

TOWNSHIP COMMITTEE WORKSHOP MEETING – SEPTEMBER 28, 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 – Meeting schedule for October.

2. Discussion – Complete Count Census Committee.

3. Discussion – Resolution of support for land preservation public question on the General Election ballot.

4. Outstanding parking lot items (PW)

Res. # 09-439 – 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 28, 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.

APPROVAL OF MINUTES

Motion offered by _____, seconded by _____, to approve the minutes of the meetings held on August 24th and September 14th 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:

Senior Beacon for October and monthly statistics for August.

Monmouth County Board of Health September 15th agenda and minutes of the August 18th meeting.

Copy of a thank you note from Jewel Giarrantana to Ellen Sanderson, Deputy Senior Center Director.

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

SEPTEMBER 28, 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. 09-39 – 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. – Final Reading

Public Hearing:

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

CONSENT AGENDA

Res. # 09-440 – Accept the resignation of John Ganley as a Communications Operator in the Police Department.

Res. # 09-441 – Authorize an Open Public Records – Records Information Management Shared Services Agreement with the County of Monmouth.

Res. # 09-442 – Employ seasonal workers in the Department of Public Works for leaf collection.

Res. # 09-443 – Authorize the refund of taxes as a result of an overpayment.

Res. # 09-444 – Authorize the Tax Collector to transfer credits.

Res. # 09-445 – Authorize the refund of sewer rent.

Res. # 09-446 – Authorize the cancellation of taxes as a result of the granting of a totally disabled veterans exemption (2113 Rutherford Avenue).

Res. # 09-447 – Renew liquor license held by Neptune Liquors, LLC.

Res. # 09-448 – Authorize draw down of Neighborhood Preservation Balanced Housing escrow funds.

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

Res. # 09-449 – Urge elimination of state-imposed unfunded mandates.

Offered by: _____ Seconded by: _____

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

Res. # 09-450 – Endorse the “Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009” (Public Question #1 on the General Election ballot).

Offered by: _____ Seconded by: _____

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

Res. # 09-451 – Employ Assessing/Land Use Inspector on a probationary basis.

Offered by: _____ Seconded by: _____

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

Res. # 09-452 – Employ Communications Operator on a probationary basis.

Offered by: _____ Seconded by: _____

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

The Mayor announces the following appointment to the Board of Library Trustees:

Connie King to an unexpired five year term expiring December 31, 2009.

Res. # 09-453 – Confirm Mayor’s appointment to the Board of Library Trustees.

Offered by: _____ Seconded by: _____

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

Res. # 09-454 – 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

RESOLUTION #09-439 – 9/28/09

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 – Transit Village Study Area Land Use Plan.

Personnel – Recommendation for Assessing/Land Use Inspector.

Personnel – Recommendation for Communications Operator.

Potential Litigation – Sign ordinance as it pertains to retail businesses.

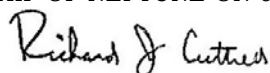
Real Estate negotiations – Conveyance of Township property on West Lake Avenue.

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 09/28/09



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

RESOLUTION #09-440 - 9/28/09

ACCEPT THE RESIGNATION OF JOHN GANLEY AS A
COMMUNICATIONS OPERATOR IN THE POLICE DEPARTMENT

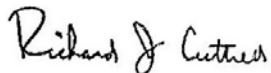
WHEREAS, the Township Committee has received a letter from John Ganley resigning as a Communications Operator in the Police Department effective September 28, 2009,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of John Ganley as a Communications Operator in the Police Department is hereby accepted effective September 28, 2009; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., AFSCME Local 1844 and 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 09/28/09



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

RESOLUTION #09-441 – 9/28/09

AUTHORIZE AN OPEN PUBLIC RECORDS – RECORDS INFORMATION MANAGEMENT
SHARED SERVICES AGREEMENT WITH THE COUNTY OF MONMOUTH

WHEREAS, under the New Jersey Uniform Shared Services and Consolidation Act, namely C. 40A:65-1, *et seq.*, local units, such as the County of Monmouth and this Municipality, may enter into shared services agreements with each other; and

