

TOWNSHIP COMMITTEE WORKSHOP MEETING – APRIL 27, 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 advertisements in The Coaster and the Asbury Park Press on March 12, 2009 and April 16, 2009, posting the notices on the Board in the Municipal Complex, and filing a copy of said notices with the Municipal Clerk.

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Discussion – Defeated school budget.

2. Discussion – Support of Memorial Day (\$1,700) and Independence Day (\$1,200) parades.

3. Discussion – Responsibility for maintenance and repair of Highway 33 sidewalk project.

4. Outstanding parking lot items (PW)

Res. # 09-222 – 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 AT NEPTUNE HIGH SCHOOL – APRIL 27, 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; and Richard J. Cuttrell, Municipal Clerk.

SILENT PRAYER

FLAG SALUTE LED BY NEPTUNE HIGH SCHOOL NJROTC COLOR GUARD

NATIONAL ANTHEM - SUNG BY SHAE MOORER

The Clerk states, "Fire exits are located in the rear of the room to the 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 advertisements in The Coaster and the Asbury Park Press on March 12, 2009 and April 16, 2009, posting the notices on the Board in the Municipal Complex, and filing a copy of said notices 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 April 13th regular and executive sessions.

PRESENTATIONS – NEPTUNE HIGH SCHOOL WINTER SPORTS OUTSTANDING ATHLETES

The Mayor will present proclamations and certificates to the Neptune High School Boys Basketball Team, Girls Basketball Team, Girls Indoor Track Team, Winter Cheerleaders and All-American Track Athletes.

SHORT RECESS FOR PHOTOGRAPHS

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 April 21st agenda and minutes of the March 17th meeting; notice of public hearing on an amendment to the Tinton Falls Land Development Ordinance; letter from Joan and Ed Krausser thanking the Public Works Department for their bulk pick-up efforts.

COMMENTS FROM THE DAIS

APRIL 27, 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. The public will be permitted one visit to the microphone with a limit of five minutes.

ORDINANCES

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

ORDINANCE NO. 09-17 - An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding a handicapped parking zone on Fisher Avenue. – Final Reading

Public Hearing:

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 09-18 - An ordinance to amend the Code of the Township of Neptune to implement a Responsible Contractor Policy. – First Reading

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 09-19 - An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding handicapped parking zones on Abbott Avenue and Anelve Avenue. – First Reading

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 09-20 – Bond ordinance providing for the Bradley Park Pedestrian and ADA Accessibility Project, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$500,000.00 therefor (including a \$191,250.00 grant from the Community Development Block Grant Program) and authorizing the issuance of \$293,312.50 bonds or notes of the township to finance part of the cost thereof – First Reading

Offered by: _____ Seconded by: _____

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

The Public Hearings on Ordinances 09-18 through 09-20 will be held on Monday, May 11, 2009.

CONSENT AGENDA

Res. # 09-223 – Authorize the refund of taxes as a result of an overpayment.

Res. # 09-224 – Authorize the Tax Collector to transfer credits (111 Lakewood Road).

Res. # 09-225 – Authorize the refund of sewer rent.

Res. # 09-226 – Employ temporary seasonal personnel for the Summer Recreation Program.

Res. # 09-227 – Amend the salary of Subsola Young, Violations Clerk in the Municipal Court.

Res. # 09-228 – Acknowledge the retirement of Annette Simone as a Clerk/Typist in the Police Department.

Res. # 09-229 – Amend 2009 rates for the Municipal Marina as established by the Harbor Commission to add rates for trailer and kayak/canoe land storage.

Res. # 09-230 – Authorize execution of a Treatment Works Application for Ridge View Terrace at the former Ridge Avenue School site.

Res. # 09-231 – Authorize execution of a Temporary Use and Occupancy Agreement for encroachments on Township owned Green Acres property.

Res. # 09-232 – Acknowledge the retirement of Joseph Vetrano as Code Enforcement Supervisor.

Res. # 09-233 – Authorize the cancellation of mortgages in connection with a regional contribution agreement project and a Neighborhood Preservation Program project at 431 Myrtle Avenue.

Res. # 09-234 – Accept the resignation of Michael Johnson as a member of the Recreation Committee.

Res. # 09-235 – Name the Ridge Avenue School Site Redevelopment Project - “Ridge View Terrace”.

Res. # 09-236 – Support application to the Transportation Enhancement Economic Recovery Program for the installation of sidewalks on State Highway 33 from Schoolhouse Road to Neptune Boulevard.

Res. # 09-237 – Grant raffle licenses.

