

**TOWNSHIP COMMITTEE WORKSHOP MEETING – MARCH 9, 2009**

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

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
J. Randy Bishop	_____
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, 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 – Use, maintenance and permitting process of the township playing fields.
  
2. Discussion – Insurance scoring.
  
3. Discussion – Economic outlook seminar.
  
4. Discussion – 2009 municipal budget.

ITEMS FOR DISCUSSION

MARCH 9, 2009

5. Discussion – 2009 Committee goals and objectives

6. Discussion – Green Team.

7. Outstanding parking lot items (PW)

Res. # 09-149 – 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 – MARCH 9, 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, 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) 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 February 23rd regular and executive sessions.

**PROCLAMATION**

The Mayor will proclaim the week of March 15<sup>th</sup> – 21<sup>st</sup> as National Poison Prevention Week.

**REPORT OF THE CLERK**

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

Senior Beacon for March.

Rosemary Gray sent letters of thanks to the following for recent donations to the Senior Center: Marie Malloy, Virginia & Jack Veal, Antoinette Myers, Wegmans, Shop-Rite, Freedman's, Catholic Men for Jesus Christ, Panera Bread #3961, John Bartlett, Karen Vanden Noort, Sybil & Percival Dawes, Pearl Wombough, Fran Nikovits, Donald Bartlett, Evelyn Bedell, Jay Bodine, Peggy Heutele, Ronald Rocco, Dorothy Ulenski, Renee Prince, Joan Hunziker, Valerie Sabia, Veronica Vivino, Ed Halpin, Maureen White and Arthur Crelin.

**COMMENTS FROM THE DAIS**

**MARCH 9, 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. 09-06 – An ordinance to authorize the imposition of an occupancy tax on hotels within the Township of Neptune, County of Monmouth, State of New Jersey – Final Reading

Public Hearing:

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

ORDINANCE NO. 09-09 - An ordinance to amend Chapter IV of the Code of the Township of Neptune by adding Section 4-28 to authorize the regulation of clothing donation bins in the Township of Neptune. – Final Reading

Public Hearing:

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

ORDINANCE NO. 09-10 - An ordinance authorizing the Township of Neptune to exceed the 2.5% cola rate appropriation limit for purposes of introducing the 2009 municipal budget. – Final Reading

Public Hearing:

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

ORDINANCE NO. 09-11 - An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding a no parking zone on a portion of West Lake Avenue, deleting a handicapped parking zone on Clark Avenue and adding a handicapped parking zone on Clark Avenue. – Final Reading

Public Hearing:

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

**ORDINANCE NO. 09-12** - An ordinance to amend Volume I, Chapter II of the Code of the Township of Neptune by amending the fee for the Summer Recreation Program. – First Reading

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

**ORDINANCE NO. 09-13** - An ordinance amending Volume I, Chapter IV, Section 4-17 of the Code of the Township of Neptune by further amending the section regulating taxicabs. – First Reading

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

The Public Hearings on Ordinances 09-12 and 09-13 will be held on Monday, March 23, 2009.

**CONSENT AGENDA**

Res. # 09-150 – Reclassify Christopher Bedrosian as a permanent full-time Clerk/Typist in the Vital Statistics Office.

Res. # 09-151 – Grant Social Affair Permit to the Asbury Park-Wall Elks Lodge #128.

Res. # 09-152 – Accept performance guarantee filed by New York SMSA Limited Partnership d/b/a Verizon Wireless for site improvements at the proposed telecommunications facility off of Route 66.

Res. # 09-153 – Authorize the closing of streets in connection with the Ocean Grove Chamber of Commerce Flea Markets.

Res. # 09-154 – Authorize the cancellation of a Façade Improvement Program mortgage issued to Carl Streit & Son.

Res. # 09-155 – Authorize submission of tax reimbursement certificate in connection with the Recycling Tonnage Grant.

Res. # 09-156 – Authorize execution of a grant agreement with the County of Monmouth for the 2008 Neptune Alliance Against Alcoholism and Drug Abuse Grant.

