

TOWNSHIP COMMITTEE WORKSHOP MEETING – JULY 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 advertisement in The Coaster and the Asbury Park Press on June 11, 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 – 2009 Capital projects

2. Discussion – Recommendations from Harbor Commission. (PW)

3. Discussion – Villa’s/Jumping Brook Garden Grove.

4. Outstanding parking lot items (PW)

Res. # 09-366 – 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 – JULY 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. Cuttrel, 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 June 11, 2009, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at www.neptunetownship.org on the afternoon of the business day preceding each meeting.

APPROVAL OF MINUTES

Motion offered by _____, seconded by _____, to approve the minutes of the meeting held on July 13th, regular and executive sessions.

REPORT OF THE CLERK

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

Monmouth County Board of Health Activity Report for June.

Senior Beacon for August.

Notice of public hearing from NJNG on rate adjustments.

A note from Joe Mauro, Housing Authority Director of Operations, thanking the Public Works Department for the installation of a drainage system at Division Street Park.

COMMENTS FROM THE DAIS

The Mayor will now request comments from the Dais regarding business on this agenda or any reports on recent events in their respective departments.

PUBLIC COMMENTS ON RESOLUTIONS

JULY 27, 2009

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. 09-30 - An ordinance to amend the code of the Township of Neptune by adding Section 4-19 entitled Special Events and Temporary Displays. – Final Reading

Public Hearing:

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 09-31 - An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by deleting handicapped parking zones on Central Avenue and Franklin Avenue. – Final Reading

Public Hearing:

Offered by: _____ Seconded by: _____

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

ORDINANCE NO. 09-32 - An ordinance to amend Ordinance #05-45 entitled "An ordinance creating job titles and setting the salary ranges for said job titles and for existing job titles of the Township of Neptune in the County of Monmouth and repealing all parts of previous ordinances inconsistent herewith." by amending the salary range for the health benefits opt-out. – First Reading

Offered by: _____ Seconded by: _____

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

The Public Hearing on Ordinance 09-32 will be held on Monday, August 10, 2009.

CONSENT AGENDA

Res. # 09-367 – Authorize the temporary closing of streets in connection with National Night Out.

Res. # 09-368 – Authorize temporary no parking in connection with the annual Craft Show.

Res. # 09-369 – Establish grace period for 3rd quarter tax payments.

Res. # 09-370 – Authorize an amendment to the 2009 municipal budget to realize monies from a Summer Food Service Program Grant.

Res. # 09-371 – Authorize the submission of a 2010 grant application by the Neptune Alliance Against Alcoholism and Drug Abuse.

Res. # 09-372 – Authorize temporary use of Township property for a storage trailer.

Res. # 09-373 – Award bids for housing rehabilitation projects.

Res. # 09-374 – Authorize contract extension for fleet management and maintenance.

Res. # 09-375 – Authorize a public auction of abandoned boats at the Shark River Municipal Marina.

Res. # 09-376 – Approve the transfer of Taxi Medallion Licenses No. 030 and No. 033.

Res. # 09-377 – Authorize submission of a 2010 Title IIIB funding grant to the Monmouth County Office on Aging.

Res. # 09-378 – Authorize the execution of an Interlocal Service Agreement with the Borough of Allenhurst to provide vehicle maintenance.

Res. # 09-379 – Release performance bond and accept cash bond improvements at First Financial Credit Union on Wayside Road.

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

Res. # 09-380 – Determine the form and other details of not exceeding \$4,200,000 sewer utility bonds, series 2009, of the Township of Neptune, in the County of Monmouth, State of New Jersey, and providing for their sale to the New Jersey Environmental Infrastructure Trust and the State of New Jersey pursuant to the 2009 New Jersey Environmental Infrastructure Trust Financing Program.

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

Res. # 09-381 – Authorizing the execution and delivery of loan agreements to be executed by the Township of Neptune, in the County of Monmouth, State of New Jersey, and each of the New Jersey Environmental Infrastructure Trust and the State of New Jersey, acting by and through the Department of Environmental Protection, and further authorizing the execution and delivery of an escrow agreement, all pursuant to the 2009 New Jersey Environmental Infrastructure Trust Financing Program.

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

Res. # 09-382 – Authorize the Township Engineer to prepare plans and specifications for Improvements to the South Side of Broadway.

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

Res. # 09-383 – Authorize Change Order #1 in connection with Improvements to South Riverside Drive.