WHEREAS, the County of Monmouth has entered into an agreement with Sunrise Systems, Inc. (“Sunrise”), whereby the County is licensed to access and use Sunrise’s web-based system known as the Open Public Records Search System – Records Information Management (“OPRS-RIM”); and

WHEREAS, under the terms of its agreement with Sunrise, the County of Monmouth may sublicense access and use of OPRS-RIM to municipalities within Monmouth County; and

WHEREAS, the County of Monmouth, has offered to enter into a shared services agreement with this Municipality, whereby this Municipality will be authorized as a sublicensee to access and use OPRS-RIM; and

WHEREAS, a copy of the agreement is attached to this resolution; and

WHEREAS, the OPRS-RIM provides for the Inventory Management, Retention Management, and Disposition Management of official records and includes an imaging module that permits the scanning of paper records into TIFF images, which may be stored long-term, searched and retrieved electronically,

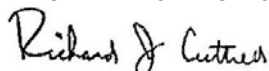
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Neptune that the Mayor and Municipal Clerk be and they are hereby authorized to enter into the proposed OPRS-RIM shared services agreement with the County of Monmouth; and,

BE IT FURTHER RESOLVED that there is no need for a certification of available funds for the period of September 1, 2009 through August 31, 2010, since this Municipality’s obligation will be paid through a PARIS grant obtained by the County of Monmouth; and,

BE IT FURTHER RESOLVED that if and when funds are required from this Municipality to pay for its continued participation in the OPRS-RIM agreement, the Chief Financial Officer shall file a certification of available funds, identifying the budget line item(s) and amount(s) certified.

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 09/28/09



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

RESOLUTION #09-442 - 9/28/09

EMPLOY SEASONAL WORKERS IN THE DEPARTMENT OF
PUBLIC WORKS FOR LEAF COLLECTION

WHEREAS, the Township has a need to employ seasonal workers in the Department of Public Works for the collection of leaves; and,

WHEREAS, the Director of Public Works has forwarded his recommendations for seven workers plus alternates; and,

WHEREAS, funds for this purpose are available in the appropriation entitled DPW S&W, known as Account No. 290-013, 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 individuals be and are hereby employed in the Department of Public Works as Casual Employees for leaf collection, for a period of thirty-six (36) working days from November 2, 2009 to December 24, 2009, not to exceed forty (40) hours per week, at a salary of \$10.25 per hour with no health benefits:

Rashad Anderson
Tyrone Johnson
Cornelius Stephens
Miles Harvey

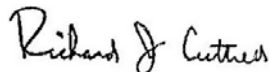
George Williamson
Terry Anderson
Mark Slocum

Alternate – Steven Johnson

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Business Administrator, Mandy To, Carina Santos 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 09/28/09



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

RESOLUTION #09-443 - 9/28/09

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,

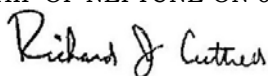
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to refund the taxes as stated herein; and,

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
177	11	BEALE	208 MYRTLE AV	2009	152.00
240	5	MARAGH	1906 BROCKTON AV	2009	291.63
208	26	RICE	1408 7 TH AV	2009	205.00
175	504	WYNN	1319 EMBURY AVE	2008	205.00
230	21	BANKS	115 OXONIA AVE	2009	163.22
462.01	30	WNOROWSKI	409 HIGHLAND AVE	2008	428.41
223	304	BURNEY	1815 MC BRIDE AV	2009	1,203.77
525	84	KENNEDY	432 PROSPECT PL	2008	928.26
462.01	30	WNOROWSKI	409 HIGHLAND AVE	2008	1,042.57
1310	6	HINCHLIFFE	215 BIRCH DR	2009	1,210.42
10	555C02	CONNERTY	15 MAIN AVE	2009	2,606.32
208	26	RICE	1408 7 TH AVE	2009	485.98
60	296.01	BIENER	9 PILGRIM PW	2009	1,957.83
253	20	MORRIS	1926 MILTON AVE	2008	724.98

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

CERTIFICATION

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COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/28/09



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

RESOLUTION #09-444 - 9/28/09

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,

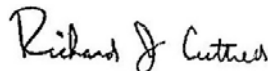
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to transfer credits listed below and apply same against balances as stated herein; and,

