Business Property Owners and Tenants Designated for Rehabilitation

Business owners and tenants in areas classified for rehabilitation rather than redevelopment shall be encouraged through financial incentives to improve the site plan, parking and façades of their properties. This will be accomplished through private acquisition, new construction, buffering and façade improvements. Businesses in rehabilitation areas will be encouraged to make pedestrian and parking improvements through various Township sponsored programs.

SECTION 3

PROCEDURES FOR IMPLEMENTATION OF EMINENT DOMAIN PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW N.J.S.A. 48:12A-1 et seq. WHERE PERMITTED BY ORDINANCE.

Where Eminent Domain is allowed pursuant to Section 2-62-4 and where implemented all standard procedures required under the Local Redevelopment and Housing Law shall be followed along with the additional procedures set forth below which is intended to provide further notice, outreach and input from the citizens of the Township of Neptune:

1. Notice Requirements: Where public notice is required under the Local Redevelopment and Housing Law for purposes of designating an area for redevelopment and wherever further required by the law and at various stages of redevelopment the notice requirements already established by law shall be expanded to require written notice to all properties within 200 feet of the redevelopment area which shall include a map of the area in consideration of redevelopment.

2. All permitted redevelopment under this ordinance shall mandate at least one community visionary session for input from the public with notice by publication and written notice sent to all residents within 200 feet of the proposed or designated redevelopment area.

3. All redevelopment plans adopted by the Township shall include a fiscal analysis with regards to the economic impact that any redevelopment project would have on the community including estimated value and costs differential between properties affected by the redevelopment before and after redevelopment and an estimate job projection for the redevelopment area as a result of completion of the redevelopment project.

4. All redevelopment plans adopted by the Township shall also provide a phasing in plan which shall project completion of the redevelopment project and benchmarks for various stages of the project.

5. In cases where Eminent Domain is utilized and permitted by ordinance the Redeveloper selected by the municipality shall agree to be responsible for payment of ten (10%) percent above market value for any property taken by Eminent Domain.

SECTION 4

All ordinances or parts of ordinances of the Township of Neptune, in conflict or inconsistent with this ordinance, are hereby repealed, but only, however, to the extent of such conflict or inconsistency; it being the legislative intent that all other ordinances, or parts of ordinances, now existing and in effect, unless the same be in conflict or inconsistent with any of the provisions of this ordinance, shall remain in full force and effect. The provisions of this

ordinance shall supercede all existing local law established by the Township Committee concerning eminent domain.

SECTION 5

If any subsection, paragraph or provision of this ordinance is declared to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining provisions of this Ordinance.

SECTION 6

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 09-06

AN ORDINANCE AUTHORIZING THE IMPOSITION OF AN OCCUPANCY TAX ON HOTELS WITHIN THE TOWNSHIP OF NEPTUNE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

WHEREAS, the two hundred and tenth Legislature of the State of New Jersey adopted on June 30, 2003 and amended in 2006 a state hotel and motel occupancy fee or tax which provides that in addition to any other tax, assessment or use fee authorized by law, there shall be imposed and shall be paid a hotel and motel occupancy fee of seven percent (7%) for occupancies on and after August 1, 2003 but before July 1, 2004 and five percent (5%) for occupancies on and after July 1, 2004; and

WHEREAS, the aforesaid law supplementing Titles 54 and 40 of the revised Statutes provides that a governing body of a municipality other than those already authorized to impose hotel and motel taxes may adopt an ordinance imposing a tax on local hotels and motels, a uniform percentage rate not to exceed one percent (1%) on charges of rent for every occupancy on or after July 1, 2003 but before July 1, 2004 and not to exceed three percent (3%) on charges of rent for every occupancy on or after July 1, 2004 of a room or rooms in a hotel subject to the aforesaid law; and

WHEREAS, the aforesaid tax would provide extra needed revenues for the Township of Neptune during a period of reduced federal and state aid to municipalities.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Mayor and Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey that pursuant to State Statute imposing a state hotel and motel occupancy fee and tax and authorizing imposition of municipal hotel and motel occupancy taxes by certain municipalities, supplementing Titles 54 and 40 of the revised Statute, the Township imposes the following tax on all hotels and motels:

Section 1. Definitions

- A. Hotel – as used in this ordinance, “hotel” shall mean a building or portion of it that is regularly used and kept open as such for the lodging of guests, and includes but is not limited to an apartment hotel, a motel, boarding house or club, whether or not meals are served or other like facilities.
- B. “Occupant” shall be defined as a person who, for a consideration, uses, possesses or has the right to use or possess any room in a hotel, motel, boarding house or other facility subject to this ordinance’s definition of “hotel” under a concession, permit, right-of-access, license to use or other agreement or otherwise.

