

TOWNSHIP COMMITTEE WORKSHOP MEETING – NOVEMBER 23, 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 – Soccer Association’s request to enclose existing canopy at Sunshine Village fields for use as meeting/storage space.

2. Outstanding parking lot items (PW)

Res. # 09-495 – 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 – NOVEMBER 23, 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 D. 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 meeting held on November 9th.

REPORT OF THE CLERK

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

Monmouth County Board of Health November 17th agenda and minutes from the October 20th meeting.

Rosemary Gray sent letters of thanks to the following for recent contributions and donations to the Senior Center: Marie Malloy, Gerard Piserchia, Etheline Cooper, The Bridge Group, Marie Schiefer, Estelle Smallwood, Dean's Natural Food Market, American Legion Post #346, Jeanne & Joseph Gilbert, Antoinette Myers, Eleonore & Harry Merriman, Wegmans, Shop-Rite, Freedman's, Catholic Men for Jesus Christ, Panera Bread, Joan Marshall Elizabeth Willis, Marie Malloy, Joan Hunziker, Don Bartlerr, Maureen White, Forever Young Group, Therese Repetti, Muriel Teape, Pearl Wombough, Ida Willoughby, Rita Goldstein & Edgar Halpin.

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

NOVEMBER 23, 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. 09-41 - An ordinance to amend Volume I, Chapter XXI of the Code of the Township of Neptune by amending the Township’s recycling program to comply with the County Solid Waste Plan. – Final Reading

Public Hearing:

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

ORDINANCE NO. 09-43 - An ordinance amending and setting the salary ranges for existing job titles of the Township of Neptune and repealing all parts of previous ordinances inconsistent herewith. – First Reading

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

The Public Hearing on Ordinance 09-43 will be held on Monday, December 14, 2009. (The Public Hearing on Ordinance 09-42, which was introduced on November 9th, will also be held on Monday, December 14, 2009)

CONSENT AGENDA

Res. # 09-496 – Authorize a reduction in the performance guarantee filed by Abbas Osman Family Trust for site improvements at Suniland Furniture (Block 218.01 on Route 35).

Res. # 09-497 – Authorize the refund of taxes as a result of an overpayment.

Res. # 09-498 – Authorize the refund of sewer rent (604 Highway 35).

Res. # 09-499 – Authorize Draw Down #3 of Neighborhood Preservation Balanced Housing Escrow funds.

Res. # 09-500 – Apply for a Green Acres Program Grant for South Riverside Waterfront Acquisition.

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

Res. # 09-501 – Create and appoint members to a new Management Advisory Committee (MAC) for the purpose of reviewing possible new shared services.

Offered by: _____ Seconded by: _____

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

Res. # 09-502 – Authorize additional appropriation in regards to the lawsuit against the State of New Jersey seeking the dredging of Shark River.

Offered by: _____ Seconded by: _____

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

Res. # 09-503 – Establish length of deed restrictions for affordable housing units in the Schoolhouse Square Development.

Offered by: _____ Seconded by: _____

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

Res. # 09-504 – 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. 09-43

AN ORDINANCE AMENDING AND SETTING THE SALARY RANGES FOR EXISTING JOB TITLES OF THE TOWNSHIP OF NEPTUNE AND REPEALING ALL PARTS OF PREVIOUS ORDINANCES INCONSISTENT HEREWITH.

BE IT ORDAINED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that salary ranges for existing job titles are hereby amended and established as follows:

SECTION 1

<u>Title</u>	<u>Minimum Salary</u>	<u>Maximum Salary</u>
Accountant	\$ 25,000.00	\$ 55,000.00
Administrative Assistant	\$ 35,000.00	\$ 57,000.00
Administrative Officer to Planning Board	\$ 30,000.00	\$ 45,000.00
Administrative Officer to Zoning Board	\$ 30,000.00	\$ 57,000.00
Affirmative Action Officer (06-24)	\$ 1,000.00	\$ 2,000.00
Assessing Clerk	\$ 19,000.00	\$ 35,000.00
Assessment Search Officer	\$ 1,500.00	\$ 3,000.00
Assessor	\$ 65,000.00	\$ 99,000.00
Assistant Assessor	\$ 25,000.00	\$ 39,000.00
Assistant CFO	\$ 14,000.00	\$ 20,000.00
Assistant Construction Official	\$ 65,000.00	\$ 85,000.00
Assistant Purchasing Agent	\$ 30,000.00	\$ 57,000.00
Assistant Zoning Officer	\$ 3,000.00	\$ 5,000.00
Asst. Public Works Director	\$ 60,000.00	\$ 85,000.00
Attorney	\$ 29,000.00	\$ 36,000.00
Bi-Lingual Translator	\$ 100.00	\$ 750.00
Black Seal License	\$ 500.00	\$ 1,000.00
Board of Health Secretary	\$ 500.00	\$ 1,500.00
Bookkeeper	\$ 23,000.00	\$ 38,000.00
Building Sub-Code Official	\$ 45,000.00	\$ 78,000.00
Building Inspector	\$ 30,000.00	\$ 50,000.00
Building Maintenance Night Supervisor	\$ 30,000.00	\$ 46,000.00
Business Administrator	\$ 90,000.00	\$ 169,000.00
Captain of Police	\$ 102,000.00	\$ 120,000.00
Cashier / Bookkeeper	\$ 19,000.00	\$ 42,000.00
Chief Financial Officer	\$ 30,000.00	\$ 50,000.00
Chief of Police	\$ 130,000.00	\$ 165,000.00
Clerk / Typist	\$ 18,500.00	\$ 35,000.00
Code Enforcement Supervisor	\$ 55,000.00	\$ 70,000.00
Code/Construction Inspector	\$ 25,000.00	\$ 57,000.00
Communications Operator	\$ 25,000.00	\$ 48,000.00
Construction Official	\$ 70,000.00	\$ 95,000.00
Custodian	\$ 24,000.00	\$ 38,000.00
Departmental Secretary	\$ 26,000.00	\$ 50,000.00
Deputy Chief of Police	\$ 120,000.00	\$ 150,000.00
Deputy Court Administrator	\$ 26,000.00	\$ 52,000.00

Deputy Emergency Management Coordinator	\$	3,000.00	\$	6,000.00
Deputy Municipal Clerk	\$	45,000.00	\$	62,000.00
Deputy Registrar of Vital Statistics	\$	21,000.00	\$	35,000.00
Deputy Senior Center Director	\$	28,000.00	\$	45,000.00
Deputy Sewer Collector	\$	5,000.00	\$	10,000.00
Deputy Tax Collector	\$	47,000.00	\$	63,000.00
Detective	\$	1,000.00	\$	2,000.00
Director of Engineering and Planning	\$	80,000.00	\$	114,000.00
Driver	\$	25,000.00	\$	62,000.00
Economic Development Administrative Assistant	\$	2,000.00	\$	4,000.00
Economic Development Secretary	\$	3,500.00	\$	6,000.00
Elections Clerk	\$	6,000.00	\$	9,000.00
Electrical Inspector	\$	30,000.00	\$	50,000.00
Electrical Sub-Code Official	\$	45,000.00	\$	75,000.00
Emergency Management Coordinator	\$	4,000.00	\$	7,000.00
Emergency Management Secretary	\$	2,000.00	\$	5,000.00
Environmental / Shade Tree Secretary	\$	1,000.00	\$	3,000.00
Finance Dept. Secretary	\$	3,500.00	\$	8,000.00
Foreman	\$	44,000.00	\$	65,000.00
Grant Coordinator	\$	27,000.00	\$	48,000.00
Health Benefits Opt-Out (09-32)	\$	2,500.00	\$	4,000.00
Heavy Equipment Operator	\$	26,000.00	\$	57,000.00
Laborer	\$	25,000.00	\$	56,000.00
Lead Communications Operator	\$	27,000.00	\$	45,000.00
Lieutenant of Police	\$	94,000.00	\$	110,000.00
M.I.S. Specialist	\$	36,000.00	\$	67,000.00
Matron	\$	500.00	\$	1,500.00
Mayor	\$	7,000.00	\$	9,000.00
Mercantile License Officer (07-33)	\$	2,000.00	\$	6,000.00
Municipal Alliance Coordinator	\$	7,500.00	\$	12,000.00
Municipal Clerk	\$	70,000.00	\$	98,000.00
Municipal Court Administrator	\$	46,000.00	\$	65,000.00
Municipal Court Judge	\$	48,000.00	\$	62,000.00
Municipal Prosecutor	\$	16,000.00	\$	42,000.00
NPP Coordinator	\$	25,000.00	\$	30,000.00
OEM Haz-Mat / Volunteer Coordinator	\$	2,000.00	\$	5,000.00
Operator / Receptionist	\$	25,000.00	\$	45,000.00
Outreach Coordinator	\$	25,000.00	\$	35,000.00
Outreach Worker	\$	23,000.00	\$	32,000.00
Patrolman	\$	25,000.00	\$	92,000.00
Pesticide License	\$	500.00	\$	1,500.00
Plumbing Sub-Code Official	\$	45,000.00	\$	80,000.00
Police Information System Manager	\$	40,000.00	\$	57,000.00
Principal Assessing Clerk	\$	20,000.00	\$	32,000.00
Public Defender	\$	18,000.00	\$	22,000.00
Public Works Director	\$	72,000.00	\$	105,000.00
Public Works Supervisor	\$	55,000.00	\$	79,000.00
Purchasing Agent	\$	52,000.00	\$	75,000.00
Records Clerk	\$	25,000.00	\$	35,000.00
Recreation Coordinator (Recreation Dept)	\$	27,000.00	\$	52,000.00
Recreation Coordinator (Sr Ctr)	\$	20,000.00	\$	32,000.00
Recreation Director	\$	50,000.00	\$	70,000.00
Recycling Coordinator	\$	500.00	\$	1,500.00
Registrar of Vital Statistics	\$	35,000.00	\$	50,000.00