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

Res. # 09-384 – Reclassify employee to the position of Foreman in the Department of Public Works.

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

Res. # 09-385 – Appoint member to the Township of Neptune Sewerage Authority.

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

Res. # 09-386 – 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 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. 09-32

AN ORDINANCE TO AMEND ORDINANCE #05-45 ENTITLED "AN ORDINANCE CREATING JOB TITLES AND SETTING THE SALARY RANGES FOR SAID JOB TITLES AND FOR EXISTING JOB TITLES OF THE TOWNSHIP OF NEPTUNE IN THE COUNTY OF MONMOUTH AND REPEALING ALL PARTS OF PREVIOUS ORDINANCES INCONSISTENT HEREWITH." BY AMENDING THE SALARY RANGE FOR THE HEALTH BENEFITS OPT-OUT

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

Section 1. Ordinance No. 05-45 be and is hereby amended to amend the salary range of the Health Benefits Opt-Out:

| <u>OFFICIAL</u> | <u>MINIMUM SALARY</u> | <u>MAXIMUM SALARY</u> |
|-------------------------|-----------------------|-----------------------|
| Health Benefits Opt-Out | \$ 2,500.00 | \$ 4,000.00 |

Section 2. Ordinance No. 09-23 be and is hereby repealed in its entirety.

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

APPROVED ON FIRST READING:

APPROVED, PASSED AND ADOPTED:

ATTEST:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

RESOLUTION #09-366 – 7/27/09

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:

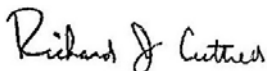
Real Estate negotiations – West Lake Avenue project update
Personnel – Appointment to TNSA
Personnel – Assessing/Land Use Inspector
Personnel – Harbor Commission member

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 07/27/09



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

RESOLUTION #09-367 - 7/27/09

AUTHORIZE THE TEMPORARY STREET CLOSINGS
IN CONNECTION WITH NATIONAL NIGHT OUT

WHEREAS, the National Night Out event will be held on Tuesday, August 4, 2009; and,

WHEREAS, the Police Department has recommended that certain streets be temporarily closed for the safety of the participants; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following streets shall be closed to vehicular traffic and designated as no parking on Tuesday, August 4, 2009 between the hours of 4:00 PM to 9:00 PM:

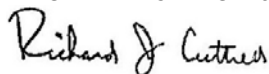
- 1) Atkins Avenue between Corlies Avenue and Embury Avenue.
- 2) Embury Avenue between Memorial Drive and Atkins Avenue.

BE IT FURTHER RESOLVED, that the Department of Public Works is hereby requested to supply the necessary barricades to close said streets; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Chief of Police, Director of Public Works, Fire Inspector 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 07/27/09



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

RESOLUTION #09-368 - 7/27/09

AUTHORIZE TEMPORARY NO PARKING IN CONNECTION
WITH THE ANNUAL CRAFT SHOW

WHEREAS, the annual Craft Show is planned for the Pathway in Ocean Grove on Saturday, September 5, 2009; and,

WHEREAS, for the safety of the participants and to permit an area to unload goods, a temporary no parking zone is necessary,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the establishment of temporary no parking zones on Saturday, September 5, 2009, between the hours of 5:00 A.M. and 6:00 P.M. at the following locations:

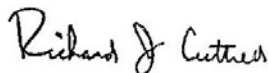
- 1) the north side of eastbound Ocean Pathway and the south side of westbound Ocean Pathway from Central Avenue to Ocean Avenue
- 2) both sides of Beach Avenue between eastbound Ocean Pathway and westbound Ocean Pathway
- 3) the west side of Ocean Avenue between eastbound Ocean Pathway and westbound Ocean Pathway

BE IT FURTHER RESOLVED, that Beach Avenue between eastbound Ocean Pathway and westbound Ocean Pathway shall be closed to vehicular traffic on Saturday, September 5, 2009, between the hours of 5:00 A.M. and 6:00 P.M.; 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 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 07/27/09



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

RESOLUTION #09-369 - 7/27/09

ESTABLISH GRACE PERIOD FOR 3rd QUARTER TAX PAYMENTS

WHEREAS, the Township Committee has adopted a ten (10) day grace period for all tax payments due during the 2009 calendar year; and,

WHEREAS, the 3rd quarter tax payment for 2009 is due on August 1, 2009; and,

WHEREAS, due to the delay in receiving state aid figures and budget approval, the Committee desires to extend the zero percent interest grace period for the 3rd quarter tax payments,