Section 2. Municipal Taxation of Hotels and Motels

The Township of Neptune hereby imposes a tax on all hotels and motels as defined in Section 1 of this ordinance as a uniform percentage rate of three (3%) percent on charges of rent for every occupancy. This tax shall be in addition to any other State or fee imposed pursuant to Statute or local Ordinance upon occupancy of a hotel or motel room.

Section 3. Obligations of Vendor Paying Tax

All taxes imposed by the ordinance shall be paid by the occupant of the room. The following conditions imposed upon the owner:

- A. The owner shall not assume or absorb any tax imposed by the ordinance;
- B. The owner shall not in any manner advertise or hold out to any person or to the public in general, in any manner directly or indirectly, that the tax will be assumed or absorbed by the owner, that the tax will not be separately charged and stated to the occupant or customer, or that the tax will be refunded to the occupant or customer.

Section 4. Responsibility for Collection

- A. The tax imposed by this ordinance shall be collected on behalf of the municipality by the person collecting the rent or consideration from the hotel occupant. That person shall either be the owner of the hotel, the manager or sales person or other employee of the owner who arranges with the occupant for the rental of the room.
- B. Individual Liability. Each person required to collect the tax imposed by this ordinance shall be personally liable for the tax imposed, collected or required to be collected hereunder. Any such person shall have the same right in respect to collecting the tax from an occupant as if the tax were a part of the rent and payable at the same time.
- C. Each person required to collect the tax imposed under this ordinance as described above shall on or before the date required pursuant to Section 17 of P.L. 1966, C. 30 (N.J.S.A. 54:32B-17), forward to the Director of the Division of Taxation in the Department of the Treasury, the tax collected in the preceding month and shall make and file a return for the preceding month with the Director on any form and containing any information that the Director shall prescribe as necessary to determine liability for the tax in the preceding month during which the person was required to collect the tax. Should the Director determine to require payments of tax liability at any interval and based upon any collection classifications other than described in this ordinance, the person required to collect the tax shall comply with any determinations made in that regard by the Director.

- D. The Director of the Division of Taxation shall collect and administer the tax imposed under this ordinance, and shall determine and certify to the State Treasurer on a quarterly or more frequent basis the amount of revenues collected in the municipality. The State Treasurer upon certification of the Director and upon the warrant of the State Comptroller shall pay and distribute on a quarterly or more frequent basis, as prescribed by the State Treasurer, the amount of revenues determined and certified as described above, to the Township of Neptune.

Section 5. Violations and Penalties

- A. Each assumption or absorption by an owner of the tax shall be deemed a separate offense and each representation or advertisement by an owner for each day the representation or advertisement continues shall be deemed a separate offense.
- B. Any person, firm, partnership, association, corporation, LLC or the like who shall violate any provision of the chapter shall be subject to a fine of not more than One Thousand Two Hundred Fifty (\$1,250.00) Dollars, imprisonment for not more than ninety (90) days or a period of community service not exceeding ninety (90) days, or any combination thereof in the discretion of the judge hearing the matter.

Section 6. When and How Effective

This ordinance shall take effect upon advertisement and final adoption in accordance with the law. A copy of the ordinance adopted shall be transmitted upon adoption or amendment to the Treasurer of the State of New Jersey. The tax provisions of the ordinance or any amendment to the tax provisions shall take effect on the first day of the first full month occurring ninety (90) days after the date of transmittal to the State Treasurer for the ordinance or amendments adopted.

