

**TOWNSHIP COMMITTEE WORKSHOP MEETING – OCTOBER 26, 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. Cuttrel, 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 – Recent legislation regarding Municipal Board/Commissions. (PW)
  
2. Contract negotiations – 2010 Animal Control Contract (3.3% increase)
  
3. Outstanding parking lot items (PW)

Res. # 09-456 – 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 – OCTOBER 26, 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](http://www.neptunetownship.org).

**APPROVAL OF MINUTES**

Motion offered by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve the minutes of the meetings held on September 28th and October 14<sup>th</sup> 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 report for September.

Notice from the NJDOT that the Township has been awarded a Transportation Trust Fund grant in the amount of \$244,151.00 for improvements to Millbrook Drive.

Copies of thank you notes from Mary Salus, Marie Schiefer, Marie Malloy and the Senior Bridge Club to the Senior Center staff.

Monmouth County Board of Health October 20<sup>th</sup> agenda and minutes from the September 15<sup>th</sup> meeting.

Rosemary Gray sent letters of thanks to the following for recent contributions and donations to the Senior Center: Alfred Heimall, Bettylu & Ockle Johnson, Marie Malloy, Raymond Davis, Antoinette Myers, Lucy Beran, Rose & John Cella, Etheline Cooper, Phyllis Torrance, Wegmans, Shop-Rite, Freedman's, Catholic Men for Jesus Christ, Panera Bread, Sandra's Farm Market, Lucille Kessler, Charles Nicosia, Rita Goldstein, Forever Young Group, Jay Bodine, Nancy Brennan, Shirley Watson, American Legion Post

#346, Carole Butler, Alice Bruno, Yuriko Anderson, Anne Sibole, Richard Driscoll and Maureen White.

**COMMENTS FROM THE DAIS**

**OCTOBER 26, 2009**

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

**PUBLIC HEARING – ENDORSEMENT OF AMENDMENT TO 3<sup>RD</sup> ROUND HOUSING PLAN ELEMENT AND FAIR SHARE PLAN**

Res. # 09-457 – Endorse the Township’s amendment to the Third Round Housing Plan Element and Fair Share Plan and petition the New Jersey Committee on Affordable Housing for Substantive Certification.

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

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

**PUBLIC COMMENTS ON RESOLUTIONS**

Public comments regarding resolutions presented on this agenda only. The public will be permitted one visit to the microphone with a limit of five minutes.

**ORDINANCES**

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

ORDINANCE NO. 09-40 - An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding a handicapped parking zone on Mt. Hermon Way. – First Reading

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

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

The Public Hearing on Ordinance 09-40 will be held on Monday, November 9, 2009.

**CONSENT AGENDA**

Res. # 09-458 – Authorize the amendment to the 2009 Municipal Budget to realize monies from a United States Department of Justice – Bureau of Justice Assistance Grant.

Res. # 09-459 – Accept the resignation of Dawn Popoff as a member of the Historic Preservation Commission.

Res. # 09-460 – Employ part-time Kitchen Aide in the Senior Center.

Res. # 09-461 – Release all surety bonds and developer’s escrow for improvements at the telecommunications facility adjacent to Route 66 (Block 1007, Lot 61).

Res. # 09-462 – Authorize the execution of a Letter of Intent for a 2010 Title IIIB funding grant from the Monmouth County Office on Aging.

Res. # 09-463 – Authorize an amendment to the 2009 Municipal Budget to realize monies from a Federal Bulletproof Vest Partnership Grant.

Res. # 09-464 – Authorize the issuance of a duplicate tax sale certificate.

Res. # 09-465 – Authorize the execution of an Interlocal Service Agreement with the Neptune Township Board of Education to partner in a Secure Our Schools Grant application.

Res. # 09-466 – Grant unpaid leave of absence to Holly Reinhardt, Clerk/Typist in the Police Department Records Bureau.

