

TOWNSHIP COMMITTEE WORKSHOP MEETING – SEPTEMBER 14, 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 – Shuttle bus route through Neptune and neighboring municipalities.

2. Discussion – Resolution urging elimination of unfunded mandates (PW).

3. Outstanding parking lot items (PW)

Res. # 09-425 – 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 – SEPTEMBER 14, 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 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.

APPROVAL OF MINUTES

Motion offered by _____, seconded by _____, to approve the minutes of the meetings held on August 10th and September 3rd 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:

Tax Collector's monthly statement for August and Senior Beacon for September.

Copies of thank you notes to the Senior Center staff from the Neptune Senior Bowlers and Reverend and Mrs. Bernard Oates.

Rosemary Gray sent letters of thanks to the following for recent donations and contributions to the Senior Center: Lydia Loveland, Virginia & John Veal, Ruth & Raymond Kuzava, Marie Malloy, Antoinette Myers, Ellen & Benjamin Famiglietti, Wegmans, Shop-Rite, Freedman's, Catholic Men for Jesus Christ, Panera Bread, Sandra's Farm Market, Edgar Halpin, Martha & William Crowell, Thomas Devenny, Maureen White, Carolyn Persson, Pearl Wombough, Frances Pettit, Madeline DeSarno, Lillian Vaillancourt and Charles Nicosia.

COMMENTS BY STEVE LITTLESON – JSUMC PRESIDENT

Steve Littleson, JSUMC President, will address the Township Committee.

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

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.

PUBLIC HEARING – APPLICATION TO MONMOUTH COUNTY MUNICIPAL OPEN SPACE PROGRAM

Res. # 09-426 – Authorize application to the Monmouth County Municipal Open Space Program.

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

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. 09-38 - An ordinance to amend Volume I, Chapter XIX of the Code of the Township of Neptune by amending the entire Flood Damage Prevention Ordinance. – Final Reading

Public Hearing:

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

ORDINANCE NO. 09-39 – An ordinance amending and supplementing the Land Development Ordinance of the Township of Neptune by amending Section 528 entitled “Stormwater Management” to incorporate modifications recommended by the Monmouth County Planning Board. – First Reading

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

The Public Hearing on Ordinance 09-39 will be held on Monday, September 28, 2009.

CONSENT AGENDA

Res. # 09-427 – Renew liquor license held by The Four E's, Inc.

Res. # 09-428 – Grant Social Affair Permit to the Richard S. Bascom Scholarship Fund.

Res. # 09-429 – Authorize the refund of taxes as a result of an overpayment.

Res. # 09-430 – Authorize the Tax Collector to transfer credits.

Res. # 09-431 – Authorize issuance of a duplicate tax sale certificate.

Res. # 09-432 – Authorize an amendment to the 2009 municipal budget to realize monies from a 2009 Cops in Shops grant.

Res. # 09-433 – Grant Social Affair Permit to Asbury Park Wall Elks

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

Res. # 09-434 – Authorize execution of an agreement for the sale and purchase of real property in connection with the purchase of the former Welsh Farms property (703 Old Corlies Avenue).

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

Res. # 09-435 – Authorize appraisals in connection with the acquisition of the former Welsh Farms property (703 Old Corlies Avenue).

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

Res. # 09-436 – Award bid for UPS system.

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

Res. # 09-437 – Employ Custodian in the Building Maintenance Department on a probationary basis.

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

Res. # 09-438 – 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. 09-39

AN ORDINANCE AMENDING AND SUPPLEMENTING THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY AMENDING SECTION 528 ENTITLED "STORMWATER MANAGEMENT" TO INCORPORATE MODIFICATIONS RECOMMENDED BY THE MONMOUTH COUNTY PLANNING BOARD

WHEREAS, the Township Committee of the Township of Neptune adopted Ordinance No. 04-23 on June 14, 2004 which added a comprehensive Stormwater Management section and an Environmental Impact Statement section to the Land Development Ordinance; and,

WHEREAS, the Neptune Township Planning Board subsequently adopted a Stormwater Management Element of the Township's Master Plan; and,

WHEREAS, said ordinance was reviewed by the Monmouth County Planning Board Stormwater Technical Advisory Committee who recommended that certain clarifications and minor modifications be made to said ordinance,

