

TOWNSHIP COMMITTEE WORKSHOP MEETING – MAY 21, 2015 – 6:00 P.M.

Mayor Jahn 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	_____
Dr. Michael Brantley	_____
Eric J. Houghtaling	_____
Kevin B. McMillan	_____
Mary Beth Jahn	_____

Also present: Vito D. Gadaleta, Business Administrator; Michael J. Bascom, Chief Financial Officer; Gene Anthony, Township Attorney; and Richard J. Cuttrell, Municipal Clerk.

Mayor Jahn 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 January 8, 2015, 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 – Snow removal ordinance.

2. Discussion – Employee Assistance Program. (PW)

3. Review Committee calendars/update on outstanding issues and capital items.
- Various on-going capital improvement projects.

Res. # 15-222 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

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

TOWNSHIP COMMITTEE MEETING – MAY 21, 2015 – 7:00 P.M.

Mayor Jahn calls the meeting to order and asks the Clerk to call the roll:

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
J. Randy Bishop	_____
Dr. Michael Brantley	_____
Eric J. Houghtaling	_____
Kevin B. McMillan	_____
Mary Beth Jahn	_____

Also present at the dais: Vito D. Gadaleta, Business Administrator; Michael J. Bascom, Chief Financial Officer; Gene J. Anthony, Township Attorney; and Richard J. Cuttrell, Municipal Clerk.

Silent Prayer

FLAG SALUTE – NEPTUNE HIGH SCHOOL NJROTC COLOR GUARD

The Clerk states, "Fire exits are located in the rear of the room and to my right. In the event of a fire, you will be notified by fire alarm and/or public address system, then proceed to the nearest smoke-free exit."

Mayor Jahn 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 January 8, 2015, 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.

PRESENTATION

The Township will make a presentation to Walt Mischler in recognition of his years of service to the Neptune Township School District and for the recent action by Monmouth University to recognize his accomplishments on the basketball court by retiring his basketball jersey number "00".

COMMENTS FROM THE DAIS

Comments from the Dais regarding business on this agenda or any reports on recent events in their respective departments.

PUBLIC COMMENTS ON RESOLUTIONS

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

ORDINANCES

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

ORDINANCE NO. 15-20 – An ordinance to amend Volume I, Chapter VII, Section 7-7.8 of the Code of the Township of Neptune by adding and clarifying parking prohibitions during certain hours on Ocean Avenue and portions of Main Avenue - Final Reading

Explanatory Statement: This ordinance adds a ninety minute parking prohibition once a week for street sweeping between April 15th and October 15th for the entire length of Ocean Avenue and on Main Avenue between New York Avenue and Central Avenue. The ordinance also eliminates existing parking prohibitions on Main Avenue that are redundant or no longer applicable.

Public Hearing:

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

ORDINANCE NO. 15-21 – An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding a resident handicapped on-street parking zone on Heck Avenue - Final Reading

Explanatory Statement: This ordinance authorizes a resident handicapped on-street parking zone in front of 2 Heck Avenue.

Public Hearing:

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

ORDINANCE NO. 15-22 – An ordinance to amend Volume I, Chapter VII, Section 7-9 of the Code of the Township of Neptune by designating Division Street as a one-way street- First Reading

Explanatory Statement: This ordinance designates Division Street as a one-way only street in a westbound direction.

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

ORDINANCE NO. 15-23 – An ordinance to amend Volume I, Chapter III, Section 3-13 of the Code of the Township of Neptune by adopting an updated Drug-Free Zone Map - First Reading

Explanatory Statement: This ordinance updates the Township’s Drug Free Zone Map with a new map dated May 14, 2015

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

The Public Hearings on Ordinances 15-22 and 15-23 will be held on Monday, June 8, 2015.

CONSENT AGENDA

Res. # 15-223 – Appoint Health Benefits Program Broker/Consultant.

Res. # 15-224 – Designate Alcoholic Beverage Control Compliance Officers.