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

Res. # 09-238 – Urge the NJDOT to install EcoDrains along the recently completed Highway 33 improvement project.

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

Res. # 09-239 – Appoint Municipal Housing Liaison.

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

Res. # 09-240 – Appoint member to the Rooming and Boarding Site Licensure Board.

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

Res. # 09-241 – Terminate employee.

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

Res. # 09-242 – Appoint member to the Local Emergency Planning Committee.

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

Res. # 09-243 – Employ Special Law Enforcement Officers in the Police Department on a part-time basis.

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

Res. # 09-244 – Authorize the payment of bills.

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Members of the public may address any concern relating to the Township. After all have had the opportunity to speak, individuals who desire to speak again will be invited back to the microphone. All comments are limited to five minutes per visit to the microphone.

ADJOURNMENT

ORDINANCE NO. 09-18

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP
OF NEPTUNE TO IMPLEMENT A RESPONSIBLE
CONTRACTOR POLICY

WHEREAS, the Township Committee of the Township of Neptune regularly undertakes significant construction projects for the good and betterment of the citizens of the Township of Neptune; and

WHEREAS, the Township recognizes that there is a need to ensure that all work on significant public construction projects and maintenance contracts is performed by responsible, qualified firms with the capacity, expertise, personnel, qualifications and resources necessary to successfully perform public contracts in a timely, reliable and cost-effective manner; and

WHEREAS, it is desirable public policy that all workers involved in the construction of significant Township projects receive health insurance coverage for themselves and their families, and that they have the ability to plan for their future retirement through a pension or retirement plan; and

WHEREAS, it is desirable public policy that employees performing work on behalf of the Township derive a reasonable benefit; and

WHEREAS, in order to effectuate the purpose of selecting responsible contractors for public contracts and to protect the Township's investments in such contracts, prospective contractors and subcontractors should be required to meet pre-established, clearly defined, minimum standards relating to contractor responsibility, including requirements and criteria concerning technical qualifications, competency, expertise, adequacy of resources, including equipment, financial and personnel, and satisfactory record regarding past project performance, safety, law compliance and business integrity; and

WHEREAS, the following requirements are encouraged to be met by all contractors and subcontractors bidding on significant public contracts in the Township of Neptune in addition to those requirements already established under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

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

Section 1. Responsible Contractor Requirements.

A. All contractors or subcontractors that perform work valued at over \$15,000.00 on any public facility or public works project, including construction, alteration, renovation, repair, service or maintenance work are encouraged to meet the requirements of this Ordinance. The requirements of this Ordinance are intended to supplement, not replace, existing contractor qualifications and performance standards or criteria currently required by law, public policy or contracting documents.

B. All firms engaged in contracts covered by this Ordinance shall be qualified, responsible contractors or subcontractors that have sufficient capabilities in all respects to successfully perform contracts on which they are engaged, including the necessary experience, equipment, technical skills and qualifications and organization, financial and personnel resources. Firms bidding on public contracts shall also be required to have a satisfactory past performance record and a satisfactory record of law compliance, integrity and business ethics.

Section 2. Responsible Contractor Certifications.

A. All contractors and subcontractors shall complete the Contractor Responsibility Certification on a form provided by the Township and shall reference the project for which the bid is being submitted by name, contract or project number.

B. All contractors and subcontractors shall provide the following information in the Contractor Responsibility Certificate whenever bidding on significant public contracts regarding its past performance, work history and its current qualifications and performance capabilities:

1. The firm shall have all valid, effective licenses, registrations, or certificates required by federal, state, county or local law, including but not limited to, licenses, registrations, or certificates required to: (a) do business in the locale; and (b) perform the contract work it seeks to perform, i.e., type of trade or specialty work.

2. All labor should be covered by an approved health and hospital insurance plan, and an approved pension or retirement plan. A statement of employee benefits should be completed. If employee benefits are not provided, the firm shall set forth the reason for not providing same.

3. The firm meets the bonding requirements for the contract, as required by applicable law or contract specifications and any insurance requirements, including general liability insurance, workers compensation insurance and unemployment insurance requirements.

4. The firm will pay all craft employees that it employs on the project the current prevailing wage rates and benefits as required under applicable federal, state or local laws.

5. The firm participates in a Class A Apprenticeship Program which is an approved apprentice/training program pursuant to the standards established under the Department of Labor and Industry Act of 1984 (N.J.S.A. 34:1A-34 et seq.), and shall continue to participate in such program(s) for the duration of the project.