Res. # 09-467 – Renew liquor license held by VPK, Inc.

Res. # 09-468 – Authorize the refund of taxes as a result of an overpayment.

Res. # 09-469 – Authorize the Tax Collector to transfer credits.

Res. # 09-470 – Accept the resignation of Marjorie Evernham as a Kitchen Aid at the Senior Center.

Res. # 09-471 – Authorize Draw Down #2 of Neighborhood Preservation Balanced Housing escrow funds.

Res. # 09-472 – Authorize the cancellation of a mortgage in connection with Regional Contribution Agreement File No. 432.

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

Res. # 09-473 – Authorize execution of a Rights-of-Way Use Agreement with Sunesys, LLC for the installation of telecommunications facilities.

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

Res. # 09-474 – Authorize the purchase of two copy machines under the New Jersey State Cooperative Purchasing Program.

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

Res. # 09-475 – Reclassify employee to the position of Night Supervisor in the Building Maintenance Department.

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

Res. # 09-476 – Reappoint Electrical Sub-Code Official.

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

Res. # 09-477 – 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. 09-40

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE  
CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A  
HANDICAPPED PARKING ZONE ON MT. HERMON WAY

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

SECTION 1

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

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Mt. Hermon Way	1	South side of Mt. Hermon Way beginning 25 feet west of the southwest intersection of Mt. Hermon Way and Whitefield Avenue.

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

\_\_\_\_\_  
Richard J. Cuttrell,  
Municipal Clerk

\_\_\_\_\_  
Dr. Michael Brantley,  
Mayor

RESOLUTION #09-456 – 10/26/09

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:

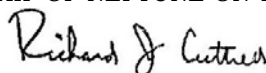
Litigation – Enforcement issues and for amendments to Ocean Grove demolition ordinance  
Potential Litigation – Special Area Standards application  
Real Estate negotiations – Property adjacent to new Senior Center  
Contract negotiations – Right-of-Way agreement

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 10/26/09



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

RESOLUTION #09-457 - 10/26/09

ENDORSE THE TOWNSHIP'S AMENDMENT TO THE THIRD ROUND HOUSING PLAN  
ELEMENT AND FAIR SHARE PLAN AND PETITION THE NEW JERSEY COMMITTEE  
ON AFFORDABLE HOUSING FOR SUBSTANTIVE CERTIFICATION

WHEREAS, the Planning Board of the Township of Neptune, County of Monmouth, State of New Jersey, adopted the Amendment to the Third Round Housing Element and Fair Share Plan of the Master Plan on October 21, 2009; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Amendment to the Housing Element and Fair Share Plan is attached pursuant to N.J.A.C. 5:96-2.2(a)2,

WHEREAS, the Neptune Township Committee held a public hearing on said Amendment on October 26, 2009,

THEREFORE BE IT RESOLVED that the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, hereby endorses the Amendment to the Housing Element and Fair Share Plan as adopted by the Township of Neptune; and,

BE IT FURTHER RESOLVED that the Township Committee of the Township of Neptune, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-3.2(a), submits this petition for substantive certification of the Amendment to the Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and,

BE IT FURTHER RESOLVED, that a list of names and addresses for all owners of sites in the Amendment to the Housing Element and Fair Share Plan will be included with the petition; and,

BE IT FURTHER RESOLVED, that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and that a copy of this resolution, the adopted Amendment to the Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Township of Neptune Municipal Clerk's office located at 25 Neptune Boulevard Neptune, NJ 07753, during the hours of 8:30 AM and 4:30 PM on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.