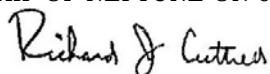
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a zero percent interest grace period is hereby established for receipt of 2009 3rd quarter tax payments until August 20, 2009; and,

BE IT FURTHER RESOLVED, that 2009 3rd quarter tax payments received after August 20, 2009 will be charged the applicable interest rate as of August 1, 2009; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Tax Collector.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 07/27/09



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

RESOLUTION #09-370 - 7/27/09

AUTHORIZE AN AMENDMENT TO THE 2009 MUNICIPAL BUDGET TO REALIZE
MONIES FROM A SUMMER FOOD SERVICE PROGRAM GRANT

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2009 in the sum of \$17,601.20 which is now available from a New Jersey Department of Agriculture Summer Food Service Program Grant in the amount of \$17,601.20; and,

BE IT FURTHER RESOLVED that the like sum of \$17,601.20 is hereby appropriated under the caption of NJDOA – Summer Food Service Program; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a New Jersey Department of Agriculture Summer Food Service Program Grant in the amount of \$17,601.20; and,

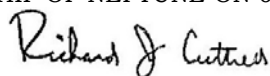
BE IT FURTHER RESOLVED, that the Clerk forward three certified copies of this resolution to Chief Financial Officer and one copy to the Assistant C.F.O., and Auditor.

Vote:

| | |
|-----------|--------|
| Bishop: | aye |
| Jahn: | aye |
| Manning: | aye |
| McMillan: | aye |
| Brantley: | absent |

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 07/27/09



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

RESOLUTION #09-371 - 7/27/09

AUTHORIZE THE SUBMISSION OF A 2010 GRANT APPLICATION
BY THE NEPTUNE ALLIANCE AGAINST ALCOHOLISM AND DRUG ABUSE

WHEREAS, in May, 2008, the Neptune Township Municipal Alliance Against Alcoholism and Drug Abuse submitted a comprehensive funding proposal for submission to the Governor's Council of Alcoholism and Drug Abuse for the years 2009 through 2011; and,

WHEREAS, the Alliance is eligible to apply for funding in the amount of \$41,074.00 for 2010 prevention services,

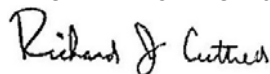
THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the submission of a 2010 Grant Application by the Neptune Township Municipal Alliance Against Alcoholism and Drug Abuse to the Governor's Council of Alcoholism and Drug Abuse, which requests the amount of \$41,074.00 for 2010; and,

BE IT FURTHER RESOLVED, that the Mayor, Business Administrator and Drug Alliance Mayoral Representative are hereby authorized to execute said proposal; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Business Administrator, Chief Financial Officer and Drug 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 07/27/09



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

RESOLUTION #09-372 - 7/27/09

AUTHORIZE TEMPORARY USE OF TOWNSHIP PROPERTY FOR STORAGE TRAILER

WHEREAS, the Seaview at Shark River Island Homeowners are undertaking a roofing project and have requested the temporary use of Township property adjacent to the townhomes (Block 563, Lots 1 & 2) to store a trailer with supplies and equipment; and,

WHEREAS, the Contractor has provided a Certificate of Insurance; and,

WHEREAS, it is anticipated that the project will take approximately four to five months; and,

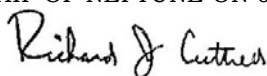
WHEREAS, the property will be restored and stabilized upon completion of the project,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the use of Township owned property at Block 563, Lots 1 & 2 is hereby approved for the placement of one (1) construction/storage trailer by National Contractors, Inc. as it relates to the roofing project at the Seaview at Shark River Island Townhomes for the period from July 20, 2009 to December 31, 2009; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Construction Official, Director of Code/Construction and the Chief of Police.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 07/27/09



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

RESOLUTION #09-373 - 7/27/09

AWARD BIDS FOR HOUSING REHABILITATION PROJECTS

WHEREAS, the Neighborhood Preservation Program Coordinator received bids for the award of contracts for housing rehabilitation projects in connection with the Neighborhood Preservation Program and Neighborhood Housing Rehabilitation Program; and,

WHEREAS, said bids were reviewed by the Project Coordinator who has submitted his recommendation to award the contracts to the lowest responsible bid; and,