Res. # 15-225 – Reject all bids for reconstruction of the Ocean Grove Boardwalk – North End.

Res. # 15-226 – Authorize the refund of a deposit for summer dockage fee at the Municipal Marina (Perkins).

Res. # 15-227 – Authorize an amendment to the 2015 municipal budget to realize monies from the Department of Law & Public Safety Division of Highway Traffic Safety.

Res. # 15-228 – Authorize the refund of a deposit for summer dockage fee at the Municipal Marina (Ajar).

Res. # 15-229 – Adopt the Emergency Operations Plan of the Township of Neptune and promulgate same as the authoritative document for emergency operations within the Township of Neptune.

Res. # 15-230 – Appoint member to the Senior Citizen Advisory Council.

Res. # 15-231 – Reclassify Ryan Ugrovics as a permanent full-time Transportation Coordinator at the Senior Center.

Res. # 15-232 – Employ temporary Municipal Interns.

Res. # 15-233 – Grant temporary extension of liquor license premises to Shore Lanes.

Res. # 15-234 – Employ part-time Custodian at the Senior Center.

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

Res. # 15-235 – Urge rejection of the proposed \$225 million settlement in a lawsuit brought by the State against Exxon Mobil for natural resource damages caused by pollution at the Bayway and Bayonne Oil Refinery sites and at certain other Exxon Mobil sites in New Jersey.

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

Res. # 15-236 – Authorize action for Declaratory Judgment requesting the Superior Court to declare Neptune Township’s amendment to its Third Round Housing Plan Element & Fair Share Plan of 2009 constitutionally sufficient; seeking the appointment of a Master to review the Township’s Plan; seeking immunity from subsequently filed exclusionary zoning legal actions; seeking a compliance hearing on the aforesaid plan and Judgment of Repose.

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

Res. # 15-237 – Authorize the payment of bills.

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Members of the public may address any concern relating to the Township. The public will be permitted one visit to the microphone with a limit of five minutes.

ADJOURNMENT

ORDINANCE NO. 15-22

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-9 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY DESIGNATING DIVISION STREET AS A ONE-WAY STREET

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 7-9 – One-Way Streets, is hereby amended by adding the following:

<u>Name of Street</u>	<u>Direction</u>	<u>Location</u>
Division Street	Westerly	Between Atkins Avenue and Ridge 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

Mary Beth Jahn,
Mayor

ORDINANCE NO. 15-23

AN ORDINANCE TO AMEND VOLUME I, CHAPTER III, SECTION 3-13 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADOPTING AN UPDATED DRUG-FREE ZONE MAP

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 III, Section 3-13.1 – Adoption of Drug-Free Zone Map – is hereby amended in its entirety as follows:

3-13.1 Adoption of Drug-Free Zone Map - In accordance with and pursuant to the authority of L. 1988, c. 44 (C.2C:35-7), and L. 1998, the Drug-Free Zone Map produced on or about May 14, 2015, prepared by Leanne Hoffmann, Township Engineer, is hereby approved and adopted as an official finding and record of the location and areas within the municipality of property which is used for:

a. school purposes and which is owned be or leased to any elementary or secondary school or School Board, and of the areas on or within one thousand (1000') feet of such school property.

b. public housing facilities owned by or leased to a local housing authority, public parks owned and controlled by a state, county or local government unit, publicly owned or leased library or museum, and of the areas on or which five hundred (500') feet of such property.