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

SECTION 1 – The Neptune Township Land Development Ordinance, Article V, Section 528, Stormwater Management, is amended as follows (**bolded** items represent amendments):

528.1: Purpose

E. Definitions for this Section are found in **528.10** "Definitions."

F. This Neptune Township ordinance was based on the **NJDEP Model Ordinance called "Model Stormwater Control Ordinance for Municipalities" proposed by the NJ DEP in "NJDEP-NJ Stormwater Best Management Practices Manual-Feb 2004-Appendix D" at <http://www.state.nj.us/dep/watershedmgt/bmpmanualfeb2004.htm> .**

528.3: Stormwater Management Requirements for Major Development

E. Nonstructural Stormwater Management Strategies

3. Site design features identified above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section c below.

a. Design engineers shall use either of the following grates whenever they use a grate in pavement of another ground surface to collect stormwater from the surface into a storm drain or surface water body under that grate:

(1) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or

(2) A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces included surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawn, fields, open channels, and stormwater basin floors.

b. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

c. This standard does not apply:

(1) Where the review agency determines that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;

(2) Where flows from the water quality design storm as specified in Section 4.G.1 are conveyed through any device (e.g. end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

a. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or

b. A bar screen having a bar spacing of 0.5 inches.

(3) Where flows are conveyed through a trash rack that has parallel bars with one-inch (1”) space between the bars, to the elevation of the water quality design storm as specified in Section; or

(4) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J. A.C. 7:4-7.2©, that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

528.6: Sources for Technical Guidance

B. Additional technical guidance for stormwater management measures can be obtained from the following:

3. The Freehold Soil Conservation District located at 4000 Kozloski Road, P.O. Box 5033, Freehold, New Jersey 07728; (732)683-8500;

528.9: Maintenance and Repair

B. General Maintenance

6. The person responsible for maintenance identified under Section 528.9.B.2 above shall maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders. **The maintenance plan and all logs shall be sent to both Neptune Township Public Works Superintendent and Neptune Township Department of Engineering.**

9. The requirements of Sections 528.9. B. 3 and 528.9. B. 4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency. **All records to be sent annually to the Neptune Township Public Works Superintendent and Department of Engineering.**

D. Penalties

Any person who violates any portion or section of this ordinance shall be subject to the penalties, as **outlined in the Neptune Township General Code Section 1-5 General Penalties.**

SECTION 2 - Effective Date

This ordinance shall take effect after final passage, adoption, and publication by the Township Committee of the Township of Neptune, in the manner prescribed by law.

SECTION 3 - Severability

If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this ordinance.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

RESOLUTION #09-425 – 9/14/09

AUTHORIZE AN EXECUTIVE SESSION AS AUTHORIZED BY
THE OPEN PUBLIC MEETINGS ACT

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exist,

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

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.

2. The general nature of the subject matter to be discussed is as follows:

Potential Litigation – Housing Element and Fair Share Plan

Contract negotiations – Deed restrictions on Schoolhouse Square housing units

Personnel – Part-time leaf collection employees

Real Estate negotiations – Vacation of a portion of Drummond Avenue and Woodbine Drive.

Potential Litigation – Hearing on mercantile license

Personnel – Recommendation for Library Board of Trustees

Personnel – Recommendation for vacant Custodian position

Potential Litigation – Sampler Inn

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

4. This Resolution shall take effect immediately.

RESOLUTION #09-426 - 9/14/09

AUTHORIZE APPLICATION TO THE MONMOUTH COUNTY
MUNICIPAL OPEN SPACE PROGRAM

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and,

WHEREAS, the Governing Body of the Township of Neptune desires to obtain County Open Space Trust Funds in the amount of \$250,000 to fund the acquisition of the former Welsh Farms property located at 703 Old Corlies Avenue (Block 7013, Lot 11); and,

WHEREAS, the total cost of the project including all matching funds is \$334,000.00; and,

WHEREAS, the Township of Neptune will be holder of any interest acquired with County Open Space Trust Funds,

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

1. Michael J. Bascom, Chief Financial Officer, is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the principal contact person and correspondent of the above named municipality; and
2. The Township of Neptune is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Michael J. Bascom, Chief Financial Officer, is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

CERTIFICATION

I, Richard J. Cuttrell, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Township of Neptune at a meeting held on the 14th day of September, 2009. In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 14th day of September, 2009.