Rooming & Boarding License Board Secretary	\$	1,000.00	\$	3,000.00
Secondary Sewer Operators License	\$	2,500.00	\$	4,000.00
Senior Center Bus Driver	\$	22,000.00	\$	30,000.00
Senior Citizens Director	\$	60,000.00	\$	82,000.00
Senior Clerk/Typist	\$	19,000.00	\$	42,000.00
Senior Violations Clerk	\$	20,000.00	\$	43,000.00
Sergeant of Police	\$	86,000.00	\$	100,000.00
Sewer Collector	\$	10,000.00	\$	15,000.00
Sewer Operators License	\$	5,000.00	\$	7,000.00
Special Projects Coordinator	\$	30,000.00	\$	63,000.00
Superintendent of Buildings	\$	55,000.00	\$	80,000.00
Tax Collector	\$	70,000.00	\$	115,000.00
Tax Search Officer	\$	1,500.00	\$	3,000.00
Taxi License Coordinator	\$	1,500.00	\$	3,000.00
Technical Asst. to the Construction Official	\$	26,000.00	\$	35,000.00
Tool Crib Attendant	\$	25,000.00	\$	58,000.00
Township Committee Member	\$	4,000.00	\$	8,000.00
Transportation Coordinator	\$	22,000.00	\$	30,000.00
Violations Clerk	\$	19,000.00	\$	30,000.00
Zoning Compliance Officer	\$	25,000.00	\$	45,000.00
Engineer Technician	\$	50,000.00	\$	68,000.00
Asst. Economic Development Coordinator	\$	3,500.00	\$	7,500.00
Marina Supervisor	\$	5,000.00	\$	10,000.00
Medical Director	\$	2,000.00	\$	3,000.00
Senior Kitchen Aid	\$	21,000.00	\$	26,000.00
Assistant Mercantile License Officer	\$	1,500.00	\$	2,500.00
Land Use Administrator	\$	4,000.00	\$	8,000.00
Assistant Land Use Admin/Zoning Officer	\$	49,000.00	\$	60,000.00
Community Programs Coordinator	\$	47,000.00	\$	52,000.00
Director of Code and Construction	\$	10,000.00	\$	15,000.00
Historic Preservation Comm. Secretary	\$	2,500.00	\$	7,000.00
Assessing/Land Use Inspector	\$	30,000.00	\$	35,000.00

Hourly Positions

Yard Attendant	\$	8.00	\$	16.00
Departmental Secretary	\$	14.00	\$	30.00
Secretary	\$	10.00	\$	20.00
Bus/Van Driver	\$	8.00	\$	18.00
Tourism Representative	\$	8.00	\$	14.00
Crossing Guard	\$	9.00	\$	15.00
Kitchen Aid	\$	7.00	\$	12.00
Litter Control Attendant	\$	9.00	\$	12.00
Project ANCHOR Mentor	\$	8.00	\$	10.00
Project ANCHOR Coordinator	\$	35.00	\$	45.00
Project ANCHOR Counselor	\$	20.00	\$	30.00
Construction Code Inspector	\$	25.00	\$	40.00
Tourism Clerk	\$	10.00	\$	13.00
Tourism Director	\$	10.00	\$	15.00
Marina Attendant	\$	10.00	\$	12.00
Special Law Enforcement Officer (Class I)	\$	10.00	\$	15.00
Special Law Enforcement Officer (Class II)	\$	12.00	\$	17.00
Recreation Attendant	\$	10.00	\$	12.00
Fire Sub-Code Official	\$	25.00	\$	40.00

SECTION 2. This ordinance shall become effective January 1, 2009.