BLOCK	LOT	ASSESSED TO	ADDRESS	AMOUNT	FROM YEAR	TO YEAR
28	344	SMITH	17 ATLANTIC AVE	250.00	2008	2009
126.01	1C107	LOWERY	76 WHITEFIELD AVE	7.98	2009	2010
245	63	MILDNER	617 HIGHWAY 35	.01	2009	2010
249	1	BP PRODUCTS	515 HIGHWAY 35	95.15	2009	2010
249	10.01	BP PRODUCTS	1702 MONROE AVE	372.99	2009	2010
467	27	COWPERTHWAIT	208 MELROSE AVE	88.13	2009	2010
36	1586	ENGELHARDT	51 HECK AVE	2,030.60	2008	2009
153	12	JOHNSON	1121 HECK AVE	944.95	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.

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 09/28/09



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

RESOLUTION #09-445 – 9/28/09

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,

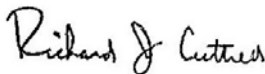
THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the Tax Collector be and hereby is authorized to refund the Sewer Rent as stated herein:

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
217	95	DAVIS	203 FISHER AV	2009	512.63
6011	9	KING	6 NICHOLAS DR	2010	200.00

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

CERTIFICATION

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COPY OF A RESOLUTION ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/28/09



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

RESOLUTION #09-446 – 9/28/09

AUTHORIZE THE CANCELLATION OF TAXES AS A RESULT OF THE
GRANTING OF A TOTALLY DISABLED VETERANS EXEMPTION
(2113 RUTHERFORD AVENUE)

WHEREAS, the property known as Block 260, Lot 34, with an address of 2113 Rutherford Avenue, assessed to Veronica Miller is eligible for a Totally Disabled Veteran Exemption effective August 31, 2009; and,

WHEREAS, the Township Committee of the Township of Neptune desires to cancel taxes assessed against the above property effective August 31, 2009 and refund same to the owner of record in accordance with N.J.S.A. 54:4-3.32; and,

WHEREAS, the amounts are as follows;

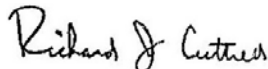
YEAR	AMOUNT CANCELLED	REFUND AMOUNT
2009	\$ 1,445.32	\$ 156.13

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 cancel taxes as stated herein; and,

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 09/28/09



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

RESOLUTION #09-447 - 9/28/09

RENEW LIQUOR LICENSE HELD BY NEPTUNE LIQUORS, LLC

WHEREAS, Neptune Liquors, LLC is the holder of a retail consumption liquor license that has been inactive since June 1, 2003; and,

WHEREAS, in accordance with State law, Neptune Liquors, LLC 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 September 21, 2009, to authorize the Township of Neptune to consider the application for liquor license renewal filed by Neptune Liquors, LLC, the holder of an inactive license #1334-33-019-003; and,

WHEREAS, said special ruling requires the placement of a special condition on the liquor license stating that no further renewals of this license shall be granted unless the license is actively used at an approved site on or before June 30, 2010; and,

WHEREAS, Neptune Liquors, LLC has applied for renewal of said license for the 2009-2010 license year to continue in in-pocket status,

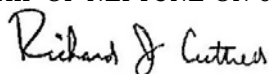
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Liquor License #1334-33-019-003 issued to Neptune Liquors, LLC be and is hereby renewed for the 2009-2010 licensing year subject to the following condition:

- No further renewals of this license shall be granted unless the license is actively used at an approved site on or before June 30, 2010.

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

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 09/28/09



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

RESOLUTION #09-448 - 9/28/09

AUTHORIZE DRAW DOWN OF NEIGHBORHOOD PRESERVATION
BALANCED HOUSING ESCROW FUNDS

WHEREAS, the Township of Neptune will receive a total of \$2,589,878.00 in Neighborhood Preservation Balanced Housing funds for disbursement to TRF DP Ridge Avenue, LLC during build out of the Ridge Avenue Redevelopment Zone Project; and,

WHEREAS, said funds are on deposit in escrow by the Township with Susquehanna Bank; and,

WHEREAS, TRF DP Ridge Avenue, LLC has requested a draw down of \$380,027.94 for work completed through September 1, 2009; and,

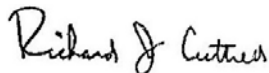
WHEREAS, the Director of Engineering and Planning and the New Jersey Housing Mortgage Finance Agency have certified that the work is complete,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the draw down of Neighborhood Preservation Balanced Housing escrow by TRF DP Ridge Avenue, LLC in the amount of \$380,027.94 for work completed at the Ridge Avenue Redevelopment Zone Project (Schoolhouse Square) through September 1, 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., Administrative Assistant to the C.F.O. and the Director of Engineering and Planning.