Section 7. Severance

Should any terms, provisions or a part of this ordinance be found invalid, said provisions shall not affect any other of the terms.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 09-07

AN ORDINANCE AMENDING TOWNSHIP POSITIONS ELIGIBLE
FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM

WHEREAS, N.J.S. 43:15C-2 requires the governing body of each county, municipality, and other local entity to adopt, as appropriate, either a resolution or ordinance to determine the positions that are substantially similar in nature to the advice and consent of the Senate for appointments by the Governor of the State, pursuant to guidelines or policy that shall be established by the Local Finance Board in the Department of Community Affairs, and for which officials appointed to such positions shall be eligible for and shall participate in the Defined Contribution Retirement Program, subject to the provisions of law; and,

WHEREAS, the Neptune Township Committee adopted Ordinance No. 08-27 on July 14, 2008 to comply with this requirement; and,

WHEREAS, said ordinance included the job title of Municipal Court Administrator in the list of municipal officials eligible for the Defined Contribution Retirement Program; and,

WHEREAS, Local Finance Notice 2008-10 indicates that the Local Finance Board has amended its guidance on eligibility of positions and determined that the position of Municipal Court Administrator should be excluded from Defined Contribution Retirement Program membership and be recognized as a Public Employees Retirement System position,

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

SECTION 1.

Ordinance No. 08-27 is hereby amended to remove the following position from eligibility in the Defined Contribution Retirement Program:

- b. *[Positions with principal responsibility of a government function(s), commonly called "department heads" or similar title, that are filled by action of the governing body and who report directly to an elected official(s) or chief administrative officer];*

- vii. Court Administrator

(Positions viii and ix are hereby renumbered vii and viii, respectively)

SECTION 2.

All other sections and provisions of Ordinance No. 08-27 shall remain in full force and effect.

SECTION 3.

This ordinance shall be implemented, construed and subject to the aforesaid Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) as amended from time to time, and any

regulations or guidance documents from the Local Finance Board or the Division of Pensions and Benefits.

SECTION 4.

Should any part or parts of this ordinance be held to be invalid by any competent court of law, such invalidity shall only affect the part or parts held to be invalid, and all other parts shall remain in effect.

SECTION 5.

A copy of this ordinance shall be filed with the Director of the Division of Pensions & Benefits of the New Jersey Department of the Treasury.

SECTION 6.

This ordinance shall take effect upon its passage and publication as required by law.

APPROVED ON FIRST READING:

APPROVED, PASSED AND ADOPTED:

ATTEST:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

I, Richard J. Cuttrell, Municipal Clerk, of the Township of Neptune, in the County of Monmouth, State of New Jersey do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the governing body of the Township of Neptune, County of Monmouth, State of New Jersey at a regular session of said governing body held on February 9, 2009.

Richard J. Cuttrell
Municipal Clerk

ORDINANCE NO. 09-08

AN ORDINANCE TO AMEND ORDINANCE #05-45 ENTITLED "AN ORDINANCE CREATING JOB TITLES AND SETTING THE SALARY RANGES FOR SAID JOB TITLES AND FOR EXISTING JOB TITLES OF THE TOWNSHIP OF NEPTUNE IN THE COUNTY OF MONMOUTH AND REPEALING ALL PARTS OF PREVIOUS ORDINANCES INCONSISTENT HEREWITH." BY CREATING THE POSITION OF DIRECTOR OF CODE AND CONSTRUCTION

BE IT ORDAINED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, as follows:

Section 1. The Township Committee of the Township of Neptune hereby creates the job title of Director of Code and Construction.

Section 2. Ordinance No. 05-45 be and is hereby amended to add the salary range of said position as follows:

<u>OFFICIAL</u>	<u>MINIMUM SALARY</u>	<u>MAXIMUM SALARY</u>
Director of Code and Construction	\$10,000.00	\$15,000.00

Section 3. The above ordinance shall be effective immediately upon publication in accordance with law.