WHEREAS, funds will be provided from Neighborhood Preservation Program funds and Neighborhood Housing Rehabilitation Program funds, as indicated, 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 contracts be awarded to the following lowest responsible bids for housing rehabilitation projects in the Township of Neptune; and,

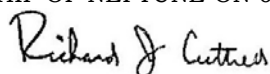
| <u>PROJECT</u> | <u>CONTRACTOR</u> | <u>BID AMOUNT</u> |
|----------------|-------------------|-------------------|
| File #1054 | ANPE Corp. | \$ 8,925.00 (a) |
| File #1055 | ANPE Corp. | \$15,763.00 (b) |

- (a) Neighborhood Preservation Program
- (b) Neighborhood Housing Rehabilitation Program

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, NPP Coordinator, Purchasing Agent 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 07/27/09



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

RESOLUTION #09-374 - 7/27/09

AUTHORIZE CONTRACT EXTENSION FOR FLEET MANAGEMENT AND MAINTENANCE

WHEREAS, on May 22, 2006, the Township Committee adopted Resolution #06-324 which awarded a contract for Fleet Management and Maintenance; and,

WHEREAS, on June 11, 2007, the Township Committee adopted Resolution #07-315 which extended the contract from June 1, 2007 to May 31, 2008; and,

WHEREAS, on June 9, 2008, the Township Committee adopted Resolution #08-273 which extended the contract from June 1, 2008 to May 31, 2009; and,

WHEREAS, pursuant to N.J.S.A. 40A:11-15 and said contract, the Purchasing Agent has recommended a one year contract extension with an increase in the contract amount equal to the index rate of 3.0%; and,

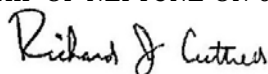
WHEREAS, funds for this purpose will be provided in the 2009 Municipal Budget in the appropriation entitled MOMV, known as Account No.315-029 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the contract with First Vehicle Services, Inc. to provide Fleet Management and Maintenance to the Township is hereby extended for a one year period from June 1, 2009 to May 31, 2010 in the amount of \$712,153.00 (3% increase over previous year based on the index rate); and,

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 07/27/09



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

RESOLUTION #09-375 - 7/27/09

AUTHORIZE A PUBLIC AUCTION OF ABANDONED BOATS
AT THE SHARK RIVER MUNICIPAL MARINA

WHEREAS, there are three boats that have been abandoned at the Shark River Municipal Marina and the Marina Supervisor has recommended that they be sold at public auction; and,

WHEREAS, the Township of Neptune will auction said boats through an on-line auction in compliance with state rules and regulations for a period of five days concluding August 14, 2009; and,

WHEREAS, the Municipal Clerk shall provide proper advertisement and notice in accordance with state statute in addition to posting the auction information on the Township's web site; and,

WHEREAS, said boats to be sold are as follows:

1971 29 foot Jensen Cal Auxiliary Sloop Sail Boat (#368)
1975 28 foot Silverton Fiber Cabin (#367)
1969 28 foot Luhrs Fiber Cabin (#366)

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby declares the above listed boats as abandoned and not needed for public use; and,

BE IT FURTHER RESOLVED, that the sale of the above boats is hereby authorized through an on-line auction from August 10, 2009 to August 14, 2009, the details of which will be provided in the required legal advertisements and on the Township web site; and,

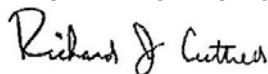
BE IT FURTHER RESOLVED, that the said boats are being offered "as is - where is"; and,

BE IT FURTHER RESOLVED, that should any boat be unsuccessfully sold at auction, disposal of such boat(s) is hereby authorized; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Purchasing Agent, Chief Financial Officer, Business Administrator and Marina Supervisor.

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 07/27/09



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

RESOLUTION #09-376 - 7/27/09

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSES NO. 030 AND NO. 033

WHEREAS, Willard Charles is the owner of Neptune Township Taxi Medallions No. 030 and No. 033; and,

WHEREAS, he has notified the Taxi License Coordinator of the intent to transfer ownership of said medallion to Blenda Martin; and,

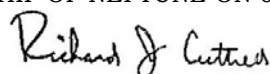
WHEREAS, the Taxi License Coordinator has certified that all requirements of transfer have been satisfied,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted for the transfer of Taxi Medallion Licenses No. 030 and 033 to Blenda Martin; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Taxi License Coordinator and Municipal 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 07/27/09