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Richard J. Cuttrell, Municipal Clerk  
Dated: October 26, 2009

RESOLUTION #09-458 - 10/26/09

AUTHORIZE AN AMENDMENT TO THE 2009 MUNICIPAL BUDGET TO REALIZE  
MONIES FROM A UNITED STATES DEPARTMENT OF JUSTICE –  
BUREAU OF JUSTICE ASSISTANCE 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 \$103,815.00 which is now available from United States Department of Justice FY09 Recovery Act Byrne Memorial JAG funds through the County of Monmouth in the amount of \$103,815.00; and,

BE IT FURTHER RESOLVED that the like sum of \$103,815.00 is hereby appropriated under the caption of 2009 Recovery Act, Byrne Memorial JAG; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from the 2009 United States Department of Justice, Bureau of Justice Assistance FY09 Recovery Act Byrne Memorial JAG formula through the County of Monmouth in the amount of \$103,815.00; and,

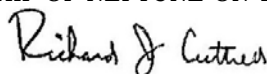
BE IT FURTHER RESOLVED, that the Clerk forward three certified copies of this resolution to Chief Financial Officer and one copy to the Assistant C.F.O., and Auditor.

Vote:

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

**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 10/26/09



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

RESOLUTION #09-459 - 10/26/09

ACCEPT THE RESIGNATION OF DAWN POPOFF AS A  
MEMBER OF THE HISTORIC PRESERVATION COMMISSION

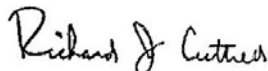
WHEREAS, the Township Committee has received a letter from Dawn Popoff resigning as a member of the Historic Preservation Commission effective September 30, 2009,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Dawn Popoff as a member of the Historic Preservation Commission is hereby accepted effective September 30, 2009; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Secretary of the Historic Preservation Commission.

**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 10/26/09



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

RESOLUTION #09-460 - 10/26/09

EMPLOY PART-TIME KITCHEN AIDE IN THE SENIOR CENTER

WHEREAS, there is a vacancy in the position of part-time Kitchen Aide in the Senior Center;  
and,

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

WHEREAS, the Senior Center Director has made her recommendation; and,

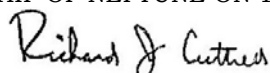
WHEREAS, funds will be provided in the appropriation entitled Sr Ctr S&W, known as  
Account No. 372-013, and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune  
that Christine Scott be and is hereby employed as a part-time Kitchen Aide in the Senior Center, 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 November 2, 2009, at an hourly rate of \$9.49;  
and,

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 10/26/09



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

RESOLUTION #09-461 - 10/26/09

RELEASE ALL SURETY BONDS AND DEVELOPERS ESCROW FOR  
IMPROVEMENTS AT TELECOMMUNICATIONS FACILITY ADJACENT  
TO ROUTE 66 (BLOCK 1007, LOT 61)

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

WHEREAS, the Township Engineer has conducted an inspection and has certified that all site improvements have been satisfactorily completed as of September 21, 2009; and,

WHEREAS, the Township Engineer has also recommended a waiver of the posting of a maintenance bond since there are no public improvements associated with this project,

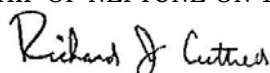
THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the release of the performance bond as stated herein; and,

BE IT FURTHER RESOLVED, that all remaining balances of the cash performance guarantee account and inspection escrow account be and are hereby authorized to be refunded; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Developer, Township Engineer, Director of Engineering and Planning and Construction Official.

**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 10/26/09



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

RESOLUTION #09-462 - 10/26/09

AUTHORIZE THE EXECUTION OF A LETTER OF INTENT FOR A 2010 TITLE IIIB  
FUNDING GRANT FROM THE MONMOUTH COUNTY OFFICE ON AGING

WHEREAS, the Township of Neptune has been awarded Title IIIB and State COLA 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,

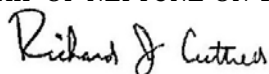
WHEREAS, the Senior Center Director has completed the necessary documentation in support of the grant award,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Mayor to execute a Letter of Intent to receive a 2010 Title IIIB funding grant from the Monmouth County Office on Aging; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the 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 10/26/09