C. The following shall disqualify contractors or subcontractors for the following reasons:

1. Having been debarred by any federal, state or local government agency or authority in the past three (3) years.

2. Having defaulted on any project in the past three (3) years.

3. Having had any type of business, contracting or trade license, registration or other certification suspended or revoked in the past three (3) years.

4. Having been cited for a willful violation of federal or state safety laws in the past three (3) years.

5. Having been convicted of any crime relating to the contracting of business by a final decision of a court or government agency in the past ten (10) years.

6. Having been found in violation of any law applicable to its contracting business, including but not limited to, licensing laws, tax laws, prompt payment laws, wage and hour laws, prevailing wage laws, environmental laws or others, where the result of such violation was the payment of a fine, back pay damages or any other type of penalty in the amount of \$1,000.00 or more in the past three (3) years.

Section 4. Enforcement.

If any part of this Ordinance is held not enforceable, the remaining portions of this Ordinance shall remain in full force and effect.

Section 5. Effective Date.

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 09-19

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING HANDICAPPED PARKING ZONES ON ABBOTT AVENUE AND ANELVE AVENUE

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

SECTION 1

Volume I, Chapter VII, Section 7-21.2 - Handicapped Parking Spaces on Public Roads - Locations Designated, is hereby amended by adding the following:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Abbott Avenue	1	North side of Abbott Avenue beginning 25 feet east of the northeast intersection of Abbott Avenue and New York Avenue.
Anelve Avenue	1	West side of Anelve Avenue beginning 275 feet north of the southwest intersection of Anelve Avenue and Monroe Avenue (space shall be large enough to accommodate an ambulance).

SECTION 2. This ordinance shall take effect upon publication in accordance with law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 09-20

BOND ORDINANCE PROVIDING FOR THE BRADLEY PARK PEDESTRIAN AND ADA ACCESSIBILITY PROJECT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$500,000.00 THEREFOR (INCLUDING A \$191,250.00 GRANT FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM) AND AUTHORIZING THE ISSUANCE OF \$293,312.50 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) as follows:

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$500,000.00, which sum includes a \$191,250.00 Community Development Block Grant from the County of Monmouth (the "Grant") and the down payment for said improvement or purpose required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law") in the aggregate amount of \$15,437.50. The \$15,437.50 down payment is now available therefor from the general capital improvement fund by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the portion of the \$500,000.00 appropriation not provided by the Grant, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$293,312.50 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$293,312.50 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is the Bradley Park Pedestrian Safety and ADA Accessibility Project (the "Project"), said Project to include but is not limited to, construction, reconstruction and acquisition and installation, as applicable, of sidewalks, curbing, lighting, tree planting and signage and site restoration and also including, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$293,312.50.

(c) The estimated cost of said improvement or purpose is \$500,000.00.

SECTION 4. Except for the Grant, in the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Township, for the improvement and purpose authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. Except for the Grant, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth, shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed

duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$293,312.50 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "Controlled Group" as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d), (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds "replacement proceeds", within the meaning of Treasury Regulation Section 1.148-1 of the bonds, or any other bond issue, or (iii) to reimburse the Township for any expenditure or payment that was originally paid with the proceeds of any obligation of the Township (other than borrowing by the Township from one of its own funds or the funds of a member of the same "Controlled Group" within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will be issued in an amount not to exceed \$293,312.50. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code and Treasury Regulation Section 1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

RESOLUTION #09-222 – 4/27/09

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:

Personnel – Appointment to the Rooming & Boarding Home Licensure Board.

Contract negotiations – Police Dispatch Services.

Litigation – Mifco decision.

Contract negotiations – Proposal for Highway 35 corridor architectural guidelines.

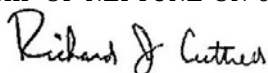
Personnel – Recommendation for hiring of Special Police Officers.

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 04/27/09



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

RESOLUTION #09-223 - 4/27/09

AUTHORIZE THE REFUND OF TAXES
AS A RESULT OF AN OVERPAYMENT

WHEREAS, the properties listed below reflect overpayments; and,

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

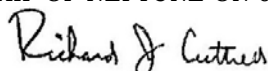
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to refund the taxes as stated herein; and,

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
449/5	VANDER NOORT	223 Lakewood Rd	2008	912.62
199/12	MOSELY	1601 Huntington	2009	634.73

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 04/27/09



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

RESOLUTION #09-224 - 4/27/09

AUTHORIZE THE TAX COLLECTOR TO TRANSFER CREDITS

WHEREAS, a recent review of the records of the Tax Office has confirmed credits on a number of accounts; and,