APPROVED ON FIRST READING:

APPROVED, PASSED AND ADOPTED:

ATTEST:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

RESOLUTION #09-77 – 1/26/09

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 – Garden State Hi-Tech project
Potential Litigation – COAH Regulation changes
Personnel – Request for Committee personnel hearing
Real Estate negotiations – State House Commission/West Lake Avenue
Contract negotiations – Township holidays

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 #09-78 - 1/26/09

APPROVE THE TRANSFER OF TAXI MEDALLIONS NOS. 010, 022 AND 044

WHEREAS, US Links, Inc. is the owner of Neptune Township Taxi Medallion Nos. 010, 022 and 044; and,

WHEREAS, the Principal of the corporation has notified the Taxi License Coordinator of the intent to transfer ownership of said medallions to a new corporate entity: U.S. Way, LLC; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted for the transfer of Taxi Medallion Licenses Nos. 010, 022 and 044 to U.S. Way, LLC; and,

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

RESOLUTION #09-79 - 1/26/09

CONFIRM EMPLOYMENT OF PART-TIME TEMPORARY PLUMBING SUB-CODE OFFICIALS

WHEREAS, due to a vacation, there is a need in the Construction Department for a part-time temporary Plumbing Sub-Code official to perform inspections as needed; and,

WHEREAS, the Business Administrator and Construction Official authorized two individuals to serve in this capacity for a seven day period; and,

WHEREAS, funds will be provided for the first three months of 2009 in the 2009 Temporary Budget in the appropriation entitled _____, known as Account No. _____ and funds for the balance of 2009 will be provided in the Budget for the year 2009, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the temporary employment of Robert Hartsgrove and Herbert Moore as part-time temporary Plumbing Sub-Code Officials be and is hereby confirmed from January 14, 2009 to January 23, 2009 at an hourly rate of \$30.00; and,

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

RESOLUTION #09-80 - 1/26/09

AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH JSAS HEALTH CARE, INC. FOR
ADULT SUBSTANCE ABUSE SERVICES TO TOWNSHIP RESIDENTS

WHEREAS, JSAS Health Care, Inc. is a non-profit corporation, licensed and approved by the New Jersey Department of Health to provide ambulatory care services to substance abusers of all ages, on-site at its principal offices at 1200 Memorial Drive, Asbury Park, New Jersey or off-site in an approved and confidential setting, and,

WHEREAS, the Township desires to make available to its residents, a full range of substance abuse services, at no "out of pocket" cost to any individual resident and the Township will make available up to fourteen thousand dollars (\$14,000) in 2009 budgeted funds to pay for these services; and,

WHEREAS, JSAS Health Care, Inc. agrees to continue providing its services if the amount of the Township appropriation is exhausted; and,

WHEREAS, funds for this purpose will be provided for the first three months of 2009 in the 2009 Temporary Budget and funds for the balance of 2009 will be provided in the budget for the year 2009, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute an agreement with JSAS Health Care, Inc., to provide substance abuse services to Township residents for the year of 2009 at an amount not to exceed \$14,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution and the agreement be forwarded to the Drug Alliance Coordinator, JSAS Health Care, Chief Financial Officer, Assistant C.F.O. and Business Administrator.

RESOLUTION #09-81 - 1/26/09

GRANT RAFFLE LICENSES

BE IT RESOLVED, by the Township Committee of the Township of Neptune that raffle licenses be issued as follows:

- 1) RA 1240 to Asbury Park –Wall Elks to conduct an Instant Raffle for calendar year 2009 at 3409 West Bangs Avenue, Neptune, NJ.
- 2) RA 1241 & RA 1242 to St. Catherine PTA to conduct an on-premise Gift Auction and 50/50 on February 6, 2009 between 6:00 p.m. and 9:00 p.m. at 210 Jumping Brook Road, Neptune, NJ.
- 3) RA 1243 to Howell High School PTA to conduct an on-premise Gift Auction on March 13, 2009 from 9:00 p.m. to 12:00 a.m. at 210 Jumping Brook Road, Neptune, NJ.
- 4) RA 1244 & RA 1245 to Ocean Township Elementary PTA to conduct an on-premise 50/50 and Gift Auction on May 21, 2008 between 6:00 p.m. and 11:00 p.m. at 210 Jumping Brook Road, Neptune, NJ.