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

RESOLUTION #09-463 - 10/26/09

AUTHORIZE AN AMENDMENT TO THE 2009 MUNICIPAL BUDGET TO REALIZE  
MONIES FROM A FEDERAL BULLETPROOF VEST PARTNERSHIP 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 \$8,854.00 which is now available from a U.S. Department of Justice Bulletproof Vest Partnership Grant in the amount of \$8,854.00; and,

BE IT FURTHER RESOLVED that the like sum of \$8,854.00 is hereby appropriated under the caption of Federal Bulletproof Vest Partnership Grant; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a U.S. Department of Justice Bulletproof Vest Partnership Grant in the amount of \$8,854.00; and,

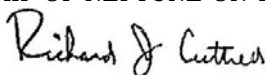
BE IT FURTHER RESOLVED, that the Clerk forward three certified copies of this resolution to Chief Financial Officer and one copy to the Assistant C.F.O., and Auditor.

Vote:

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

**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 10/26/09



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

RESOLUTION #09-464 - 10/26/09

AUTHORIZE ISSUANCE OF DUPLICATE TAX SALE CERTIFICATE

WHEREAS, Michael Fabrikant previously purchased Tax Sale Certificate 04-045, comprising a lien on property known as Block 182, Lot 115, 516 Myrtle 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,

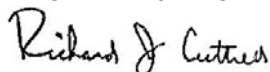
WHEREAS, the Tax Collector has recommended the issuance of a duplicate tax sale certificate pursuant to Chapter 99, P.L. 1997,

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 Michael Fabrikant 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.

**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 10/26/09



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

RESOLUTION #09-465 - 10/26/09

AUTHORIZE THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT  
WITH THE NEPTUNE TOWNSHIP BOARD OF EDUCATION TO  
PARTNER IN A SECURE OUR SCHOOLS GRANT APPLICATION

WHEREAS, the Township of Neptune and the Neptune Township Board of Education are mindful of their duties and responsibilities to protect and maintain the public health, safety and welfare of its inhabitants find it necessary and desirable to apply for a US Department of Justice Secure Our Schools Grant to acquire and install the technology to enable various interfaces between the Township's Communication Center and the District's security systems at each of its schools; and,

WHEREAS, the Township and Board have determined that their best interests would be served by enjoying the benefits of a joint application for to acquire grant funding to enhance security in the Neptune Township School District; and,

WHEREAS, the Township of Neptune and the Neptune Township Board of Education desire to enter into an interlocal service agreement pursuant to N.J.S.A. 40:8A-1 et seq. for the Township and Borough to cooperatively participate in this project; and,

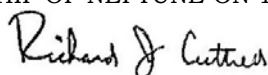
WHEREAS, the Township will be responsible for the grant application and administration and the Board will pay the required grant match in the sum of \$52,100.00,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Interlocal Service Agreement with the Neptune Township Board of Education, a copy of which is on file in the Office of the Municipal Clerk, providing for a joint grant application to the US Department of Justice Secure Our School grant program; and,

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

**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 10/26/09



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

RESOLUTION #09-466 - 10/26/09

GRANT UNPAID LEAVE OF ABSENCE TO HOLLY REINHARDT,  
CLERK/TYPIST IN THE POLICE DEPARTMENT RECORDS BUREAU

WHEREAS, Holly Reinhardt, Clerk/Typist in the Police Department Records Bureau has requested an unpaid leave of absence; and,

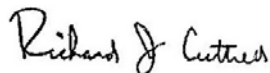
WHEREAS, the Chief of Police and Business Administrator have approved the request,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that Holly Reinhardt, Clerk/Typist in the Police Department Records Bureau, is hereby granted a six week unpaid leave of absence commencing September 22, 2009 and ending October 31, 2009; and,

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 10/26/09



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

RESOLUTION #09-467 - 10/26/09

RENEW LIQUOR LICENSE HELD BY VPK, INC.