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

Mary Beth Jahn,
Mayor

RESOLUTION #15-222 – 5/21/15

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 – South Concourse Right-of-Way encroachments
Personnel – Appointment to Environmental/Shade Tree Commission
Real Estate negotiations – Private sale of undersized lot at 1308 Heck Avenue
Personnel – Summer Interns

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

4. This Resolution shall take effect immediately.

RESOLUTION #15-223 - 5/21/15

APPOINT HEALTH BENEFITS PROGRAM BROKER/CONSULTANT

WHEREAS, the Township of Neptune desires to appoint a Health Benefits Program Broker/Consultant through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Township accepted Requests for Proposals for said position on May 7, 2015 and will make a selection from the proposals received; and,

WHEREAS, funds will be provided in the 2015 municipal budget in the appropriation entitled _____, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a contract to engage the services of Brown & Brown Benefit Advisors as Health Benefits Program Broker/Consultant for a three year period from June 1, 2015 through May 31, 2018 at the terms as indicated in said Proposal on file in the Office of the Municipal Clerk; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Business Administrator, Chief Financial Officer, and 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 5/21/15


Richard J. Cuttner, Municipal Clerk

RESOLUTION #15-224 - 5/21/15

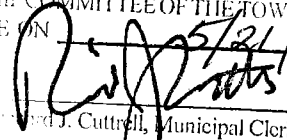
DESIGNATE ALCOHOLIC BEVERAGE CONTROL COMPLIANCE OFFICERS

WHEREAS, the Township of Neptune desires to designate police officers as Alcoholic Beverage Control (ABC) Compliance Officers to conduct investigations of the operations of licensed premises in accordance with N.J.S.A. 33:1-35; and,

WHEREAS, the Police Director and Chief of Police recommend the designation of two police officers as ABC Compliance Officers who have been trained on the statutory regulations of licensed liquor establishments,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Lt. William Kirchner and Sgt. Paul Monahan be and are hereby designated as Alcoholic Beverage Control (ABC) Compliance Officers in the Township of Neptune for enforcement of all applicable statutes and ordinances regulating the sale of alcoholic beverages by licensed establishments; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Business Administrator, Chief of Police and Police 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 5/21/15

Edward J. Cuttrell, Municipal Clerk

RESOLUTION #15-225 - 5/21/15

REJECT ALL BIDS FOR RECONSTRUCTION OF THE
OCEAN GROVE BOARDWALK – NORTH END

WHEREAS, on April 22, 2015, the Township Engineering Consultant received bids for the award of a contract for the Reconstruction of the Ocean Grove Boardwalk – North End; and,

WHEREAS, said bids were reviewed by the Township Attorney who has recommended that all bids be rejected due to non-compliance to the bid specifications; and,

WHEREAS, in addition, the required State of New Jersey permits to allow said project have not yet been obtained,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the all bids received for Reconstruction of the Ocean Grove Boardwalk – North End be and are hereby rejected due to non-compliance to the bid specifications; and,

BE IT FURTHER RESOLVED, that the Township Engineer is hereby authorized to re-advertise for the receipt of bids; and,

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

CERTIFICATION
I HEREBY CERTIFY THE ABOVE TO BE A TRUE
AND CORRECT COPY OF THE RESOLUTION AS PASSED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON 5/21/15
Municipal Clerk

[Handwritten Signature]

RESOLUTION #15-226 – 5/21/15

AUTHORIZE THE REFUND OF A DEPOSIT FOR SUMMER DOCKAGE FEE
AT THE MUNICIPAL MARINA (PERKINS)

WHEREAS, Robert Perkins made a payment in the amount of \$1,650.00 for 2015 summer dockage; and,

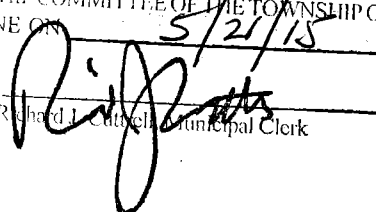
WHEREAS, due to unforeseen personal circumstances, Mr. Perkins is unable to place his boat in the water for the summer and has no need for a slip; and,

WHEREAS, the Harbor Master recommends that a refund be authorized,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the Harbor Master be and hereby is authorized to refund the deposit for summer dockage in the amount of \$1,650.00 as stated herein; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Harbor Master, Deputy Tax Collector, Assistant Purchasing Agent 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 5/21/15