WHEREAS, the Tax Collector has recommended that said credits be applied to subsequent taxes,

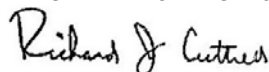
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to transfer credits listed below and apply same against balances as stated herein; and,

BLOCK/LOT	ASSESSED TO	ADDRESS	AMOUNT	FROM YEAR	TO YEAR
451/5	111 LAKEWOOD RD LLC	111 LAKEWOOD RD	1,117.06	2008	2009

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 04/27/09



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

RESOLUTION #09-225 – 4/27/09

AUTHORIZE THE REFUND OF SEWER RENT

WHEREAS, the properties listed below reflect overpayments; and,

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

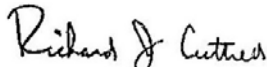
THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the Tax Collector be and hereby is authorized to refund the Sewer Rent as stated herein:

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
195/18	HALL	1601 HECK AVE	2009	54.79
570/202C121	INDIAN PATH SEA	SPRAY LN	2009	.49

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 04/27/09



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

RESOLUTION #09-226 - 4/27/09

EMPLOY TEMPORARY SEASONAL PERSONNEL FOR
THE NEPTUNE SUMMER RECREATION PROGRAM

WHEREAS, the Township of Neptune Recreation Department will be sponsoring a Summer Recreation Program; and,

WHEREAS, applications were received and the following qualified applicants have been recommended for hire by the Recreation Director; and,

WHEREAS, funds will be provided for the first four months of 2009 in the 2009 Temporary Budget in the appropriation entitled Rec S & W, known as Account No. 370-013 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 following persons be employed in the Neptune Summer Recreation Program for the number of hours and days as specified herein,

Camp Directors, \$15.00 per hour, 7.5 hours per day/24 days

Cathy Long Rodney Taylor

Bus Drivers, \$14.00 per hour, 6 hours per day/22 days

Carol Acevedo Janiesue Masco Betty Andrews (substitute)

Counselors, \$11.50 per hour, 7.5 hours per day/22 days

Therman Perry Anthony Mays

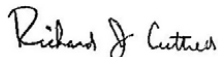
Counselors, \$10.50 per hour, 7.5 hours per day/22 days

Barbara Carter	Rebecca Tyrrell	Takia Clayton
Alicia Ray	Clinton Thomas	Taylor Dow
Terry Nickson	Dwight Overby	Kathie Loyal
Albert Lewis	Dejanera Johnson	Dyese Davis
Lindsey Cooper	Diamond Wilson	Shiningstar Young
Cara Zucconi	Shannon Brady	Tarrin Morgan
Alex Byrd	DaShawn Vernon	

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 04/27/09



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

RESOLUTION #09-227 - 4/27/09

AMEND SALARY OF SUBSOLA YOUNG, VIOLATIONS CLERK
IN THE MUNICIPAL COURT

WHEREAS, Subsola Young was hired as a Violations Clerk in the Municipal Court by Resolution #08-128 on February 11, 2008; and,

WHEREAS, the annual salary as stated in said Resolution is \$21,000.00; and,

WHEREAS, Subsola Young has prior experience as a Violations Clerk in the Freehold Township Municipal Court and the Business Administrator recommends that her starting salary be amended retroactively to the date of hire to reflect the starting salary of an "experienced" Violations Clerk as indicated in the current AFSCME Local #1844 contract; and,

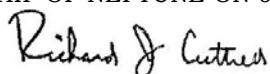
WHEREAS, funds will be provided for the first four months of 2009 in the 2009 Temporary Budget in the appropriation entitled Court S&W, known as Account No. 490-011 and funds for the balance of 2009 will be provided in the Budget for the year 2009, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the annual salary of Subsola Young, as stated in Resolution #08-128, be and is hereby amended to \$22,000.00, retroactive to February 11, 2008; and,

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

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 04/27/09



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

RESOLUTION #09-228 - 4/27/09

ACKNOWLEDGE THE RETIREMENT OF ANNETTE SIMONE
AS A CLERK/TYPIST IN THE POLICE DEPARTMENT

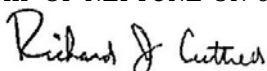
WHEREAS, the Township Committee has received a letter indicating that Annette Simone will be retiring as a Clerk/Typist in the Police Department Records Bureau effective May 1, 2009,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the retirement of Annette Simone as a Clerk/Typist in the Police Department Records Bureau be and is hereby acknowledged effective May 1, 2009; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Chief of Police, Business Administrator, 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 04/27/09