WHEREAS, VPK, Inc. is the holder of a retail consumption liquor license 1334-44-022-002; and filed the required application for license renewal for the 2009-2010 licensing term; however, a tax clearance certificate was not provided; and,

WHEREAS, in accordance with state statute, a municipality cannot renew a liquor license without a tax clearance certificate for the corporation holding the license; and,

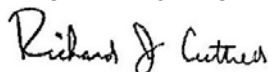
WHEREAS, the Division of Taxation issued a Tax Clearance Certificate for VPK, Inc. dated October 19, 2009,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Liquor License #1334-44-022-002 issued to VPK, Inc. t/a Alpha Liquors 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.

**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 10/26/09



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

RESOLUTION #09-468 - 10/26/09

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
422	1	CORCORAN	336 PROSPECT AVE	2009	2,097.28
126.01	1C324	PARKER	76 WHITEFIELD AV	2009	824.17
56	168	WEISS	74 MT HERMON WY	2009	2,381.00
262	56.01	PIERRE	1913 RUTHERFORD	2008	555.78
230	52	WILSON	138 ANELVE AVE	2008	207.69
9012	6.05	SALOMON	728 GREEN GROVE R	2008	207.69
9035	4	DOYLE	3 DENBO DR	2008	1,332.91
435	13	CLOHOSEY	104 HIGHLAND AVE	2009	2,207.48
175	504	WYNN	1319 EMBURY AVE	2008	607.23
112	1473	IRVIN	123 CLARK AVE	2009	912.16
238	7	LAVARIN	1805 BROCKTON AV	2008	932.36
459	11	JOHNSON	412 ELY RD	2008	207.51
57	185	HANNETT	75 MT HERMON WY	2008	1,898.34
201.01	40.01	BONELLI	105 RIDGE AVE	2009	756.57
126	1401	O'NEILL	131 ABBOTT AVE	2008	1,454.23
208	25	TORRES	106 HAWTHORNE AV	2008	671.92
395	50	BENEDICKSON	512 WOODMERE AV	2008	1,703.24
569	23	CROWLEY	328 SEAVIEW AV	2008	1,694.39
42	1244	CHANDLER	105 CENTRAL AV	2008	2,730.50
319.02	2	WALKER	102 WEST END AV	2009	1,082.61
231	11.01	WILLIAMSON	120 OXONIA AVE	2008	580.75
6005	11	GROSS	105 CENTER ST	2009	840.51
278	15	DEUTSCHE BNK	127 HAMILTON AV	2009	951.86
230	52	WILSON	138 ANELVE AV	2008	412.77
6003	12	SHERMAN	4 POPPY AV	2009	1,607.36
195	14	BOOKER	215 MYRTLE AV	2008	962.77
474	13	LUCEY	106 FAIRVIEW PL	2008	2,338.91
170	130	SEVERSON	1225 9 <sup>TH</sup> AVE	2008	779.18
9017	11.02	LAHENS	13 SMITH LN	2009	1,868.31
115.01	1C210	COLLIGAN	75 WHITEFIELD AV	2009	818.83
564	41	CHABIN	206 SEAVIEW CI	2009	1,855.18
437	93	CURRY	447 WOODMERE AV	2009	1,295.95
397	5	SMITH	518 GLENMERE AV	2009	2,423.56
168	254	RODRIQUEZ	1204 8 <sup>TH</sup> AVE	2008	938.29

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 10/26/09

*Richard J. Cuttrel*

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

RESOLUTION #09-469 - 10/26/09

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,

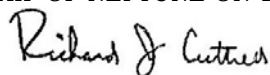
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to transfer credits listed below and apply same against balances as stated herein; and,

<b>BLOCK/LOT</b>	<b>ASSESSED TO</b>	<b>ADDRESS</b>	<b>AMOUNT</b>	<b>FROM YEAR</b>	<b>TO YEAR</b>
9012/6.05	SALOMON	728 GREEN GROVE RD	2,077.15	2008	2009
9012/6.05	SALOMON	728 GREEN GROVE RD	17.00	2008	2010
49/15	DEMAIO	73 CLARK AVE	1,215.16	2009	2008