Richard J. Cuttrell, Clerk

RESOLUTION #09-427 - 9/14/09

RENEW LIQUOR LICENSE HELD BY THE FOUR E'S, INC

WHEREAS, The Four E's, Inc. is the holder of a retail consumption liquor license that is inactive; and,

WHEREAS, in accordance with State law, The Four E's, Inc. has petitioned the State of New Jersey Division of Alcoholic Beverage Control to permit the renewal of said inactive license; and,

WHEREAS, the Division of A.B.C. has issued a special ruling, dated August 20, 2009, to authorize the Township of Neptune to consider the application for liquor license renewal filed by The Four E's, Inc., the holder of an inactive license #1334-33-023-004; and,

WHEREAS, The Four E's, Inc. has applied for renewal of said license for the 2009-2010 license year to continue in in-pocket status,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Liquor License #1334-33-023-004 issued to The Four E's, Inc. be and is hereby renewed for the 2009-2010 licensing year; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control and the License Holder.

RESOLUTION #09-428 - 9/14/09

GRANT SOCIAL AFFAIR PERMIT TO RICHARD S. BASCOM SCHOLARSHIP FUND

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Municipal Clerk and Chief of Police be and are hereby authorized to approve the application of the Richard S. Bascom Scholarship Fund for a social affair permit at The Headliner, Route 35, on October 8, 2009 from 7:00 P.M. to 11:00 P.M.

RESOLUTION #09-429 - 9/14/09

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,

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
3037	2	LUCIANO	196 MAPLE AVE	2009	484.01
7011	4	GADSON	24 HILLVIEW DR	2009	1,011.13
90	53	GEORGE	95 MT HERMON WY	2009	2,013.32

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

RESOLUTION #09-430 - 9/14/09

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
250/10	JONES	2013 BANGS AVE	609.44	2009	2010
58/206	GOLDING	68 MT CARMEL WY	564.97	2009	2010

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

RESOLUTION #09-431 - 9/14/09

AUTHORIZE ISSUANCE OF DUPLICATE TAX SALE CERTIFICATE

WHEREAS, Jorelle Napoleon previously purchased Tax Sale Certificate 09-375, comprising a lien on property known as Block 10015, Lot 8.01, 1009 Old Corlies Avenue, assessed to Gerson & Luz Diaz, and has filed a duly executed affidavit swearing that they are still the lawful owner of said certificate but has lost same; and,

WHEREAS, the Tax Collector has recommended the issuance of a duplicate tax sale certificate pursuant to Chapter 99, P.L. 1997,

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 hereby is authorized to issue a duplicate tax sale certificate to be marked "Duplicate Certificate" to Jorelle Napoleon upon payment of the sum of \$100.00; and,

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

RESOLUTION #09-432 - 9/14/09

AUTHORIZE AN AMENDMENT TO THE 2009 MUNICIPAL BUDGET TO REALIZE
MONIES FROM A 2009 COPS IN SHOPS 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 \$1,600.00 which is now available from a NJDL&PS Division of Highway Traffic Safety Cops in Shops – Summer Shore Initiative 2009 Grant in the amount of \$1,600.00; and,

BE IT FURTHER RESOLVED that the like sum of \$1,600.00 is hereby appropriated under the caption of Cops in Shops - Summer Shore Initiative 2009; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a NJDL&PS Division of Alcoholic Beverage Control Cops in Shops 2009 Summer Shore Initiative Grant in the amount of \$1,600.00; 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:

Jahn:

Manning:

McMillan:

Brantley:

RESOLUTION #09-433 - 9/14/09

GRANT SOCIAL AFFAIR PERMIT TO ASBURY PARK WALL ELKS

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Municipal Clerk and Chief of Police be and are hereby authorized to approve the application of the Asbury Park Wall Elks for a social affair permit at Asbury Park Wall Elks Lodge, 3409 West Bangs Avenue, on September 26, 2009 from 12:00 P.M. to 11:00 P.M.