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

RESOLUTION #09-377 - 7/27/09

AUTHORIZE THE SUBMISSION OF A 2010 TITLE IIIB FUNDING
GRANT TO THE MONMOUTH COUNTY OFFICE ON AGING

WHEREAS, the Township of Neptune is desirous to obtain Title IIIB funding for the year 2010, 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,

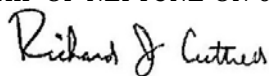
WHEREAS, the Senior Center Director has completed the necessary documentation for submission,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the submission of a grant request to the Monmouth County Office on Aging for FY2010 Title IIIB funding; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer 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 07/27/09



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

RESOLUTION #09-378 - 7/27/09

AUTHORIZE THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT
WITH THE BOROUGH OF ALLENHURST TO PROVIDE VEHICLE MAINTENANCE

WHEREAS, the Township of Neptune has a contract with a third party fleet management company to provide vehicle maintenance to Township vehicles; and,

WHEREAS, the Borough of Allenhurst desire to enter into an interlocal service agreement (extending the existing agreements) pursuant to N.J.S.A. 40:8A-1 et seq. for the Borough to receive vehicle maintenance services through the Township's fleet maintenance provider at the Township's Public Works Yard; and,

WHEREAS, the Borough will agree to pay the Township's contracted hourly labor rate plus \$10.00 per hour for administrative costs; and,

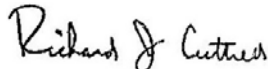
WHEREAS, the Agreement include a provision for after hour repair rates,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Interlocal Service Agreement with the Borough of Allenhurst for a period of one year, effective July 1, 2009, with an option to renew annually for a maximum of five years, a copy of which is on file in the Office of the Municipal Clerk, which provides that the Borough will pay the Township for vehicle maintenance services provided herein; and,

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

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 07/27/09



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

RESOLUTION #09-379 - 7/27/09

RELEASE PERFORMANCE BOND AND ACCEPT CASH BOND FOR
IMPROVEMENTS AT FIRST FINANCIAL CREDIT UNION
WAYSIDE ROAD (BLOCK 9025, LOT 50)

WHEREAS, First Financial Federal Credit Union filed a performance bond written by American Southern Insurance Company in the amount of \$443,340.00, guaranteeing the performance of site improvements at the project known as First Financial Federal Credit Union, located on Wayside Road (Block 9025, Lot 50); and,

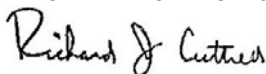
WHEREAS, First Financial Federal Credit Union has submitted a check in the amount of \$443,340.00 to serve as a cash performance guarantee in exchange for the release of the posted performance bond,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby accepts the cash performance guarantee in the amount of \$443,340.00 for site improvements at First Financial Federal Credit Union on Wayside Road and hereby authorizes the release of the performance bond as described herein; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Developer 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 07/27/09



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

RESOLUTION #09-380 - 7/27/09

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$4,200,000 SEWER UTILITY BONDS, SERIES 2009, OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE 2009 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Township of Neptune (the "Local Unit"), in the County of Monmouth, State of New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate or install various sanitary sewer utility improvements by and in the Local Unit, including but not limited to, improvements to the Pennsylvania Avenue Pump Station and the sanitary sewer system in the Gables area of the Local Unit and the abandonment of holding tanks located on Memorial Drive in the Local Unit, including 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 (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the 2009 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's not to exceed \$4,200,000 Sewer Utility Bonds, Series 2009 (the "Local Unit Bonds") in the following manner: (a) a Sewer Utility Bond, Series 2009A, to the Trust (the "Trust Loan Bond") and (b) a Sewer Utility Bond, Series 2009B, to the State (the "Fund Loan Bond") pursuant to the terms of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED by a two thirds vote of the full membership of the governing body of the Local Unit as follows:

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby sells and awards its not to exceed \$4,200,000 Local Unit Bonds in the following manner: (a) Trust Loan Bond to the Trust in accordance with the provisions hereof and (b) Fund Loan Bond to the State in accordance with the provisions hereof. The Local Unit Bonds have been referred to and are described in bond ordinance #08-51 of the Local Unit, which bond ordinance is entitled "**BOND ORDINANCE PROVIDING FOR UPGRADES TO THE PENNSYLVANIA AVENUE SANITARY SEWER PUMPING STATION, BY THE SEWER UTILITY OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,000,000 THEREFOR (INCLUDING A \$307,000 CONTRIBUTION FROM THE OCEAN GROVE SEWER AUTHORITY) AND AUTHORIZING THE ISSUANCE OF \$950,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**" as amended and supplemented by bond ordinance #09-21, which bond ordinance is entitled "**BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 08-51 (WHICH PROVIDES FOR UPGRADES TO THE PENNSYLVANIA AVENUE SANITARY SEWER PUMPING STATION BY THE SEWER UTILITY) HERETOFORE FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ON DECEMBER 22, 2008, TO INCREASE THE APPROPRIATION THEREIN BY \$3,507,000, TO INCREASE THE AUTHORIZATION OF BONDS AND NOTES THEREIN BY \$3,557,000, TO INCREASE THE APPROPRIATION FOR ITEMS OF EXPENSE LISTED IN AND PERMITTED UNDER N.J.S.A. 40A:2-20 BY \$775,000, TO DECREASE THE DOWN PAYMENT REQUIRED BY N.J.S.A. 40A:2-11 BY \$50,000 AND TO AMEND THE DESCRIPTION SET FORTH THEREIN**", which bond ordinances were finally adopted by the Local Unit at meetings duly called and held on December 22, 2008 and June 22, 2009, respectively, at which times a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued;
- (b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed 20 years;
- (c) The date of the Local Unit Bonds;
- (d) The interest rates of the Local Unit Bonds;
- (e) The purchase price for the Local Unit Bonds; and
- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 4(c) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

- (a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered SU R-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered SU R-2;
- (b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of Wilentz, Goldman & Spitzer, P.A. is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer and the Local Unit Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Section 7. The terms of the Local Unit Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be ratified by the affirmative vote of 2/3 of the full membership of the governing body of the Local Unit.

Section 8. The Mayor, the Chief Financial Officer and the Local Unit Clerk are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to John M. Cantalupo, Esq., Wilentz, Goldman & Spitzer, P.A., bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

CERTIFICATION

I, RICHARD J. CUTTRELL, Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), DO HEREBY CERTIFY that the annexed resolution entitled, "RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$4,200,000 SEWER UTILITY BONDS, SERIES 2009, OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE 2009 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM", is a copy of a resolution which was duly adopted by the Township Committee at a meeting duly called and held on July 27, 2009 in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 *et seq.*, at which meeting a quorum was present and acting throughout the and which resolution has been compared by me with the original thereof as contained in the minutes as officially recorded in my office in the Minute Book of such governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to within and aforesaid resolution has not been repealed , amended or rescinded but remains in full force and effect on and as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Township as of this 27th day of July, 2009.

(SEAL)

RICHARD J. CUTTRELL,
Clerk of the Township of Neptune

RESOLUTION #09-381- 7/27/09

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE 2009 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Local Unit"), has determined that there exists a need within the Local Unit to acquire, construct, renovate or install various sanitary sewer utility improvements by and in the Local Unit, including but not limited to, improvements to the Pennsylvania Avenue Pump Station and the sanitary sewer system in the Gables area of the Local Unit and the abandonment of holding tanks located on Memorial Drive in the Local Unit, including 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 (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the 2009 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's not to exceed \$4,200,000 Sewer Utility Bonds, Series 2009 (the "Local Unit Bonds"), in the following manner: (a) a Sewer Utility Bond, Series 2009A to the Trust (the "Trust Loan Bond") and (b) a Sewer Utility Bond, Series 2009B to the State (the "Fund Loan Bond") pursuant to the terms of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Local Unit Bonds and the execution and delivery of one or more of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the

State, the Local Unit and the escrow agent named therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by either the Mayor or the Chief Financial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the "Local Unit Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Local Unit as determined hereunder and to affix the corporate seal of the Local Unit to such Financing Documents.

Section 2. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to John M. Cantalupo, Esq., Wilentz, Goldman & Spitzer, P.A., bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

CERTIFICATION

I, RICHARD J. CUTTRELL, Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), DO HEREBY CERTIFY that the annexed resolution entitled, "RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE 2009 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM", is a copy of a resolution which was duly adopted by the Township Committee at a meeting duly called and held on July 27, 2009 in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., at which meeting a quorum was present and acting throughout the and which resolution has been compared by me with the original thereof as contained in the minutes as officially recorded in my office in the Minute Book of such governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to within and aforesaid resolution has not been repealed , amended or rescinded but remains in full force and effect on and as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Township as of this 27th day of July, 2009.