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

RESOLUTION #09-229 - 4/27/09

AMEND 2009 RATES FOR THE MUNICIPAL MARINA AS ESTABLISHED
BY THE HARBOR COMMISSION TO ADD RATES FOR TRAILER
AND KAYAK/CANOE LAND STORAGE

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

WHEREAS, on September 10, 2008, the Harbor Commission adopted a resolution to establish 2009 rates; and,

WHEREAS, on October 9, 2008, the Township Committee adopted Resolution #08-467 to adopt rates for 2009; and,

WHEREAS, there are two additional rates for trailer and kayak/canoe land storage that need to be added along with a change to the charge from Monmouth Marine Engines for dry winter storage hauling and blocking; and,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby approves the following 2009 marina rate schedule as adopted by the Harbor Commission of the Township of Neptune (changes and additions in **bold**):

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

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

25% deposit due no later than December 15, 2008. Payment in full due no later than March 15, 2009.

b. Daily Dockage/Transient Rate - \$2.00 per foot per day with the 7th night free for every 6 nights paid.

c. Boat ramp

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

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

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

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

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

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

d. Dry Winter storage

Dry winter storage (September 15th to May 15th) -\$25.00 per foot plus \$13.00 per foot made payable to Monmouth Marine Engines for hauling, blocking and to include spring launch.

25% deposit due by October 1, 2008. Payment in full due no later than November 15th

e. Wet winter storage

Wet winter storage (December 1st to March 15th) - \$18.00 per foot made payable to Township of Neptune.

Payment must be made in full by November 15th.

f. Commercial Boat fees

The fee shall be \$1,854.00 for 2009.

g. Miscellaneous fees

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

2.. Dead-On-Land Storage (boat of chocks/blocks) from May 1st to October 31st - \$60.00 per foot

3. Dry Land Storage (on trailer with ramp access) from May 1st to October 31st - \$37.00 per foot.

4. Slip Transfer Fee - \$50.00

5. Trailer Storage (seasonal/no vessel) - \$50.00 per month/\$350.00 per season

6. Kayak/Canoe Storage (seasonal) - \$40.00 per month/\$250.00 per season

h. Winter Storage Transient Fees

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

i. Late fees

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

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 04/27/09

Richard J. Cuttrel

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

RESOLUTION #09-230 - 4/27/09

AUTHORIZE EXECUTION OF A TREATMENT WORKS APPLICATION FOR
RIDGE VIEW TERRACE AT THE FORMER RIDGE AVENUE SCHOOL SITE

WHEREAS, TRF DP Ridge Avenue, LLC has submitted a Treatment Works Application to construct approximately 1481 linear feet of sanitary sewer pipe to service fifty-eight housing units at the site of the former Ridge Avenue School, now known as Ridge View Terrace; and,

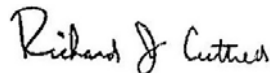
WHEREAS, the Director of Engineering and Planning has reviewed said application and has certified that available capacity exists,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Clerk to execute the Treatment Works Application Statement of Consent for the sanitary sewer extension to service the Ridge View Terrace project at the former Ridge Avenue School site; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to TNSA along with the Treatment Works Application.

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 04/27/09



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

RESOLUTION #09-231 - 4/27/09

AUTHORIZE EXECUTION OF A TEMPORARY USE AND OCCUPANCY AGREEMENT FOR ENCROACHMENTS ON TOWNSHIP OWNED GREEN ACRES PROPERTY

WHEREAS, the Township of Neptune is the owner of 10.74 acres of property acquired under the Green Acres Program known as Jumping Brook Park Project identified at the time of acquisition in 1963 as Lot 21, Block S-7 on the tax map of the Township of Neptune, County of Monmouth, State of New Jersey, which property is administered by the Township of Neptune; and,

WHEREAS, Mary Alice Washington is Owner of an adjoining parcel of real estate designated as Block 7000, Lot 32 on 28 Hill Drive, Neptune Township, New Jersey, the County of Monmouth, State of New Jersey; and,

WHEREAS, a portion of the Owner's fence, in-ground pool and other improvements encroach upon Township real estate as set forth by an aerial photograph and survey; and,

WHEREAS, the Owner desires permission to temporarily maintain the in-ground pool and fence encroachment as it is impractical to remove said encroachments immediately without substantial detriment to the Owner's property; and,

WHEREAS, the Township's property is encumbered by a New Jersey Green Acres Program Project Agreement, which prohibits the Township from permitting encroachments within the public property; and,