Richard J. Cutbell, Municipal Clerk

7

RESOLUTION #15-227 - 5/21/15

AUTHORIZE AN AMENDMENT TO THE 2015 MUNICIPAL BUDGET TO REALIZE
MONIES FROM THE DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF HIGHWAY TRAFFIC SAFETY

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 2015 in the sum of \$4,000.00 which is now available from the NJ Department of Law & Public Safety – Division of Highway Traffic Safety in the amount of \$5,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$4,000.00 is hereby appropriated under the caption of Click It or Ticket 2015 Seat Belt Mobilization; and,

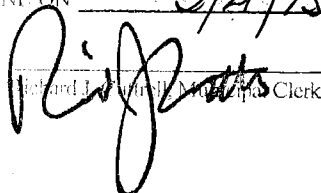
BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Law & Public Safety – Division of Highway Traffic Safety 2015 Click It or Ticket Seat Belt Mobilization grant in the amount of \$4,000.00; and,

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

Vote:

Bishop: aye
Brantley: aye
Houghtaling: aye
McMillan: aye
Jahn: absent

CERTIFICATION
I HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON 5/21/15


Richard J. Smith, Municipal Clerk

RESOLUTION #15-228 – 5/21/15

AUTHORIZE THE REFUND OF A DEPOSIT FOR SUMMER DOCKAGE FEE
AT THE MUNICIPAL MARINA (AJAR)

WHEREAS, Joseph Ajar made a payment in the amount of \$1,485.00 for 2015 summer dockage; and,

WHEREAS, due to unforeseen personal circumstances, Mr. Ajar is unable to place his boat in the water for the summer and has no need for a slip; and,

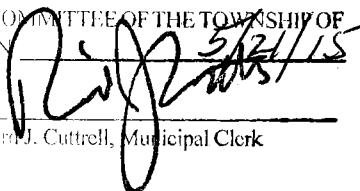
WHEREAS, the Harbor Master recommends that a refund be authorized,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, that the Harbor Master be and hereby is authorized to refund the deposit for summer dockage in the amount of \$1,485.00 as stated herein; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Harbor Master, Deputy Tax Collector, Assistant Purchasing Agent and Auditor.

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON 5/21/15


Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-229 - 5/21/15

ADOPT THE EMERGENCY OPERATIONS PLAN OF THE TOWNSHIP OF NEPTUNE
AND PROMULGATE SAME AS THE AUTHORITATIVE DOCUMENT FOR
EMERGENCY OPERATIONS WITHIN THE TOWNSHIP OF NEPTUNE

WHEREAS, Chapter 222 P.L. - 1989 requires every municipality to design and implement a comprehensive emergency operations plan; and,

WHEREAS, the Office of Emergency Management and the Local Emergency Planning Committee have created an Emergency Operations Plan which sets forth the general policies and procedures to be carried out by municipal and volunteer entities in order to provide the citizens of Neptune Township with an effective integrated emergency response plan designed to minimize the loss of life and property during an emergency; and,

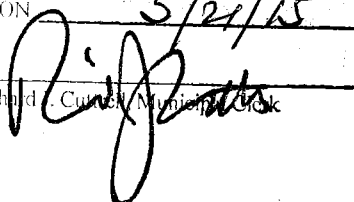
WHEREAS, the Emergency Operations Plan of the Township of Neptune demonstrates our compliance with the National Incident Management System; and,

WHEREAS, the Township Committee has reviewed said plan and has deemed same complete,

NOW, THEREFORE, BE IT RESOLVED, by the Township of Neptune, County of Monmouth, State of New Jersey, that the Emergency Operations Plan of Neptune Township, dated May 21, 2015, be and hereby is approved and promulgated as the authoritative document for emergency operations in this municipality; and,

BE IT FURTHER RESOLVED, that said document be forwarded to the Monmouth County Office of Emergency Management and New Jersey State Police Office of Emergency Management for required approvals.