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 10/26/09



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

RESOLUTION #09-470 - 10/26/09

ACCEPT THE RESIGNATION OF MARJORIE EVERNHAM AS A  
KITCHEN AID AT THE SENIOR CENTER

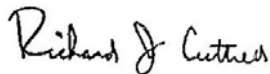
WHEREAS, the Township Committee has received a letter from Marjorie Evernham resigning as a Kitchen Aid at the Senior Center effective October 30, 2009,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Marjorie Evernham as a Kitchen Aide at the Senior Center is hereby accepted effective October 30, 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., Mandy To, Carina Santos and the 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 10/26/09



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

RESOLUTION #09-471 - 10/26/09

AUTHORIZE DRAW DOWN #2 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, on September 28, 2009, the Township Committee adopted Resolution #09-448 which approved a requested draw down of \$380,027.94 for work completed through September 1, 2009; and,

WHEREAS, TRF DP Ridge Avenue, LLC has requested a draw down of \$825,382.52 for work completed through October 20, 2009; and,

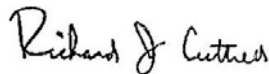
WHEREAS, the Director of Engineering and Planning and the New Jersey Housing Mortgage Finance Agency have certified that the work is complete,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes Draw Down #2 of Neighborhood Preservation Balanced Housing escrow by TRF DP Ridge Avenue, LLC in the amount of \$825,382.52 for work completed at the Ridge Avenue Redevelopment Zone Project (Schoolhouse Square) through October 20, 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**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 10/26/09



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

RESOLUTION #09-472 - 10/26/09

AUTHORIZE THE CANCELLATION OF A MORTGAGE IN CONNECTION  
WITH REGIONAL CONTRIBUTION AGREEMENT FILE NO. 432

WHEREAS, the Township of Neptune holds a mortgage dated April 29, 2002 in connection with Regional Contribution Project No. 432; and,

WHEREAS, six full years has passed since the date of the mortgage and the property remains in the ownership of the borrowers; and;

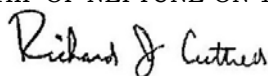
WHEREAS, the Township desires to cancel said mortgage in accordance with the terms of the mortgage note,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and they are hereby authorized to execute a cancellation of mortgage in connection with Regional Contribution Agreement Program File No. 432; and,

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 10/26/09



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

RESOLUTION #09-473 - 10/26/09

AUTHORIZE EXECUTION OF A RIGHTS-OF-WAY USE AGREEMENT WITH SUNESYS, LLC  
FOR THE INSTALLATION OF TELECOMMUNICATIONS FACILITIES

WHEREAS, Sunesys, LLC intends to install its facilities on or in existing telephone, electric or cable conduit and poles in the public Rights-of-Way through agreement with other utility companies or to construct underground conduit space where necessary; and,

WHEREAS, the new facilities of Sunesys may require certain modifications, reallocations, adjustments and additions due to future work by the Township; and,

WHEREAS, the Township is empowered to enter into an agreement for this purpose pursuant to N.J.S.A. 48:17-10 through 48:17-12,

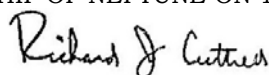
THEREFORE, BE IT RESOLVED, that Township Committee of the Township of Neptune hereby authorizes the execution of a Rights-of-Way Use Agreement, a copy of which is available in the Office of the Municipal Clerk, with Sunesys, LLC for the installation of telecommunications facilities in Township Rights-of-Way for a term of twenty (20) years effective on the execution date of said Agreement; and,