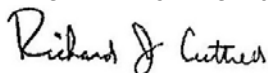
WHEREAS, in return for the Township's permission for the Owner to temporarily occupy the Township's real property, the Owner agrees to specific terms and conditions upon which the encroachments may remain and when they shall be removed,

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 a Temporary Use and Occupancy Agreement, a copy of which is on file in the Office of the Municipal Clerk, to permit Mary Alice Washington, owner of 28 Hill Drive, to temporarily occupy adjacent Township owned Green Acres property in accordance with the terms and conditions as set forth in said Agreement; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Township Attorney, Director of Code/Construction, Business Administrator, Director of Code/Construction and Tax Assessor.

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 04/27/09



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

RESOLUTION #09-232 - 4/27/09

ACKNOWLEDGE THE RETIREMENT OF JOSEPH VETRANO
AS CODE ENFORCEMENT SUPERVISOR

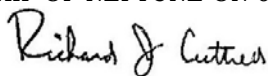
WHEREAS, the Township Committee has received a letter indicating that Joseph Vetrano will be retiring as Code Enforcement Supervisor in the Code Department effective June 1, 2009,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the retirement of Joseph Vetrano as Code Enforcement Supervisor in the Code Department be and is hereby acknowledged effective June 1, 2009; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Director of Code and Construction, Business Administrator, 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 04/27/09



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

RESOLUTION #09-233 - 4/27/09

AUTHORIZE THE CANCELLATION OF MORTGAGES IN CONNECTION
WITH A REGIONAL CONTRIBUTION AGREEMENT PROJECT AND A
NEIGHBORHOOD PRESERVATION PROGRAM PROJECT AT 431 MYRTLE AVENUE

WHEREAS, the Township of Neptune holds a mortgage dated October 13, 2004 in the amount of \$17,000.00 in connection with a Regional Contribution Agreement (RCA) Project at 431 Myrtle Avenue; and,

WHEREAS, the Township of Neptune also holds a mortgage dated October 13, 2004 in the amount of \$22,580.00 in connection with a Neighborhood Preservation Program (NPP) Project at the same address; and,

WHEREAS, under the terms and conditions of the mortgage notes, said mortgages are forgiven if the property owner remains the owner of the project for six years in the case of the RCA mortgage and ten years in the case of the NPP mortgage; and,

WHEREAS, it has been determined that although a single owner signed both mortgages, there are multiple owners of the property, who now desire to cancel the mortgages and sell the property; and;

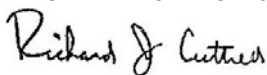
WHEREAS, the Township RCA Attorney advised that it is in the best interest of the Township execute an early discharge of said mortgages due to this discrepancy,

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 s in connection with the Regional Contribution Agreement Project and the Neighborhood Preservation Program Project as described herein; and,

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 04/27/09



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

RESOLUTION #09-234 - 4/27/09

ACCEPT THE RESIGNATION OF MICHAEL JOHNSON AS A
MEMBER OF THE RECREATION COMMITTEE

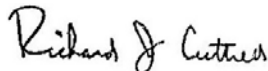
WHEREAS, the Township Committee has received a letter from Michael Johnson resigning as a member of the Recreation Committee effective April 20, 2009,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Michael Johnson as a member of the Recreation Committee is hereby accepted effective April 27, 2009; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Recreation Committee.

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 04/27/09



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

RESOLUTION #09-235 - 4/27/09

NAME THE RIDGE AVENUE SCHOOL SITE REDEVELOPMENT PROJECT -
"RIDGE VIEW TERRACE"

WHEREAS, the Township Committee has executed a Redevelopment Agreement with TRF DP Ridge Avenue, LLC for a redevelopment project at the site of the former Ridge Avenue School; and,

WHEREAS, TRF DP Ridge Avenue, LLC received Planning Board approval for said project; and,

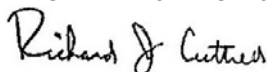
WHEREAS, the Township Committee and Midtown Urban Renaissance Corporation have agreed on a name for the project which the Committee desires to memorialize adoption of this resolution,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the redevelopment project at the former Ridge Avenue School site be and is hereby designated as "Ridge View Terrace"; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to TRF DP Ridge Avenue, LLC and M.U.R.C..