Res. # 09-157 – Approve selection of legal counsel to represent police officers in lawsuit for punitive damages.

Res. # 09-158 – Accept 2009 Title IIIB funding grant from the Monmouth County Office on Aging.

Res. # 09-159 – Authorize stand-by duty payment to Office of Emergency Management personnel.

Res. # 09-160 – Support Safe Routes to School grant application.

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

Res. # 09-161 – Authorize the Township Planner to prepare Housing Element and Fair Share Plan.

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

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

Res. # 09-162 – Appoint Director of Code/Construction.

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

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

Res. # 09-163 – Authorize the payment of bills.

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

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

Res. # 09-164 – Reclassify employee to the position of Assistant Purchasing Agent.

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

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

Res. # 09-165 – Authorize the purchase of office furniture under the New Jersey State Cooperative Purchasing Program.

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

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

**PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS**

**ADJOURNMENT**

ORDINANCE NO. 09-12

AN ORDINANCE TO AMEND VOLUME I, CHAPTER II OF THE  
CODE OF THE TOWNSHIP OF NEPTUNE BY AMENDING THE  
FEE FOR THE SUMMER RECREATION PROGRAM

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, Section 2-13.4 – Recreation Program Fees - is hereby amended by adding the following:

<i>Activity</i>	<i>Fee</i>
Summer Recreation Program	\$150.00

SECTION 2. This ordinance shall take effect upon publication in accordance with 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. 09-13

AN ORDINANCE AMENDING VOLUME I, CHAPTER IV, SECTION 4-17 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY FURTHER AMENDING THE SECTION REGULATING TAXICABS

BE IT ORDAINED by the Township Committee of the Township of Neptune, County of Monmouth, New Jersey, that Volume I, Chapter IV, Section 4-17 of the Code of the Township of Neptune be and is hereby amended as follows:

SECTION 1

4-17.4 Taxicab Driver's License is hereby as amended as follows:

4-17.4c(2) is replaced with the following:

2. All applicants, both new and renewals, shall annually present a certificate of a duly licensed and qualified physician certifying that the applicant has been examined within thirty (30) days of the date of the application and is of sound physical condition and healthy enough for the safe operation of a taxicab.

4-17.4d – “Issuance of License” is hereby amended in its entirety as follows:

d. Upon satisfactory fulfillment of the foregoing requirements, there shall be issued by the Township's Taxi Coordinator to the applicant, after the approval of the Chief of Police, a taxi license identification card, which shall contain the photograph, name, address, taxi stand and any other information that shall be deemed necessary by the Taxi Coordinator. Upon receipt of the criminal and motor vehicle background checks, the Taxi Coordinator shall be authorized to issue a taxi license. A temporary license valid for thirty (30) days may be issued for renewals only, at the discretion of the Taxi Coordinator. If the taxicab driver requests a replacement of the annual or temporary license, there shall be a charge of \$25.00.

SECTION 2

4-17.9 Regulations of Operators is hereby amended as follows:

4-17.9d – “Signs” is hereby amended in its entirety as follows:

Each licensed taxicab shall have the following items displayed, with prior approval from the Taxi Coordinator:

1. A permanent, illuminated taxicab sign plainly marked as a taxicab or taxi and clearly visible. Said illuminated taxicab sign shall be in operation when said taxicab is commercially employed.

2. The taxicab number plainly marked and clearly visible. The taxicab number shall match the medallion number.

3. The name, trade name or corporate name of the owner clearly displayed.

SECTION 3.

If any part of this Ordinance shall be invalid, such parts shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Ordinance.

SECTION 4.

This Ordinance shall take effect upon its passage and publication according to law.

APPROVED ON FIRST READING:

APPROVED, PASSED AND ADOPTED:

ATTEST:

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Richard J. Cuttrell,  
Municipal Clerk

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Dr. Michael Brantley,  
Mayor

RESOLUTION #09-149 – 3/9/09

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:

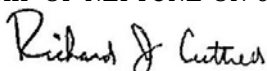
Potential Litigation – Meeting procedure  
Personnel – Appointment to Housing Authority  
Litigation – Washington encroachment  
Real Estate negotiations – Clara's on West Lake Avenue  
Potential Litigation – Scrubber Doctor  
Contract negotiations – Recycling Demonstration Project (Bahrs)  
Contract negotiations – Union negotiations.