RESOLUTION #09-82 - 1/26/09

AWARD BID FOR STORM DRAINAGE AND WATER QUALITY
IMPROVEMENTS ON MAYFAIR LANE

WHEREAS, on January 13, 2009, the Township Engineer received bids for the award of a contract for Storm Drainage and Water Quality Improvements on Mayfair Lane; and,

WHEREAS, said bids were reviewed by the Township Engineer who has recommended that the bid be awarded to the lowest bid submitted by Precise Construction, 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 Ordinance No. 05-27 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 Precise Construction, Inc. on their lowest responsible bid of \$127,200.00 for Storm Drainage and Water Quality Improvements on Mayfair Lane; and,

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

RESOLUTION #09-83 - 1/26/09

AWARD CONTRACT FOR EMERGENCY RESPONDER REPLY SYSTEM

WHEREAS, the Township of Neptune desires to award a contract for an emergency responder reply system through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Township has authorized the execution of an interlocal services agreement with the Township's two fire districts to participate in said system; and,

WHEREAS, the item is an extraordinary unspecified service and as such the Township has followed the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Purchasing Agent and Chief Financial Officer have accepted Requests for Proposals for said contract and a recommendation has been made from the proposals received; and,

WHEREAS, funds will be provided for the first three months of 2009 in the 2009 Temporary Budget in the appropriation entitled _____, known as Account No. _____ and funds for the balance of 2009 will be provided in the Budget for the year 2009, 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 authorizes the execution of a contract to engage the services of Emergency Services Marketing Corp, Inc. to provide a Emergency Responder Reply System which will serve as an automated emergency response system for the Township's emergency response agencies at the terms as indicated in the proposal submitted and at a total amount of \$18,522.00 plus a \$300.00 initial set-up fee for the term of sixty-two months from March 1, 2009 through May 1, 2014; and,

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

RESOLUTION #09-84 - 1/26/09

AUTHORIZE THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT
WITH THE COUNTY OF MONMOUTH FOR USE OF THE
COUNTY VEHICLE AND EQUIPMENT WASH FACILITY

WHEREAS, the Monmouth County Board of Chosen Freeholders has determined that a need exists for a vehicle and equipment wash facility at the County Maintenance Yard in the Borough of Tinton Falls and has approved plans and specifications for such a facility; and,

WHEREAS, the County is interested in ascertaining interest in the use of such a facility by other governmental agencies; and,

WHEREAS, the Township has determined that its best interests would be served by the utilization of this facility by the Township for municipal vehicles; and,

WHEREAS, the Township of Neptune and the County of Monmouth desire to enter into an interlocal service agreement pursuant to N.J.S.A. 40:8A-1 et seq. for the Township to utilize the vehicle and equipment wash facility; and,

WHEREAS, the cost to the Township for use of said facility will be determined by the County in advance and shall be subject to the approval of the Township prior to the services being rendered; and,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Interlocal Services Agreement with the County of Monmouth, a copy of which is on file in the Office of the Municipal Clerk, providing for the use of the County vehicle and equipment wash facility to be constructed at the County Maintenance Yard in the Borough of Tinton Falls at a cost to be determined by the County and approved by the Township prior to the facility being used; and,

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

RESOLUTION #09-85 - 1/26/09

AUTHORIZE THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT
WITH THE BOROUGH OF BRADLEY BEACH FOR CONSTRUCTION OF A
SALT STORAGE FACILITY AT THE TOWNSHIP PUBLIC WORKS YARD

WHEREAS, the Township of Neptune and the Borough of Bradley Beach, mindful of their duties and responsibilities to protect and maintain the public health, safety and welfare of its inhabitants, find it necessary to provide a facility to store and manage materials for roadway de-icing operations that is in compliance with current New Jersey Department of Environmental Protection regulations; and,

WHEREAS, the Township and Borough have determined that their best interests would be served by the utilization of the resources and services of the Township and the Borough for said purpose; and,

WHEREAS, the Township of Neptune and the Borough of Bradley Beach desire to enter into an interlocal service agreement pursuant to N.J.S.A. 40:8A-1 et seq. for the Township and Borough to cooperatively acquire and maintain a salt storage facility; and,

WHEREAS, the Township will acquire, construct and maintain the salt storage facility at the Township's Public Works Yard and the Borough will contribute 20% of the total construction costs; and,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Interlocal Services Agreement with the Borough of Bradley Beach, a copy of which is on file in the Office of the Municipal Clerk, providing for the acquisition, construction and maintenance by the Township of a salt storage facility at the Township Public Works Yard and a contribution of 20% of the total construction and engineering costs (total cost estimated to be \$180,000 to \$250,000) by the Borough; and,