(SEAL)

RICHARD J. CUTTRELL,
Clerk of the Township of Neptune

Exhibit A
Trust Loan Agreement

Exhibit B
Fund Loan Agreement

Exhibit C
Escrow Agreement

RESOLUTION #09-382 - 7/27/09

AUTHORIZE THE TOWNSHIP ENGINEER TO PREPARE PLANS AND SPECIFICATIONS FOR IMPROVEMENTS TO THE SOUTH SIDE OF BROADWAY

WHEREAS, the Township of Neptune has received a grant in the amount of \$314,195.00 from the NJDOT Transportation Trust Fund for roadway and drainage improvements to the South Side of Broadway and desires to undertake said project; and,

WHEREAS, it is necessary for the Township Engineer to perform survey work and prepare plans, specifications and bid documents in connection with this project; and,

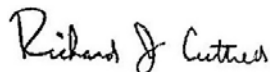
WHEREAS, funds for this purpose will be provided in Ordinance No. 09-27, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes Leon S. Avakian, Inc. to perform the services as stated herein at an amount not to exceed \$27,500.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Township Engineer, 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 07/27/09



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

RESOLUTION #09-383 - 7/27/09

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH
IMPROVEMENTS TO SOUTH RIVERSIDE DRIVE

WHEREAS, a contract was awarded to Lucas Construction Company in the amount of \$267,040.68 in connection with Improvements to South Riverside Drive; and,

WHEREAS, changes to the contract have been experienced as a result of adding drainage improvements to Glenmere Avenue; Oakdale Drive; Vernon Avenue; and Sylvan Drive as well as final as-built quantities; and,

WHEREAS, these changes have been approved by the Director of Engineering and Planning; and,

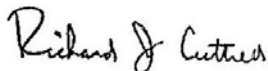
WHEREAS, funds for this purpose are available in Ordinance Nos. 08-20 and 08-21 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #1 in the contract with Lucas Construction Company in connection with Improvements to South Riverside Drive resulting in a net increase of \$33,078.50 revising the total contract amount to \$300,119.18; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Contractor, Chief Financial Officer; Business Administrator 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 07/27/09



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

RESOLUTION #09-384 - 7/27/09

RECLASSIFY EMPLOYEE TO THE POSITION OF
FOREMAN IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, there is a vacancy in the position of Foreman in the Public Works Solid Waste Department; and,

WHEREAS, the position was duly posted; and,

WHEREAS, the Director of Public Works and the Business Administrator have made a recommendation to reclassify an existing employee to said position; and,

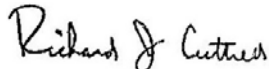
WHEREAS, funds will be provided in the 2009 Municipal Budget in the appropriation entitled Refuse S & W, known as Account No. 305-011, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Silvester Griffin be and is hereby reclassified to the position of Foreman in the Department of Public Works at an annual salary of \$55,453.97 effective July 28, 2009; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Public Works Director, Chief Financial Officer, Assistant C.F.O., 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 07/27/09



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

~~RESOLUTION #09-385 - 7/27/09~~

TABLED

APPOINT MEMBER TO THE TOWNSHIP OF NEPTUNE SEWERAGE AUTHORITY

WHEREAS, due to the resignation of Janet Kortenhaus, there is a vacancy on the Township of Neptune Sewerage Authority,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that _____ be and is hereby appointed to the Township of Neptune Sewerage Authority to an unexpired five year term expiring January 31, 2010; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township of Neptune Sewerage Authority.

RESOLUTION #09-386 – 7/27/09

AUTHORIZE THE PAYMENT OF BILLS

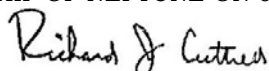
BE IT RESOLVED, That the following bills be paid if properly certified:

| | |
|----------------------------|----------------|
| CURRENT FUND | 678,882.28 |
| FEDERAL & STATE GRANT FUND | 20,203.08 |
| TRUST OTHER | 27,442.44 |
| GENERAL CAPITAL FUND | 348,713.13 |
| SEWER OPERATING FUND | 11,951.60 |
| MARINA OPERATING FUND | 786.21 |
| DOG TRUST | 495.00 |
| UDAG RECIPROCAL TRUST | 6,835.00 |
| | |
| BILL LIST TOTAL | \$1,095,308.74 |

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 07/27/09



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