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

4. This Resolution shall take effect immediately.

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 03/09/09



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

RESOLUTION #09-150 - 3/9/09

RECLASSIFY CHRISTOPHER BEDROSIAN AS A PERMANENT FULL-TIME  
CLERK/TYPIST IN THE VITAL STATISTICS OFFICE

WHEREAS, Christopher Bedrosian was hired as a Clerk/Typist in the Vital Statistics Office on March 3, 2009; and,

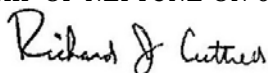
WHEREAS, he has performed his duties in a satisfactory manner and the Registrar has recommended that he be reclassified on a permanent full-time basis,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Christopher Bedrosian be and he is hereby reclassified as a permanent full-time Clerk/Typist effective immediately; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Registrar, Business Administrator and AFSCME Local #1844.

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 03/09/09



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

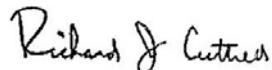
RESOLUTION #09-151 - 3/9/09

GRANT SOCIAL AFFAIR PERMIT TO THE ASBURY PARK-WALL ELKS LODGE #128

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Municipal Clerk and Chief of Police be and are hereby authorized to approve the application of the Asbury Park-Wall Elks Lodge #128 for a social affair permit at the Asbury Park-Wall Elks Lodge #128, 3409 West Bangs Avenue, on April 25, 2009 from 6:30 P.M. to 12:00 A.M.

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 03/09/09



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

RESOLUTION #09-152 - 3/9/09

ACCEPT PERFORMANCE GUARANTEE FILED BY NEW YORK SMSA LIMITED  
PARTNERSHIP D/B/A VERIZON WIRELESS FOR SITE IMPROVEMENTS  
AT THE PROPOSED TELECOMMUNICATIONS FACILITY OFF OF ROUTE 66

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless has filed performance bond 105212634, written by Travelers Casualty and Surety Company of America, Inc. in the amount of \$23,760.00, guaranteeing site improvements at the proposed telecommunications facility adjacent to Route 66 (Block 1007, Lot 61); and,

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

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

WHEREAS, the Planning Board Engineer recommends that the requirement for a developer's agreement be waived because the site improvements are not off-tract and are all minor in nature; and,

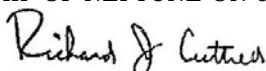
WHEREAS, the acceptance of this Performance Guarantee does not authorize the issuance of any licenses or permits by the Construction Department but serves as certification to the Planning Board/Board of Adjustment that compliance with the Land Development Ordinance of the Township of Neptune has been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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby accepts the performance guarantee as stated above; and,

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the Township Engineer, Planning Board, Construction Department, Director of Engineering and Planning, Chief Financial Officer and the Developer.

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 03/09/09



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

RESOLUTION #09-153 - 3/9/09

AUTHORIZE THE CLOSING OF STREETS IN CONNECTION WITH THE  
OCEAN GROVE CHAMBER OF COMMERCE FLEA MARKETS

WHEREAS, the Ocean Grove Chamber of Commerce has scheduled two annual flea markets for Saturday, May 30, 2009 and Saturday, September 12, 2009, on Ocean Pathway in Ocean Grove; and,

WHEREAS, it is necessary to designate no parking areas and close certain streets prior to and during the events; and,

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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates temporary no parking on the following streets:

- 1) Both sides of west bound and east bound Ocean Pathway from 9:00 P.M. on Friday, May 29, 2009 until 6:00 P.M. on Saturday, May 30, 2009 and from 9:00 P.M. on Friday, September 11, 2009 until 6:00 P.M. on Saturday, September 12, 2009.
- 2) Both sides of Beach Avenue between east bound and west bound Ocean Pathway from 9:00 P.M. on Friday, May 29, 2009 until 6:00 P.M. on Saturday, May 30, 2009 and from 9:00 P.M. on Friday, September 11, 2009 until 6:00 P.M. on Saturday, September 12, 2009.
- 3) Both sides of Central Avenue between McClintock Avenue and the west bound side of Ocean Pathway from 9:00 P.M. on Friday, May 29, 2009 until 6:00 P.M. on Saturday, May 30, 2009 and from 9:00 P.M. on Friday, September 11, 2009 until 6:00 P.M. on Saturday, September 12, 2009.
- 4) South bound side of Ocean Avenue between west bound Ocean Pathway and east bound Ocean Pathway from 9:00 P.M. on Friday, May 29, 2009 until 6:00 P.M. on Saturday, May 30, 2009 and from 9:00 P.M. on Friday, September 11, 2009 until 6:00 P.M. on Saturday, September 12, 2009.

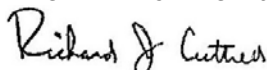
BE IT FURTHER RESOLVED, that Beach Avenue as stated in Section 2 will also be closed to vehicular traffic from 5:00 A.M. to 6:00 P.M. on Saturday, May 30, 2009 and Saturday, September 12, 2009; and,

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

**CERTIFICATION**

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I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 03/09/09



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

RESOLUTION #09-154 - 3/9/09

AUTHORIZE THE CANCELLATION OF A FAÇADE IMPROVEMENT PROGRAM  
MORTGAGE ISSUED TO CARL STREIT & SON

WHEREAS, the Township of Neptune holds a mortgage on Carl Streit & Son, 703 Atkins Avenue in connection with a Façade Improvement Program loan; and,

WHEREAS, the loan has been paid in full and the building has been maintained for five full years; and;

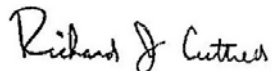
WHEREAS, the Township desires to cancel said mortgage in accordance with the terms of the mortgage note,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and they are hereby authorized to execute a cancellation of mortgage in connection the Façade Improvement Program loan issued to Carl Streit & Son; and,

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 03/09/09



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

RESOLUTION #09-155 - 3/9/09

AUTHORIZE SUBMISSION OF TAX REIMBURSEMENT CERTIFICATE  
IN CONNECTION WITH THE RECYCLING TONNAGE GRANT

WHEREAS, the Recycling Enhancement Act, P.L. 207, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and,

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and,

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Township of Neptune hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2009, chapter 311, in 2008 the amount of \$15,425.05. Documentation supporting this submission is available at the Neptune Municipal Complex, 25 Neptune Blvd., Neptune, NJ and shall be maintained for no less than five years from this date.

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

Tax reimbursement certified by:

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Michael J. Bascom, C.F.O.  
March 9, 2009

RESOLUTION #09-156 - 3/9/09

AUTHORIZE EXECUTION OF A GRANT AGREEMENT WITH THE COUNTY OF MONMOUTH  
FOR THE 2008 NEPTUNE ALLIANCE AGAINST ALCOHOLISM AND DRUG ABUSE GRANT

WHEREAS, the Neptune Township Municipal Alliance Against Alcoholism and Drug Abuse has prepared a comprehensive funding proposal for submission to the Monmouth County Division of Mental Health and Addiction Services for the year 2009; and,

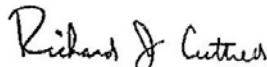
WHEREAS, the Division has approved the Municipal Alliance funding proposal in the amount of \$41,074.00,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the required Township officials to execute a 2009 Grant Agreement with the Monmouth County Division of Mental Health and Addiction Services for funding to the Neptune Township Municipal Alliance to Prevent Alcoholism and Drug Abuse in the amount of \$41,074.00; and,

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 03/09/09



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

RESOLUTION #09-157 - 3/9/09

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

WHEREAS, in the matter of Carl R. Lepis v. Township of Neptune, Ptl. John Jackson has requested that Susan Schroeder-Clark, Esq. serve as his legal counsel as to the claim for punitive damages; and,