CERTIFICATION

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THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF NEPTUNE ON 09/28/09



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

RESOLUTION #09-449 - 9/28/09

URGE ELIMINATION OF STATE-IMPOSED UNFUNDED MANDATES

WHEREAS, in 1995, New Jersey voters approved an amendment to the State Constitution that was supposed to curb lawmakers' penchant for mandating new programs for state and local governments without giving them the necessary funding; and,

WHEREAS, in order to implement the law, the legislature established the Council on Local Mandates, whose job is to review complaints from the local government entities and then make a determination on whether new statutory or regulatory impositions by the State constituted "unfunded" mandates; and,

WHEREAS, under the law, if a statute or regulation is deemed by the Council to be an "unfunded" mandate, it ceases to be mandatory and expires; and,

WHEREAS, 12 years later, the Council has made only eight decisions and in only two of those did the Council rule in favor of local governments. In one of those cases, the decision was pointless because the Council has no power to force the State to comply and local governments have no right to seek redress in the courts; and,

WHEREAS, clearly, this is not the reform that people thought they were voting for in 1995. Proof is that property taxes in New Jersey, which the people were seeking to control with the amendment, have nearly doubled since then; and,

WHEREAS, the New Jersey Association of Counties (NJAC) has proposed that local and county officials join forces to push for a complete overhaul of the Council on Local Mandates, which in its view clearly has not satisfied the voters, desire for reform; and,

WHEREAS, NJAC has also proposed the following:

- 1) Change the composition of the Council on Local Mandates because under the law, Members of the Council are appointed by the Governor, the Legislature and the Chief Justice of the State Supreme Court, the makers of mandates.
- 2) A review of the obvious flaw that state appointees, such as judges and prosecutors, can force county governments to hire Court personnel and expand facilities, all without approval from voters or their elected representatives.
- 3) A review of the provision that states while State officials can appeal to the Courts, County and local officials don't have that option. Under the law, decisions made by the Council on Local Mandates are not eligible for judicial review. Furthermore, when the Council makes a decision in favor of a local government, the State is free to ignore it without consequence.
- 4) A complete review of the section "unfunded mandates" Law delineating the exemptions. This should include a top to bottom review of all State mandates that would require the State to repeal the outdated ones and pay for the rest; and

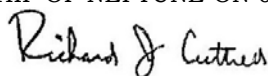
THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth urges the elimination of unfunded mandates imposed by the State of New Jersey; and,

BE IT FURTHER RESOLVED, that the Township Committee strongly supports the New Jersey Association of Counties and all of its proposals to deal with the problems caused by unfunded mandates.

BE IT FURTHER RESOLVED, that the Clerk forward a certified true copy of this Resolution to Governor Jon Corzine, the Legislative Delegation representing Monmouth County, the Boards of Chosen Freeholders of each county in New Jersey and the Mayors and governing bodies of every municipality in Monmouth County.

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 09/28/09



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

RESOLUTION #09-450 - 9/28/09

ENDORSE THE "GREEN ACRES, WATER SUPPLY AND FLOODPLAIN PROTECTION,
AND FARMLAND AND HISTORIC PRESERVATION BOND ACT OF 2009"
(PUBLIC QUESTION #1 ON THE GENERAL ELECTION BALLOT)

WHEREAS, continued investment in open space, farmland and historic preservation is vitally important to the state, as it enhances New Jersey's economy and health, safeguards its remaining natural, agricultural, recreational and cultural resources and preserves its character; and,

WHEREAS, New Jersey continues to face incredible pressure from development, losing 50 acres of open space daily in recent years to new development projects; and,