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 04/27/09



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

RESOLUTION #09-236 - 4/27/09

SUPPORT APPLICATION TO THE TRANSPORTATION ENHANCEMENT ECONOMIC RECOVERY PROGRAM FOR THE INSTALLATION OF SIDEWALKS ON STATE HIGHWAY 33 FROM SCHOOLHOUSE ROAD TO NEPTUNE BOULEVARD

WHEREAS, the New Jersey Department of Transportation (NJDOT) is accepting applications for the Transportation Enhancement ARRA (Economic Recovery) Program; and,

WHEREAS, the Transportation Enhancement Program provides communities with funding for non-traditional transportation projects that enhance the cultural, aesthetic, historic, and environmental aspects of the State's transportation system; and,

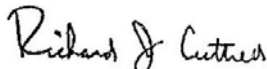
WHEREAS, the Township Committee desires to enhance pedestrian safety and accessibility along Highway 33 from Schoolhouse Road to Neptune Boulevard by applying for funding under said program for the installation of sidewalks on both sides of the roadway,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby supports the application to the NJDOT Transportation Enhancement ARRA (Economic Recovery) Program for funding for the installation of sidewalks along both sides of Highway 33 from Schoolhouse Road to Neptune Boulevard to provide improved pedestrian access and safety in and along this area; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the New Jersey Department of Transportation, Director of Engineering and Planning, Business Administrator and 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 04/27/09



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

RESOLUTION #09-237 - 4/27/09

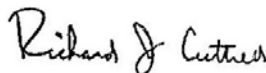
GRANT RAFFLE LICENSES

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

- 1) RA 1262 to Easter Seals New Jersey to conduct an on-premise 50/50 on April 30, 2009 between 6:00 p.m. and 9:00 p.m. at 210 Jumping Brook Road, Neptune, NJ.
- 3) RA 1263 & RA 1264 to Adelphia Elementary School PTA to conduct an on-premise 50/50 and on-premise merchandise draw at 210 Jumping Brook Road, Neptune, NJ.
- 4) RA 1265 to O'Brien Major Post #2639 to conduct an off-premise merchandise raffle on June 5, 2009 at 8:00 p.m. at 1515 Corlies Avenue, Neptune, NJ.
- 5) RA 1266 to Ocean Township Pop Warner to conduct an off-premise merchandise raffle on June 15, 2009 at 1:00 p.m. 210 Jumping Brook Road, Neptune, NJ.
- 7) RA 1267 to Frederick Dempsey American Legion Post #266 to conduct an Instant Raffle from April 20, 2009 to April 19, 2010 between 12:00 p.m. and 2:00 a.m. 240 Drummond Avenue, Neptune, NJ.
- 8) RA 1268 & RA 1269 to Shark River Hills First Aid Squad to conduct a Gift Auction and on-premise 50/50 on July 12, 2009 between 4:00 p.m. and 8:00 p.m. at Route 35 and New York Road, Neptune, NJ.

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 04/27/09



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

RESOLUTION #09-238 - 4/27/09

URGE NJDOT TO INSTALL ECODRAINS ALONG THE RECENTLY COMPLETED
HIGHWAY 33 IMPROVEMENT PROJECT

WHEREAS, in 2008, the New Jersey Department of Transportation completed a roadway improvement project on State Highway 33 between State Highway 35 and State Highway 71 (Main Street) in the Township of Neptune; and,

WHEREAS, New Jersey Department of Environmental Protections (NJDEP) regulations dated April 1, 2005 mandate EcoDrains (IE: storm drains with openings no larger than 2") replace any existing drains when paving or improving roadways; and,

WHEREAS, sixteen drains along the project limits have openings that exceed the above requirement; and,

WHEREAS, although these storm drains were replaced, EcoDrains were not used; and,

WHEREAS, storm water from these drains flows into Wesley Lake, and ultimately to the Atlantic Ocean; and,

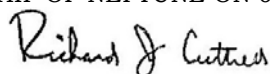
WHEREAS, the aforementioned Storm drain Installations permit floatables and excessive trash to enter the storm water system, thus polluting Wesley Lake and neighboring beaches,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby urges the New Jersey Department of Transportation to install EcoDrains at the aforementioned location to meet current NJDEP regulations; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the New Jersey Department of Transportation, the Wesley Lake Commission and the Director of Engineering and Planning.