SECTION 3. The salary for each position named above shall be established within the aforesaid ranges by adoption of a contract with employees of AFSCME Local 1844, the Neptune Township Management and Department Heads Association, P.B.A. Local #74, F.O.P. Local #19 or by individual contract for employees not represented by a bargaining unit.

SECTION 4. That all ordinances or parts of ordinances of the Township of Neptune, including Ordinance 05-45 in its entirety, in conflict or inconsistent with this ordinance are hereby repealed.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

RESOLUTION #09-495 – 11/23/09

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

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

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

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

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

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

Personnel – Shared Services Management Advisory Committee

Contract negotiations – Employee contracts

Contract negotiations – COAH financing options

Personnel – HPC appointment

Real Estate negotiations – Request to purchase small landlocked Township parcel

Contract negotiations – Ridge Avenue units deed restriction control period.

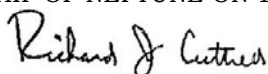
Potential Litigation – Resident petition

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 11/09/09



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

RESOLUTION #09-496 - 11/23/09

AUTHORIZE A REDUCTION IN THE PERFORMANCE GUARANTEE FILED BY
ABBAS OSMAN FAMILY TRUST FOR SITE IMPROVEMENTS AT
SUNILAND FURNITURE (BLOCK 218.01 ON ROUTE 35)

WHEREAS, on January 23, 2006, the Township Committee adopted a resolution which accepted performance bond 5015846 in the amount of \$194,400.00 filed by Abbas Osman Family Trust written by Body Safeguard Insurance Company guaranteeing site improvements at Suniland Furniture (Block 218.01, Lots 652-657 and 679-683); and,

WHEREAS, on March 12, 2007, the Township Committee adopted Resolution #07-150 which authorized a reduction of the performance guarantee to the amount of \$129,880.80 and a reduction in the cash guarantee to the amount of \$14,321.20; and,

WHEREAS, on January 28, 2008, the Township Engineer authorized a further bond reduction to the amount of \$58,320.00 for the performance bond and \$6,480.00 for the cash guarantee; and,

WHEREAS, the Developer has resolved a delinquency in the inspection fee escrow account therefore the Township Committee can now act on this bond reduction request; and,

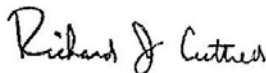
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a reduction in the Performance Guarantee for Suniland Furniture (Block 218.01, Lots 652-657 and 679-683) be and is hereby authorized to the amount of \$58,320.00 pending the submission of the appropriate Change Rider by the Developer; and,

BE IT FURTHER RESOLVED, that a proportionate amount of the cash portion of the performance guarantee in the amount of \$7,951.20 shall be refunded to the Developer; and,

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

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 11/09/09



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

RESOLUTION #09-497 - 11/23/09

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,

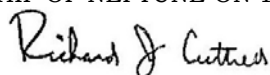
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to refund the taxes as stated herein; and,

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
532	4	SMITH	407 MAPLE AV	2008	1,156.32
8007	5	STEWART	205 MOSS PL	2008	1,718.72
8001	16	REYES	29 ASH DR	2008	1,257.53
8012	3	DENISEWICZ	627 MARION RD	2009	253.94
503	1045	HACKER	411 DRUAND RD	2008	1,762.22
474	3	PRESSEY	219 VALLEY RD	2008	1,185.26
408	11	BREYER	330 GLENMERE AVE	2008	1,588.77
330.02	52	MC CORMICK	115 SYCAMORE ST	2008	1,393.56
3000	37C205	JOHNSON	2205 ALPINE TR	2008	943.97
551	8	D'AMBROSIA	301 RILEY RD	2008	2,618.11
6001	14	GARAFINE	17 OLIVE ST	2008	925.17
125.01	1c214	CARLUCCI	66 WHITEFIELD	2009	259.50
230	21	BANKS	115 OXONIA AV	2008	403.52
242	71	CASTOR	1713 BRADFORD AV	2008	1,081.11