BE IT FURTHER RESOLVED, that in addition to the terms and conditions of the Rights-of-Way Use Agreement, this approval is subject to coordination with the Township regarding the installation of facilities and the notification of residents; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of Engineering and Planning, Township Attorney, Chief Financial Officer, Business Administrator, Assistant C.F.O. and Administrative Assistant to the 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 10/26/09



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

RESOLUTION #09-474 - 10/26/09

AUTHORIZE THE PURCHASE OF TWO COPY MACHINES UNDER THE  
NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Township's Administrative, Tax and Finance offices utilize two copy machines that have been in place since 1999; and,

WHEREAS, the Township's copy machine service provider has indicated that said copies are no longer supported by the manufacturer as of June, 2007 and replacement parts cannot be obtained; and,

WHEREAS, the Township wishes to purchase two copiers utilizing pricing through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

WHEREAS, Atlantic Tomorrows Office has been awarded New Jersey State Contract No. A51464 for Savin 9060 copier machines; and,

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

WHEREAS, the cost of the two copiers shall not exceed \$28,542.00; and,

WHEREAS, funds for this purpose are available from Ordinance No. 09-35 and the Chief Financial Officer has so certified in writing,

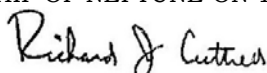
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of two Savin 9060 copier machines through the New Jersey Cooperative Purchasing Program for the Neptune Township Administrative, Tax and Finance Offices be and is hereby authorized at an amount not to exceed \$28,542.00; and,

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

8

**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 10/26/09



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

RESOLUTION #09-475 - 10/26/09

RECLASSIFY EMPLOYEE TO THE POSITION OF  
NIGHT SUPERVISOR IN THE BUILDING MAINTENANCE DEPARTMENT

WHEREAS, due to the retirement of Roberto Grenard, there is a vacancy in the position of Night Supervisor in the Building Maintenance Department; and,

WHEREAS, the Superintendent of Buildings and Grounds has made a recommendation to reclassify an existing Custodian to said position; and,

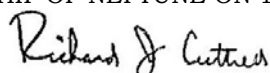
WHEREAS, funds will be provided in the 2009 Municipal Budget in the appropriation entitled Bldg Maint, known as Account No. 310-011, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Tubas Lonon be and is hereby reclassified to the position of Night Supervisor in the Building Maintenance Department at an additional annual salary of \$1,500.00 effective November 1, 2009; and,

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

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A TRUE  
COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF NEPTUNE ON 10/26/09



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

RESOLUTION #09-476 - 10/26/09

REAPPOINT DONALD CLARE AS ELECTRICAL SUB-CODE OFFICIAL

WHEREAS, Donald Clare was appointed as the Township's Electrical Sub-Code Official on September 27, 2005 for a four year term in accordance with the Uniform Construction Code; and,

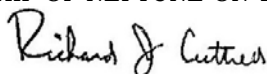
WHEREAS, the Construction Official and Business Administrator have recommended that Donald Clare be reappointed to this position,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Donald Clare be and is hereby reappointed as Electrical Sub-Code Official in the Construction Department effective September 27, 2009 at no change in current employment terms or salary; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Construction Official, Department of Community Affairs, Chief Financial Officer 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 10/26/09



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

RESOLUTION #09-477 – 10/26/09

AUTHORIZE THE PAYMENT OF BILLS

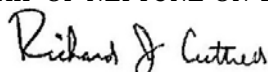
BE IT RESOLVED, That the following bills be paid if properly certified:

CURRENT FUND	3,246,472.74
FEDERAL & STATE GRANT FUND	18,117.92
TRUST OTHER	44,981.39
GENERAL CAPITAL FUND	447,263.07
SEWER OPERATING FUND	104,567.73
SEWER CAPITAL FUND	22,455.00
MARINA OPERATING FUND	776.18
DOG TRUST	7,218.45
UDAG RECIPROCAL TRUST	3,000.00
BILL LIST TOTAL	\$3,894,852.48

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 10/26/09



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