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 5/21/15

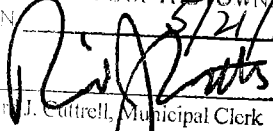

Richard C. Cunniff, Municipal Clerk

RESOLUTION #15-230 - 5/21/15

APPOINT MEMBER TO THE SENIOR CITIZEN ADVISORY COUNCIL

BE IT RESOLVED, that Victor D'Anna be and is hereby appointed as a member of the Neptune Township Senior Citizen Advisory Council for the year 2015; 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
AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE, ON 5/21/15

Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-231 - 5/21/15

RECLASSIFY RYAN UGROVICS AS A PERMANENT FULL-TIME
TRANSPORTATION COORDINATOR AT THE SENIOR CENTER

WHEREAS, Ryan Ugrovics was hired as a Transportation Coordinator in the Department of Senior Services and Senior Center on June 9, 2014 (start date of June 30, 2014); and,

WHEREAS, he has performed his duties in a satisfactory manner and the Director of the Department of Senior Services and Senior Center has recommended that he be reclassified on a permanent full-time basis,

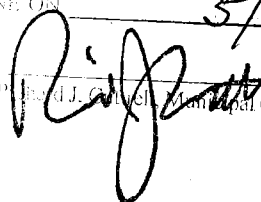
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Ryan Ugrovics be and he is hereby reclassified as a permanent full-time Transportation Coordinator in the Department of Senior Services and Senior Center effective immediately; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Department of Senior Services and Senior Center, Business Administrator, Chief Financial Officer, Human Resources and AFSCME Local #1844.

CERTIFICATION

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

5/21/15


Richard J. Givens, Municipal Clerk

RESOLUTION #15-232 - 5/21/15

EMPLOY TEMPORARY MUNICIPAL INTERNS

WHEREAS, the Township of Neptune desires to employ municipal interns for temporary employment during the summer months; and,

WHEREAS, the availability of paid intern positions for students enrolled in college was posted and advertised on the Township web site; and,

WHEREAS, the Human Resources Department has interviewed applications and recommends the employment of eight individuals to serve as interns in various administrative functions; and,

WHEREAS, funds will be provided in the 2015 Municipal Budget in various salary and wage appropriation line items and the Chief Financial Officer has so certified in writing,

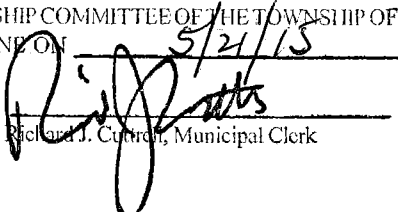
THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following individuals be and are hereby employed as temporary Municipal Interns assigned to the municipal departments as indicated and to perform other duties as assigned by the Business Administrator from June 8, 2015 to August 14, 2015 at an hourly wage of \$10.00; and,

- Joya Blair – Senior Center
- Darren Steverson – Code Enforcement
- Alfredo Reneau – Code Enforcement
- Christian Wagar - Engineering
- Kara Granelli – Human Resources
- Jordyn Postell – Tax Office
- Frank Martuscelli – Public Works
- Tyrell Montgomery – Public Works
- Robert Vetrano – Police Department
- Jamie Holland – Police Department
- Kavon Freeman – Office of Emergency Mgmt.

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

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 5/21/15


Richard J. Curran, Municipal Clerk

RESOLUTION #15-233 - 5/21/15

GRANT TEMPORARY EXTENSION OF LIQUOR LICENSE PREMISES TO SHORE LANES

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Municipal Clerk and Chief of Police be and are hereby authorized to approve the application of Shore Lanes for a temporary extension of premises at Shore Lanes, 701 Highway 35, on June 6, 2015 from 12:00 P.M. to 6:00 P.M.

CERTIFICATION

HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON _____

A handwritten signature in black ink, appearing to read "Robert J. ...", is written over a horizontal line. The signature is stylized and cursive.