RESOLUTION #09-434 - 9/14/09

AUTHORIZE EXECUTION OF AN AGREEMENT FOR THE SALE AND PURCHASE OF REAL PROPERTY IN CONNECTION WITH THE PURCHASE OF THE FORMER WELSH FARMS PROPERTY (703 OLD CORLIES AVENUE)

WHEREAS, the Township has negotiated with OWF, LLC for the Township's purchase of the former Welsh Farms property at 703 Old Corlies Avenue; and,

WHEREAS, the Township Committee approved the form of a Letter of Intent outlining various terms of the property conveyance by Resolution #09-407 dated August 10, 2009; and,

WHEREAS, on August 24, 2009, the Township Committee adopted Ordinance No. 09-34 which authorized the acquisition of and appropriation for the property; and,

WHEREAS, the Township Attorney has negotiated an Agreement for the Sale of Purchase of Real Property outlining the terms and conditions of the Township's purchase of the property for the purchase price of \$450,000.00,

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Mayor and Clerk to execute an Agreement for the Sale of Purchase of Real Property, a copy of which is on file in the Office of the Municipal Clerk, which details the terms and conditions of the purchase of Block 7013, Lot 11 also known as the former Welsh Farms property (703 Old Corlies Avenue) by the Township from OWF, LLC for the purchase price of \$450,000.00; and,

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

RESOLUTION #09-435 - 9/14/09

AUTHORIZE APPRAISALS IN CONNECTION WITH ACQUISITION OF
THE FORMER WELSH FARMS PROPERTY (703 OLD CORLIES AVENUE)

WHEREAS, the Township Committee has authorized the acquisition of the former Welsh Farms property located at 703 Old Corlies Avenue; and,

WHEREAS, the Township Committee has also authorized the submittal of a grant application to the Monmouth County Municipal Open Space Program for grant funding to offset a portion of the acquisition cost; and,

WHEREAS, in connection with said grant application, and for the possibility of future grant applications for open space acquisition, it is required that appraisals be obtained from a list of New Jersey Green Acres Program approved appraisers and in conformance with appraisal specifications promulgated by the Program; and,

WHEREAS, the Land Use Administrator has obtained quotes from approved appraisers for two Self-Contained Appraisals; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 04-14 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that contracts be awarded to AJ Lehman Appraisal, Inc. in the amount of \$4,000.00 and to Gagliano & Company in the amount of \$3,200.00 for the preparation of submittal of Self-Contained Appraisals of the former Welsh Farms property located at 703 Old Corlies Avenue; 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., Admin. Assistant to the C.F.O., Land Use Administrator and Director of Engineering and Planning.

RESOLUTION #09-436 - 9/14/09

AWARD BID FOR UPS SYSTEM

WHEREAS, on September 10, 2009, the Director of Engineering and Planning received bids for the award of a contract for the delivery and installation of a UPS System for the Township; and,

WHEREAS, said bids were reviewed by the Director of Engineering and Planning who has recommended that the bid be awarded to the lowest bid submitted by Weissco Power; and,

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

WHEREAS, funds for this purpose will be provided in Ordinance 07-03 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a contract be awarded to Weissco Power on their lowest responsible bid of \$56,616.00 to deliver and install a UPS System for the Township of Neptune; 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 Director of Engineering and Planning.

RESOLUTION #09-437 - 9/14/09

EMPLOY CUSTODIAN IN THE BUILDING MAINTENANCE DEPARTMENT
ON A PROBATIONARY BASIS

WHEREAS, there is a vacancy in the position of Custodian in the Building Maintenance Department; and,

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

WHEREAS, the Superintendent of Buildings has made his recommendations; and,

WHEREAS, funds will be provided in the appropriation entitled _____, known as Account No. _____, 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 _____ be and is hereby employed as a Custodian in the Building Maintenance Department, on a probationary basis for a period of not less than 90 days and not exceeding one year, pending favorable results of the required physical, effective September 21, 2009, at an annual salary of \$25,000.00; and,

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

RESOLUTION #09-438 – 9/14/09

AUTHORIZE THE PAYMENT OF BILLS

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

CURRENT FUND	768,950.67
FEDERAL & STATE GRANT FUND	47,064.53
TRUST OTHER	36,548.23
GENERAL CAPITAL FUND	356,905.40
SEWER OPERATING FUND	1,454.11
SEWER CAPITAL FUND	42,305.21
MARINA OPERATING FUND	796.68
DOG TRUST	648.40
UDAG RECIPROCAL TRUST	618.72
PAYROLL FUND	505.59
BILL LIST TOTAL	\$1,255,797.54

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