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 11/09/09



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

RESOLUTION #09-498 – 11/23/09

AUTHORIZE THE REFUND OF SEWER RENT (604 HIGHWAY 35)

WHEREAS, the properties listed below reflect overpayments; and,

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

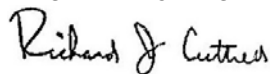
THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the Tax Collector be and hereby is authorized to refund the Sewer Rent as stated herein:

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	SEWER
205/314	3208 LARSON RD REALTY	604 HIGHWAY 35	2010	410.00

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 11/09/09



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

RESOLUTION #09-499 - 11/23/09

AUTHORIZE DRAW DOWN #3 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, on October 26, 2009, the Township Committee adopted Resolution #09-471 which approved a requested draw down of \$825,382.52 for work completed through October 20, 2009; and,

WHEREAS, TRF DP Ridge Avenue, LLC has requested a draw down of \$255,077.98 for work completed through November 16, 2009; and,

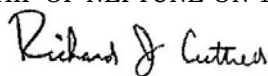
WHEREAS, the Director of Engineering and Planning and the New Jersey Housing Mortgage Finance Agency have certified that the work is complete,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes Draw Down #3 of Neighborhood Preservation Balanced Housing escrow by TRF DP Ridge Avenue, LLC in the amount of \$255,077.98 for work completed at the Ridge Avenue Redevelopment Zone Project (Schoolhouse Square) through November 16, 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 11/09/09



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

RESOLUTION #09-500 - 11/23/09

APPLY FOR A GREEN ACRES PROGRAM GRANT FOR
SOUTH RIVERSIDE WATERFRONT ACQUISITION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to non-profit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and,

WHEREAS, the Township of Neptune desires to further the public interest by obtaining a grant of \$3,600,000 from the State to fund the following project: South Riverside Waterfront Acquisition,

NOW, THEREFORE, the Township Committee of the Township of Neptune resolves that Dr. Michael Brantley, or the successor to the office of Mayor is hereby authorized to:

- a) make application for such a loan and/or such a grant;
- b) provide additional application information and furnish such documents as may be required;
- c) act as the authorized correspondent of the above named applicant; and,

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and,

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project,

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

1) That the Mayor of the Township of Neptune is hereby authorized to execute an agreement and any amendment thereto with the State known as project name South Riverside Waterfront Acquisition; and,

2) That the applicant has its matching share of the project, if a match is required, in the amount \$1,200,000.

3) That in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and,

4) The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.

5) That this resolution shall take effect immediately.

I, Richard J. Cuttrell, Municipal Clerk of the Township of Neptune do hereby certify that the foregoing is a true copy of a resolution adopted by the Township Committee of the Township of Neptune at a meeting held on the 23rd day of November, 2009.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 23rd day of November, 2009.

Seal

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #09-501 - 11/23/09

CREATE AND APPOINT MEMBERS TO A NEW MANAGEMENT ADVISORY COMMITTEE (MAC) FOR THE PURPOSE OF REVIEWING POSSIBLE NEW SHARED SERVICES

WHEREAS, the Township of Neptune and five neighboring Towns have been participating in a Shared Services Feasibility Study regarding possible new Shared Services for public safety dispatch and other possible police related Shared Services, and,

WHEREAS, it is anticipated that the municipal consultants hired by these six towns, Jersey Professional Management and Intertech Associates, will be providing the results of their studies within the next few months, and,

WHEREAS, these six towns desire to create a joint Management Advisory Committee (MAC) to meet on a regular monthly schedule, and as needed, and,

WHEREAS, it is appropriate and beneficial for representatives from these six towns to meet interactively with the consultants to review the results of their studies, discuss various options and recommendations presented, and act as representatives of and liaisons to the governing body of each town, during this exchange of information,

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

1. The Township of Neptune agrees to create and participate in a Management Advisory Committee for the purpose of reviewing possible new shared services.
2. The representatives of each municipality will include one elected official and one management employee, with the option of one alternate elected official and/or one alternate management employee to be appointed by each governing body.
3. The term of office for members of this group will be approximately one year, ending December 31, 2010.
4. The specific appointment of the following members representing the Township of Neptune are:

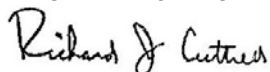
Randy Bishop	Elected Official
Philip Huhn	Senior Management Employee
Dr. Michael Brantley	Alternate Elected Official
Michael Bascom	Alternate Senior Management Employee

BE IT FURTHER RESOLVED, that copies of this resolution will be provided to the five other municipalities participating in this Shared Services Feasibility Study as follows:

The Borough of Avon,
The Borough of Belmar,
The Borough of Bradley Beach,
The Borough of Lake Como,
The Borough of Neptune City,
as well as the two consulting firms, Jersey Professional Management and Intertech Associates.

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 11/09/09



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

Tabled

~~RESOLUTION #09-502 - 11/23/09~~

~~AUTHORIZE ADDITIONAL APPROPRIATION IN REGARDS TO THE LAWSUIT AGAINST
THE STATE OF NEW JERSEY SEEKING THE DREDGING OF THE SHARK RIVER~~

WHEREAS, on October 14, 2009, the Township Committee adopted Resolution #09-455 which authorized litigation against the State of New Jersey and all other public entities where necessary, to seek and to require the State of New Jersey to do all that is necessary to dredge the Shark River to provide for healthy maritime use of the Shark River by the citizens of Neptune Township and neighboring towns of the Shark River and all those citizens that make use of the Shark River; and,

WHEREAS, said Resolution also authorized an appropriation of an amount not to exceed \$10,000.00 to the law firm of Giordano, Halleran and Ciesla and its environmental legal staff, headed by Michael Gross, Esq., to represent the Township in this matter; and,

WHEREAS, this amount has been nearly expended and it is estimated that an additional \$5,000.00 is needed to continue the litigation; and,

WHEREAS, funds will be provided in the appropriation entitled Legal O.E, known as Account No. _____, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby amends Resolution #09-455, which authorized the law firm of Giordano, Halleran and Ciesla and its environmental legal staff, headed by Michael Gross, Esq. in the matter of legal action against the State of New Jersey to do all that is necessary to dredge the Shark River, to authorize an additional appropriation to said law firm of an amount not to exceed \$5,000.00; and,

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

RESOLUTION #09-503 - 11/23/09

ESTABLISH LENGTH OF DEED RESTRICTIONS FOR AFFORDABLE HOUSING UNITS
IN THE SCHOOLHOUSE SQUARE DEVELOPMENT

WHEREAS, TRFDP Ridge Avenue, LLC is proceeding with development of Schoolhouse Square consistent with the Ridge Avenue School site Redevelopment Plan; and,

WHEREAS, a number of the dwelling units have been designated as affordable housing units pursuant to the New Jersey Fair Housing Act and are restricted by Deed that constitutes a covenant running with the land and imposes certain restrictions on the resale of property; and,

WHEREAS, Uniform Housing Affordability Controls as set forth in N.J.A.C. 5:80-26.5 indicate that affordable housing units are subject to these restrictions for the "control period" which is set by the municipality for a minimum of ten years and a maximum of thirty years; and,

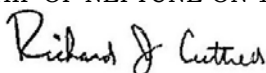
WHEREAS, the Township is required to establish the control period which will be so indicated in the deeds for affording dwelling units in Schoolhouse Square,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that in accordance with the New Jersey Fair Housing Act and Uniform Housing Affordability Controls hereby establishes an designates a control period of ten (10) years for the deed restrictions on affordable housing units being constructed in Schoolhouse Square under the parameters Ridge Avenue School Site Redevelopment Plan; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to TRF DP Ridge Avenue, LLC, Business Administrator, Chief Financial Officer, Township Planner 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 11/09/09



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

RESOLUTION #09-504 – 11/23/09

AUTHORIZE THE PAYMENT OF BILLS

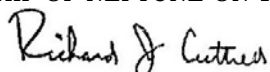
BE IT RESOLVED, That the following bills be paid if properly certified:

CURRENT FUND	2,719,004.10
FEDERAL & STATE GRANT FUND	6,616.24
TRUST OTHER	18,624.92
GENERAL CAPITAL FUND	309,302.09
SEWER OPERATING FUND	25,267.87
SEWER CAPITAL FUND	945.00
MARINA OPERATING FUND	261.20
BILL LIST TOTAL	\$3,080,021.42

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 11/09/09



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