5/21/15

RESOLUTION #15-234 - 5/21/15

EMPLOY PART-TIME CUSTODIAN AT THE SENIOR CENTER

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

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

WHEREAS, the Senior Center Director and Human Resources Specialist have made their recommendation; and,

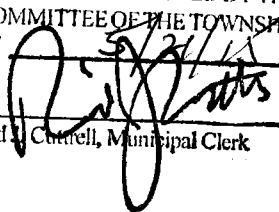
WHEREAS, funds will be provided in the 2015 municipal budget in the appropriation entitled Buildings & Grounds and the Chief Financial Officer has so certified in writing; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Constant Saraison be and is hereby employed as a permanent part-time Custodian at the Senior Center, not to exceed an average of 28 hours per week, 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 May 22, 2015, at a rate of \$18.54 per hour; 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., and Human Resources.

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


Richard J. Currell, Municipal Clerk

RESOLUTION #15-235 - 5/21/15

URGE REJECTION OF THE PROPOSED \$225 MILLION SETTLEMENT IN A LAWSUIT
BROUGHT BY THE STATE AGAINST EXXON MOBIL FOR NATURAL RESOURCE
DAMAGES CAUSED BY POLLUTION AT THE BAYWAY AND BAYONNE OIL REFINERY
SITES AND AT CERTAIN OTHER EXXON MOBIL SITES IN NEW JERSEY

WHEREAS, since 2004 the State of New Jersey has sought compensation from Exxon Mobil Corporation (Exxon) for the contamination and loss of use of more than 1,500 acres of wetlands, marshes, meadows, and waters in northern New Jersey; and

WHEREAS, the contamination took place during much of the 20th century, when Exxon and its predecessors operated oil refineries and related facilities in Linden (the "Bayway site") and Bayonne, New Jersey (the "Bayonne site"); and

WHEREAS, during the course of operations at these facilities, crude oil and refined products, containing hazardous substances such as polycyclic aromatic hydrocarbons (PAHs), chromium, and arsenic, were lost through improper disposal of wastes, spills, and leaks; and

WHEREAS, for instance, in 1977 alone, at least seven million gallons of oil were released into the soil and groundwater underlying a portion of the Bayonne site; and

WHEREAS, the level of contamination in the waters and sediment of the Platty Kill Canal in Bayonne is so high that Exxon recommended permanently closing and filling the canal with an impermeable barrier; and

WHEREAS, in Linden, a former wetlands known as the Pitch/Mudflat Area was described by one Department of Environmental Protection (DEP) official in 2005 as "tar flats," and Moses Creek has experienced a "gelatinous, oily emulsion overlying gray silt"; and

WHEREAS, the State's own experts have estimated that cleanup and restoration of former wetlands, meadows, forests, and intertidal habitat, and compensation for decades of contamination at the Bayway and Bayonne sites would cost \$8.9 billion; and

WHEREAS, the State has indicated in court documents that "[t]he scope of the environmental damage resulting from the discharges is as obvious as it is staggering and unprecedented in New Jersey"; and

WHEREAS, in 2004, the DEP filed suit against Exxon, under the "Spill Compensation and Control Act" ("Spill Act"), to recover money damages to compensate the State for the loss, loss of use, and restoration of natural resources at the sites; and

WHEREAS, last year, after nearly a decade of litigation, and with Exxon's liability no longer in dispute, the State Attorney General went to trial seeking damages, including \$2.6 billion for primary restoration of the Bayway and Bayonne sites and \$6.3 billion for compensatory or "loss of use" damages; and

WHEREAS, although the judge in the case was expected to be close to a decision, the Christie Administration twice petitioned the Court to delay its ruling because the State was in the process of negotiating a settlement agreement with Exxon; and

WHEREAS, in March 2015, it was reported that the Christie Administration had reached a proposed settlement agreement with Exxon for \$225 million in natural resource damages – far less than what is required to compensate the State for damaged and lost natural resources; and