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

RESOLUTION #09-86 - 1/26/09

AUTHORIZE THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT
WITH NEPTUNE FIRE DISTRICT #1 FOR THE ESTABLISHMENT
OF A SPECIAL OPERATIONS UNIT

WHEREAS, the Township of Neptune and Neptune Fire District #1 mindful of their duties and responsibilities to protect and maintain the public health, safety and welfare of its inhabitants, find it necessary to provide a Special Operations Unit to provide specialized rescue services in response to an emergency or disaster requiring specialized equipment and or training in rescue operations that are not currently provided by any emergency response organization based within Neptune Township; and,

WHEREAS, the Township and Neptune Fire District #1 have determined that their best interests would be served by the utilization of the resources and services of the Township of Neptune for said purpose; and,

WHEREAS, the Township of Neptune and Neptune Township Fire District #1 desire to enter into an interlocal service agreement pursuant to N.J.S.A. 40:8A-1 et seq. for the Township and District to cooperatively develop, equip and train a Special Operations Unit; and,

WHEREAS, the Township will acquire and maintain a Special Operations Unit including acquisition of equipment and training and use of Township facilities; and,

WHEREAS, the Fire District shall provide insurance and record keeping of certifications and required classes for its members,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Interlocal Services Agreement with Neptune Fire District No. 1, a copy of which is on file in the Office of the Municipal Clerk, providing for the establishment of a Special Operations Unit for a period of five years from January 1, 2009 to December 31, 2013, and renewable for five year periods thereafter by mutual consent of the parties hereto; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Business Administrator, Assistant C.F.O., Chief of Police, and Neptune Fire District No. 1.

RESOLUTION #09-87 - 1/26/09

AUTHORIZE THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT
WITH THE BOROUGH OF NEPTUNE CITY TO UNDERTAKE A
ROADWAY IMPROVEMENTS PROJECT ON 5TH AVENUE

WHEREAS, the Township of Neptune and the Borough of Neptune City are mindful of their duties and responsibilities to protect and maintain the public health, safety and welfare of its inhabitants and find it necessary to make road surface and grading improvements to Fifth Avenue, a municipal roadway that is located in both the Borough and Township; and,

WHEREAS, the Township and Borough have determined that their best interests would be served by authorizing roadway improvements in both municipalities at the same time to enjoy the benefits of economies of scale through sharing of engineering and construction costs;

WHEREAS, the Township of Neptune and the Borough of Neptune City desire to enter into an interlocal service agreement pursuant to N.J.S.A. 40:8A-1 et seq. for the Township and Borough to cooperatively participate in this project; and,

WHEREAS, the Borough will prepare plans and specifications, bid and award the project and provide construction administration for said improvement project and the Township is willing to reimburse the Borough up to \$34,500.00 of the total construction and engineering costs of the project;

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Interlocal Services Agreement with the Borough of Neptune City, a copy of which is on file in the Office of the Municipal Clerk, providing for an improvement project to 5th Avenue, a municipal roadway located in both the Township and Borough, whereby the Township will contribute \$34,500.00 of the total construction and engineering costs to the Borough; and,

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

RESOLUTION #09-88 - 1/26/09

ESTABLISH SALARIES FOR STIPEND POSITIONS NOT COVERED BY CONTRACT

WHEREAS, there exists a number of stipend positions in the Township of Neptune that are not covered by a collective bargaining contract; and,

WHEREAS, the Township Committee desires to establish the stipend amounts for the year 2009 at the same level as 2008; and,

WHEREAS, funds will be provided for the first three months of 2009 in the 2009 Temporary Budget in the various salary and wage appropriations and funds for the balance of 2009 will be provided in the Budget for the year 2009, 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 establishes salaries for certain stipend positions not covered by a collective bargaining contract or agreement for the year 2009:

<u>Position</u>	<u>2009 Salary</u>
Rooming & Boarding Secretary	\$ 2,342.00
Affirmative Action Officer	\$ 1,040.00
Shade Tree / Env Comm Secretary	\$ 1,758.00
Mercantile Officer	\$ 4,680.00
Assistant Mercantile Officer	\$ 1,560.00
Taxi Licenses	\$ 2,342.00
OEM Secretary	\$ 2,342.00
OEM Assistant / Deputy Coordinators	\$ 2,163.00
Deputy OEM Coordinator	\$ 3,510.00
OEM Coordinator	\$ 5,852.00
Parks Inspector	\$ 1,174.00
Board of Health Secretary	\$ 1,174.00
Alliance Coordinator	\$ 10,692.00
Economic Development Secretary	\$ 4,392.00
Economic Development Admin Assist	\$ 2,342.00
Sewer Operator License	\$ 5,852.00
2ns Sewer Operator License	\$ 2,927.00
Deputy Economic Development Coord.	\$ 4,326.00
Mayor	\$ 8,112.00
Township Committee Member	\$ 7,030.00
Medical Director	\$ 2,080.00
Assistant Chief Financial Officer	\$ 16,660.83
HPC Secretary	\$ 6,507.87
Assistant Zoning Officer	\$ 3,260.40
Recycling Coordinator	\$ 1,234.29
Marina Supervisor	\$ 5,408.00
Asst. Economic Development Coord.	\$ 4,326.00

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

RESOLUTION #09-89 - 1/26/09

AWARD BIDS FOR PUBLIC WORKS EQUIPMENT

WHEREAS, on January 6, 2009, the Purchasing Agent received bids for the award of contracts to supply two Chassis Cabs and a 14 CY Dump Body for the Department of Public Works; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that bids be awarded to the lowest responsible bids; and,

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

WHEREAS, funds for this purpose will be provided in Ordinance No. 07-42 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that contracts be awarded to the lowest responsible bids for Public Works equipment as follows:

<u>VENDOR</u>	<u>EQUIPMENT</u>	<u>AMOUNT</u>
H.A. Dehart & Son	2009 Air-Flo 14 CY Dump Body	\$ 77,490.00
Mid-Atlantic Truck Centre, Inc.	2009 International Tandem Chassis Cab	83,969.00
Ford National Automart, Inc.	2009 Ford F-750 Chassis Cab	59,537.63

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.

RESOLUTION #09-90 - 1/26/09

AWARD BID FOR 6-8 CY DUMP BODY FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, on January 6, 2009, the Purchasing Agent received bids for the award of a contract for 6-8 CY Dump Body for the Department of Public Works; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that the low bid submitted by Bristol Donald Co., Inc. be rejected due to non-responsiveness to the bid specifications; and,

WHEREAS, the Purchasing Agent has determined that the second lowest bid submitted by H.A. Dehart & Son is the lowest responsible bid; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 07-42, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the bid for supplying a 2009 Air-Flo 6-8 CY Dump Body submitted by Bristol Donald Co., Inc. is hereby rejected due to non-responsiveness to the bid specifications; and,

BE IT FURTHER RESOLVED, that the next lowest bid submitted by H.A. Dehart & Son for supplying a 2009 Air-Flo 6-8 CY Dump Body in the amount of \$69,841.00 is hereby declared the lowest responsible bidder and a contract is so awarded to H.A. Dehart & Son; and,

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

RESOLUTION #09-91 - 1/26/09

AWARD CONTRACT FOR SOFTWARE INTEGRATION SERVICES

WHEREAS, the Township of Neptune desires to award a contract for software integration services through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the item is an extraordinary unspecified service and as such the Township has followed the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Purchasing Agent and Chief Financial Officer have accepted Requests for Proposals for said contract and a recommendation has been made from the proposals received; and,

WHEREAS, funds will be provided for the first three months of 2009 in the 2009 Temporary Budget in the appropriation entitled _____, known as Account No. _____ and funds for the balance of 2009 will be provided in the Budget for the year 2009, 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 authorizes the execution of a contract to engage the services of Specialty Systems, Inc. to provide software integration services at the rates and terms as indicated in the proposal submitted for a term of twenty-four months from January 1, 2009 through December 31, 2010; and,

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

RESOLUTION #09-92 – 1/26/09

AUTHORIZE THE PAYMENT OF BILLS

BE IT RESOLVED, That the following bills be paid if properly certified:

CURRENT FUND	3,794,296.31
FEDERAL & STATE GRANT FUND	61,909.96
TRUST OTHER	21,908.51
GENERAL CAPITAL FUND	2,546.41
SEWER OPERATING FUND	158,287.88
MARINA OPERATING FUND	200.54
DOG TRUST	7,127.85
BILL LIST TOTAL	\$4,046,277.46

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