WHEREAS, in the same matter, Ptl. J. Hunter Ellison has requested that Hobbie, Corrigan, Bertuccio & Tashjy serve as his legal counsel as to the claim for punitive damages; and,

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

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

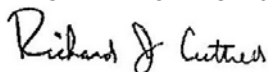
WHEREAS, the Township's reimbursement will be limited to a rate per hour not to exceed the current hourly rate of the Township Attorney, the Township reserves the right to limit the total expenditure to a reasonable cost and the Township reserves the right to not reimburse for legal fees and costs should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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted to Ptl. John Jackson to retain Susan Schroeder-Clark, Esq. as legal counsel and Ptl. J. Hunter Ellison to retain Hobbie, Corrigan, Bertuccio & Tashjy as legal counsel for the claim of punitive damages in the above referenced matter; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., Chief of Police, Ptl. John Jackson and Ptl. J. Hunter Ellison.

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 03/09/09



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

RESOLUTION #09-158 - 3/9/09

ACCEPT 2009 TITLE IIIB FUNDING GRANT FROM THE  
MONMOUTH COUNTY OFFICE ON AGING

WHEREAS, the Township of Neptune applied for Title IIIB funding for the year 2009, in the amount of \$25,000, from the Monmouth County Office on Aging to provide services to Neptune Seniors through the Neptune Senior Center; and,

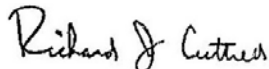
WHEREAS, the Monmouth County Office on Aging has notified the Township that the grant will be awarded,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby accepts a FY2009 Title IIIB funding grant in the amount of \$25,000 from the Monmouth County Office on Aging to provide services to Neptune Seniors through the Neptune Senior Center; and,

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 03/09/09



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

RESOLUTION #09-159 - 3/9/09

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 emergencies declared on February 3<sup>rd</sup> and again on March 1<sup>st</sup>/2nd; and,

WHEREAS, overtime payment at the rate of \$10.00 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 2009 in the 2009 Temporary Budget in the appropriation entitled OEM S&W known as Account No. 252-014 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,

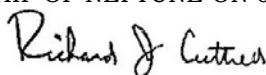
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that stand-by duty payment at the rate of \$10.00 per hour be and is hereby authorized to the following Office of Emergency Management staff for the hours indicated as a result of the snow emergencies on February 3<sup>rd</sup> and March 1<sup>st</sup>/2nd, 2009:

Anthony Devlin – 12 hours  
Michael Chase – 12 hours  
Doug Brophy – 12 hours  
Ken Sprague – 34.5 hours  
Alex Rodriguez – 12 hours  
Matthew Redmond – 19 hours  
Mike Bonfonte – 13 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.

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 03/09/09



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

RESOLUTION #09-160 - 3/9/09

SUPPORT SAFE ROUTES TO SCHOOL GRANT APPLICATION

WHEREAS, the Township of Neptune believes it is in the public's interest and safety to authorize the installation of traffic signalization at the intersection of Neptune Boulevard and Heck Avenue; and,

WHEREAS, due to the proximity of both Neptune High School and the Neptune Middle School, there is a high volume of pedestrian and vehicle traffic at this intersection during school hours and during after school events; and,

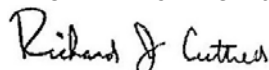
WHEREAS, the Township desires to acquire funding through the Safe Routes to School Grant Program for the installation of traffic and pedestrian signalization at the intersection,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby conveys its full support to the Township's application to the Safe Routes to School Grant Program through the New Jersey Department of Transportation for the signalization of the intersection of Neptune Boulevard and Heck Avenue; and,

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 03/09/09



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

RESOLUTION #09-161 - 3/9/09

AUTHORIZE THE TOWNSHIP PLANNER TO PREPARE  
HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Township of Neptune previously submitted a Third Round Housing Plan Element and Fair Share Plan to the Council on Affordable Housing (COAH) in December, 2005; and,