WHEREAS, under the Spill Act, the DEP must publish information about the proposed settlement in the New Jersey Register and on the DEP's website for public inspection and comment; and

WHEREAS, after considering all public comments it receives, the DEP can decide to withdraw from the proposed settlement agreement if comments disclose facts or considerations which show that the agreement is inappropriate, improper, or inadequate; and

WHEREAS, the proposed \$225 million settlement agreement is grossly inappropriate, improper, and inadequate because it fails to address the decades-long contamination of important ecological resources surrounding major metropolitan areas, and does not fairly compensate the State and the public for that contamination; and

WHEREAS, the Christie Administration has not fully disclosed the rationale for settling the case for approximately three cents on the dollar, and thus has exhibited a notable lack of candor to the public; and

WHEREAS, the Governor has a duty to protect the natural resources of the State, which are held in trust by the State for the people, and, consequently, must ensure that the proposed settlement agreement is withdrawn, and that the State obtains the maximum compensation possible from Exxon,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune strongly urges rejection of, the proposed \$225 million settlement in a lawsuit brought by the State against Exxon Mobil for natural resource damages caused by pollution at the Bayway and Bayonne oil refinery sites and at certain other Exxon Mobil sites in New Jersey, because it is grossly inappropriate, improper, and inadequate and violates the public trust; and,

BE IT FURTHER RESOLVED, that the Court presiding over the case of New Jersey Department of Environmental Protection v. Exxon Mobil Corporation is respectfully urged to reject the proposed \$225 million settlement agreement between the parties because the agreement shocks the conscience in light of undisputed evidence of significant damage to, and loss of, the State's natural resources caused by pollution at the Bayway and Bayonne oil refinery sites and at certain other Exxon Mobil sites in New Jersey; and,

BE IT FURTHER RESOLVED, that the New Jersey Attorney General and the Commissioner of Environmental Protection are urged to withdraw immediately from the proposed \$225 million settlement agreement because it is grossly inappropriate, improper, and inadequate; and,

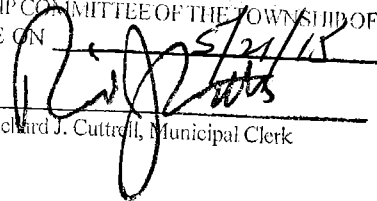
BE IT FURTHER RESOLVED, that the Governor is respectfully urged to take all appropriate action to fully protect the public trust resources of this State, ensure that the

proposed \$225 million settlement agreement between the State and Exxon Mobil is not finalized and is withdrawn, and direct the Attorney General and the Commissioner of Environmental Protection to obtain the maximum compensation possible from Exxon Mobil for the devastating environmental damage incurred at the Bayway and Bayonne oil refinery sites and at certain other Exxon Mobil sites in New Jersey; and,

BE IT FURTHER RESOLVED, that certified copies of this resolution be forwarded to the Governor, the Secretary of State, the Attorney General, the Commissioner of Environmental Protection and the Legislators representing the 11th district.

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


Richard J. Cuttroll, Municipal Clerk

RESOLUTION #15-236 – 5/21/15

AUTHORIZE ACTION FOR DECLARATORY JUDGMENT REQUESTING THE SUPERIOR COURT TO DECLARE NEPTUNE TOWNSHIP'S AMENDMENT TO ITS THIRD ROUND HOUSING PLAN ELEMENT & FAIR SHARE PLAN OF 2009 CONSTITUTIONALLY SUFFICIENT; SEEKING THE APPOINTMENT OF A MASTER TO REVIEW THE TOWNSHIP'S PLAN; SEEKING IMMUNITY FROM SUBSEQUENTLY FILED EXCLUSIONARY ZONING LEGAL ACTIONS; SEEKING A COMPLIANCE HEARING ON THE AFORESAID PLAN AND JUDGMENT OF REPOSE