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 04/27/09



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

RESOLUTION #09-239 - 4/27/09

APPOINT MUNICIPAL HOUSING LIAISON

WHEREAS, the Governing Body of the Township of Neptune petitioned the Council on Affordable Housing (COAH) for substantive certification of its Housing Element and Fair Share Plan on March 26, 2003; and,

WHEREAS, the Township of Neptune was granted substantive certification of its Housing Element and Fair Share Plan by the Council on Affordable Housing (COAH) on September 8, 2004; and,

WHEREAS, the Township of Neptune's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:94-1 et seq.); and,

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et seq., the Township of Neptune is required to appoint a Municipal Housing Liaison for the administration of the Township of Neptune's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et seq.; and,

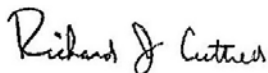
WHEREAS, the Township of Neptune has amended Chapter II entitled Administration to provide for the appointment of a Municipal Housing Liaison to administer the Township of Neptune's affordable housing program,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, in the County of Monmouth, and the State of New Jersey that Monique Burger is hereby appointed by the Governing Body of the Township of Neptune as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Section II of the Township of Neptune's Municipal Code; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Community Programs Coordinator and Director of Engineering and Planning.

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 04/27/09



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

RESOLUTION #09-240 - 4/27/09

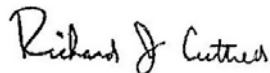
APPOINT MEMBER TO THE ROOMING AND BOARDING SITE LICENSURE BOARD

BE IT RESOLVED, by the Township Committee of the Township of Neptune that Len Pugliese be and is hereby appointed to the Rooming and Boarding Site Licensure Board for a three year term expiring April 30, 2012; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Secretary to the Rooming and Boarding Site Licensure Board.

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 04/27/09



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

RESOLUTION #09-241 - 4/27/09

TERMINATE EMPLOYEE

WHEREAS, Irene Brew, Clerk/Typist in the Police Department Records Bureau, has been on an extended leave from work without pay under the provisions of the Family and Medical Leave Act and then subsequently, by approval of the Township Committee via Resolution #09-141, she was awarded an additional three month unpaid leave through April 1, 2009, in accordance with Section 9-7.15 of the Township Personnel Code; and,

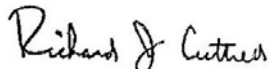
WHEREAS, Irene Brew has notified the Business Administrator that she is unable to return to work,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the employment of Irene Brew, Clerk/Typist, be and is hereby terminated effective April 2, 2009; 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., Chief of Police, AFSCME Local #1844, Mandy To and Carina Santos.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 04/27/09



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

RESOLUTION #09-242 - 4/27/09

APPOINT MEMBER TO THE LOCAL EMERGENCY PLANNING COMMITTEE

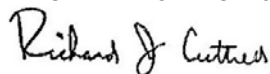
BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following individual be and is hereby appointed to the Local Emergency Planning Committee for the year 2009:

Dwayne Breeden – Fire (replaces Kenneth Northrup)

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Emergency Management Coordinator, Deputy OEM Coordinator and the Business Administrator.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 04/27/09



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

RESOLUTION #09-243 - 4/27/09

EMPLOY SPECIAL LAW ENFORCEMENT OFFICERS
IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

WHEREAS, there is a need for part-time Special Law Enforcement Officers Class I and Class II; and,

WHEREAS, the positions were duly posted and applicants interviewed; and,

WHEREAS, the Chief of Police has made his recommendations; and,

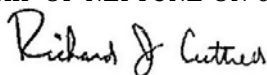
WHEREAS, funds will be provided for the first four months of 2008 in the 2008 Temporary Budget in the appropriation entitled Police S & W, known as Account No. 240-012 and funds for the balance of 2008 will be provided in the Budget for the year 2008, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Brian Maher, Richard Noxon and Joseph Grabas be and are hereby employed as part-time Special Law Enforcement Officers Class I, and to perform such other duties as prescribed by the Chief of Police, effective May 1, 2009, at an hourly rate of \$10.40 and James Heine, III be and is hereby employed as a part-time Special Law Enforcement Officer Class II, and to perform such other duties as prescribed by the Chief of Police, effective May 1, 2009, at an hourly rate of \$12.48; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief of Police, 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 04/27/09



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

RESOLUTION #09-244 – 4/27/09

AUTHORIZE THE PAYMENT OF BILLS

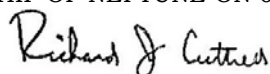
BE IT RESOLVED, That the following bills be paid if properly certified:

CURRENT FUND	551,702.94
FEDERAL & STATE GRANT FUND	1,936.69
TRUST OTHER	13,934.94
GENERAL CAPITAL FUND	7,450.42
SEWER OPERATING FUND	1,075.51
MARINA OPERATING FUND	5,861.24
DOG TRUST	7,094.25
BILL LIST TOTAL	\$589,055.99

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 04/27/09



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