WHEREAS, subsequent to certification of the 2005 plan, COAH adopted a revised substantive rule and the affordable housing reform bill became law which amends the Fair Housing Act and further affects COAH's regulatory provisions; and,

WHEREAS, it is necessary for the Township Planner to prepare, review with appropriate local agencies and submit a Housing Element and Fair Share Plan; and,

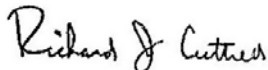
WHEREAS, funds will be provided for the first three months of 2009 in the 2009 Temporary Budget in the appropriation entitled Engineering known as Account No. 165 and funds for the balance of 2009 will be provided in the Budget for the year 2009, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes T&M Associates to perform the services as stated herein at an amount not to exceed \$30,000.00; and,

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 03/09/09



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

RESOLUTION #09-162 - 3/9/09

APPOINT DIRECTOR OF CODE/CONSTRUCTION

WHEREAS, the Township Committee adopted Ordinance No. 09-08 which created the position of Director of Code/Construction and now desires to fill this position; and,

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

WHEREAS, the Business Administrator has made his recommendation; and,

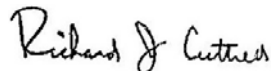
WHEREAS, funds will be provided for the first three months of 2009 in the 2009 Temporary Budget in the appropriation entitled Construction S & W, known as Account No. 195-011 and funds for the balance of 2009 will be provided in the Budget for the year 2009, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that William Doolittle be and is hereby employed as Director of Code/Construction effective March 10, 2009, at an annual salary of \$10,000.00; and,

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 03/09/09



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

RESOLUTION #09-163 – 3/9/09

AUTHORIZE THE PAYMENT OF BILLS

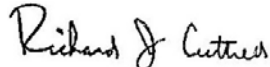
BE IT RESOLVED, That the following bills be paid if properly certified:

CURRENT FUND	2,110,406.74
FEDERAL & STATE GRANT FUND	6,175.00
TRUST OTHER	17,415.23
GENERAL CAPITAL FUND	1,005,235.00
SEWER OPERATING FUND	4,256.96
MARINA OPERATING FUND	4,237.53
DOG TRUST	106.80
BILL LIST TOTAL	\$3,147,833.26

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 03/09/09



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

RESOLUTION #09-164 - 3/9/09

RECLASSIFY EMPLOYEE TO THE POSITION OF  
ASSISTANT PURCHASING AGENT

WHEREAS, there is a vacancy in the position of Assistant Purchasing Agent in the Purchasing Department; and,

WHEREAS, the position was duly posted; and,

WHEREAS, the Chief Financial Officer and the 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 2009 in the 2009 Temporary Budget in the appropriation entitled Financial Admin S+W, known as Account No. 01-201-20-130-011 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; and,

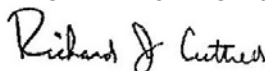
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Melissa Zucconi be and is hereby reclassified to the position of Assistant Purchasing Agent at an annual base salary of \$47,251.29 effective March 10, 2009; and,

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

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**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 03/09/09



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

RESOLUTION #09-165 - 3/9/09

AUTHORIZE THE PURCHASE OF OFFICE FURNITURE UNDER THE  
NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Township of Neptune wishes to purchase office furniture for the portion of the municipal complex undergoing renovation through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Laws, N.J.S. 40A:11-12; and,

WHEREAS, Affordable Interior Systems has been awarded New Jersey State Contract No. A57038 for this equipment; and,

WHEREAS, the Chief Financial Officer recommends the utilization of this contract on the grounds that the price reflects a substantial savings; and,

WHEREAS, the amount of the office furniture shall not exceed \$100,000.00; and,

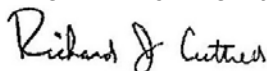
WHEREAS, funds for this purpose are available in Ordinance No. 06-36 as amended by 07-03, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of office furniture through the New Jersey Cooperative Purchasing Program for the Neptune Township Municipal Complex be and is hereby authorized at an amount not to exceed \$100,000.00; and,

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 03/09/09



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