WHEREAS, the Mount Laurel series of Supreme Court cases recognize that the power to zone carries a constitutional obligation to do so in a manner that creates a realistic opportunity for producing a fair share of the regional present and prospective need for housing low and moderate income families; and

WHEREAS, the State Legislature enacted the Fair Housing Act of 1985, N.J.S.A. 52:27D-301, to assist in municipal compliance with that constitutional obligation; and

WHEREAS, the Fair Housing Act created the Council on Affordable Housing, which was designed to provide an optional administrative alternative to litigating constitutional compliance through civil exclusionary zoning actions (COAH); and

WHEREAS, COAH adopted a series of rules governing municipal housing obligations, including a Second Round of Rules, which expired in 1999 and a Third Round of Rules, which have failed to successfully withstand judicial review; and

WHEREAS, on October 21, 2009 the Planning Board of Neptune Township adopted an Amendment of the Third Round Housing Plan Element and Fair Share Plan of the Township of Neptune's Master Plan, which was endorsed by the Township Committee on October 26, 2009 in response to the then adopted Third Round Rules by COAH, and submitted the same to COAH for substantive certification; and

WHEREAS, as a result of the Third Round Rules adopted by COAH, later being held invalid by the courts, COAH never completed its review of the Township's Plan, which remains pending and therefore, the Township remains as a "participating" municipality; and

WHEREAS, the New Jersey Supreme Court in a decision entitled, "In Re Adoption of N.J.A.C. M-392 (N.J. 3-10-2015) has established a new procedure for review of Affordable Housing Plans by the courts in lieu of COAH reviewing such plans, and in light of the fact that COAH has failed its mission in adopting satisfactory Third Round Rules; and

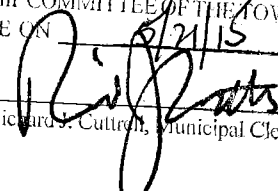
WHEREAS, the aforesaid Court Decision requires that towns that want to maintain or obtain constitutional compliance must file an action for Declaratory Judgment before a specially assigned judge in the Superior Court and have Affordable Housing Plans reviewed and approved by the court rather than COAH.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, hereby authorizes the Township Attorney, Gene J. Anthony, Esq., to file the necessary action for Declaratory Judgment in the

Superior Court of New Jersey, Monmouth County; seeking a "Master" to review the Township's present Third Round Housing Plan Element and Fair Share Plan; seeking a Compliance Hearing before the court that would ultimately rule that the present Plan of the Township is constitutionally sufficient; granting Neptune Township continued immunity from subsequently filed exclusionary zoning actions by developers and third parties and ultimately obtaining a Judgment or Order that the Township's Amendment to the Third Round Housing Plan Element and Fair Share Plan of the Township of Neptune's Master Plan, adopted October 26, 2009, is constitutionally compliant with the Mount Laurel decisions and the Fair Housing Act and obtaining a Judgment or Order of Repose; and,

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

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


Richard J. Cuttrah, Municipal Clerk

RESOLUTION #15-237 – 5/21/15

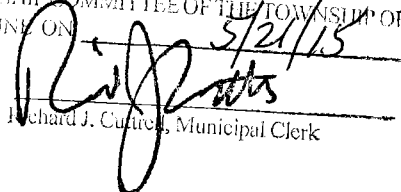
AUTHORIZE THE PAYMENT OF BILLS

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following bills be paid if properly certified:

CURRENT FUND	\$7,523,161.51
FEDERAL & STATE GRANT FUND	381.74
TRUST OTHER	4,141.66
GENERAL CAPITAL FUND	31,446.97
SEWER OPERATING FUND	273.63
SEWER CAPITAL FUND	890.51
MARINA OPERATING FUND	51,204.66
DOG TRUST	15,704.31
LIBRARY TRUST	3,743.17
BILL LIST TOTAL	\$7,630,948.16

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


Richard J. Cuffey, Municipal Clerk