WHEREAS, protecting open spaces and improving community parks throughout the State, including urban areas, supports New Jersey state and local economies by stabilizing local property taxes and revitalizing communities; and,

WHEREAS, the Garden State Preservation Trust, the financing authority for the Green Acres, Farmland Preservation, and Historic Preservation programs, is virtually depleted; and,

WHEREAS, on November 3, 2009, the voters of New Jersey will be asked to approve the Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009," which authorizes the state to issue \$400 million in bonds to fund New Jersey's preservation programs; and,

WHEREAS, passage of the Bond Act, which will equate to \$10 per household per year, is desperately needed to fund the continued protection of New Jersey's natural areas and cultural sites while a long-term funding solution for the Garden State Preservation Trust is determined and secured,

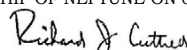
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey as follows:

1. We support the passage of the Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009.
2. We encourage the voters of New Jersey to vote yes on the Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009 (Public Question #1) on November 3, 2009.
3. The Municipal Clerk is hereby authorized to provide a copy of this Resolution to the following: The Honorable Jon Corzine, Office of the Governor, PO Box 001, Trenton, NJ 08625, 11th District State Legislators, Keep It Green c/o NJ Audubon Society, 142 W. State Street, 4th Floor, Trenton, NJ 08608, The Land Conservancy of New Jersey, 19 Boonton Ave., Boonton, NJ 07005 and the Coaster.

Adopted: September 28, 2009

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 09/28/09



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

RESOLUTION #09-451 - 9/28/09

EMPLOY ASSESSING/LAND USE INSPECTOR ON A PROBATIONARY BASIS

WHEREAS, the Township Committee created the position of Assessing/Land Use Inspector by adoption of Ordinance 09-33 on August 24, 2009; and,

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

WHEREAS, the Assessor/Land Use Administrator has made his recommendations; and,

WHEREAS, funds will be provided in the appropriation entitled Assessing S& W, known as Account No. 150-011 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 Jason Alencewitz be and is hereby employed as an Assessing/Land Use Inspector in the Tax Assessor's Office, 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 October 5, 2009, at an annual salary of \$30,000.00; and,

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

RESOLUTION #09-452 - 9/28/09

EMPLOY COMMUNICATIONS OPERATOR ON A PROBATIONARY BASIS

WHEREAS, due to the resignation of John Ganley, there is a vacant Communications Operator position; and,

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

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

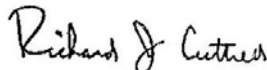
WHEREAS, funds will be provided in the appropriation entitled Dispatch S&W, known as Account No. 250-011, and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that James Clanton be and is hereby employed as a Communications Operator in the Police 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 October 5, 2009, at an annual salary of \$26,000.00; 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., 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 09/28/09



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

RESOLUTION #09-453 - 9/28/09

CONFIRM MAYOR'S APPOINTMENT TO THE BOARD OF LIBRARY TRUSTEES

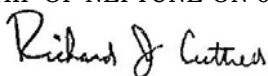
WHEREAS, due to the resignation of Laura Granelli there is a vacancy on the Library Board of Trustees,

THEREFORE BE IT RESOLVED, that the Township Committee hereby confirms the Mayor's appointment Connie King as a member to the Board of Library Trustees for an unexpired five-year term expiring December 31, 2009; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Library Board of Trustees.

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 09/28/09



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

RESOLUTION #09-454 – 9/28/09

AUTHORIZE THE PAYMENT OF BILLS

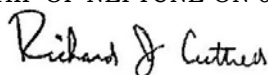
BE IT RESOLVED, That the following bills be paid if properly certified:

CURRENT FUND	576,904.98
FEDERAL & STATE GRANT FUND	530.33
TRUST OTHER	19,934.99
GENERAL CAPITAL FUND	68,858.66
SEWER OPERATING FUND	1,096,028.24
SEWER CAPITAL FUND	1,147.50
MARINA OPERATING FUND	3,049.95
MARINA CAPITAL FUND	280.00
DOG TRUST	7,094.25
BILL LIST TOTAL	\$1,773,828.90

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 09/28/09



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