

**TOWNSHIP COMMITTEE WORKSHOP MEETING – November 28, 2022 – 6:00 P.M.**

Mayor Williams calls the workshop meeting to order at 6:00 p.m. and asks the Clerk to call the roll:

Roll Call	Present/ Absent
Dr. Michael Brantley	_____
Keith Cafferty	_____
Robert Lane, Jr.	_____
Tassie D. York	_____
Nicholas Williams	_____

Also present: Gina M. LaPlaca, Business Administrator; Gene Anthony, Township Attorney; Gabriella Siboni, Municipal Clerk.

Mayor Williams 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 6, 2022, 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 is posted on the Township web site ([www.neptunetownship.org](http://www.neptunetownship.org)) and the meeting is being streamed live via townhallstreams.com.

**ITEMS FOR DISCUSSION IN OPEN SESSION**

1. Committee Calendars

Res # 497 Authorize An Executive Session As Authorized By The Open Public Meetings Act.

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
*Vote:* Brantley \_\_\_\_\_ Cafferty \_\_\_\_\_ Lane \_\_\_\_\_ York \_\_\_\_\_ Williams \_\_\_\_\_

**TOWNSHIP COMMITTEE MEETING – November 28, 2022 – 7:00 P.M.**

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

Roll Call	Present/ Absent
Dr. Michael Brantley	_____
Keith Cafferty	_____
Robert Lane, Jr.	_____
Tassie D. York	_____
Nicholas Williams	_____

Also present: Gina M. LaPlaca, Business Administrator; Gene Anthony, Township Attorney; Gabriella Siboni, Municipal Clerk.

**SILENT PRAYER AND FLAG SALUTE**

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 Williams 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 6, 2022, 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, ordinances, and resolutions are posted on the Township web site ([www.neptunetownship.org](http://www.neptunetownship.org)) and the meeting is being streamed live via townhallstreams.com.

**APPROVAL OF MINUTES**

Motion offered by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve the minutes of meetings of November 14, 2022.

**COMMENTS FROM THE DAIS**

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

**REPORT OF THE BUSINESS ADMINISTRATOR**

The Business Administrator will report on capital projects and matters of general interest.

**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.

**PUBLIC HEARING AND FINAL ADOPTION ORDINANCES:**

**Ordinance 22-50** Ordinance Authorizing Acceptance Of Deed Of Dedication With Regard To Block 5303, Lots 2, 3 And 4 On The Tax Map Of The Township Of Neptune, South Riverside Drive, From Shark River Hills Estates To Township Of Neptune

*Explanatory Statement: This ordinance authorizes acceptance of Deed of Dedication of property located at Block 5303 Lots 2, 3 and 4 on South Riverside Dr.*

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Vote: Brantley \_\_\_\_\_ Cafferty \_\_\_\_\_ Lane \_\_\_\_\_ York \_\_\_\_\_ Williams \_\_\_\_\_

**ORDINANCES FOR FIRST READING**

**Ordinance 22-51** An Ordinance To Further Amend And Supplement The Land Development Ordinance Of The Township Of Neptune By Defining And Regulating Cannabis Class Uses

*Explanatory Statement: This ordinance updates the hours of operation allowed for Cannabis Class 5 Businesses.*

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Vote: Brantley \_\_\_\_\_ Cafferty \_\_\_\_\_ Lane \_\_\_\_\_ York \_\_\_\_\_ Williams \_\_\_\_\_

**Ordinance 22-52** Ordinance Amending Neptune Township Code, Chapter Xi, Entitled “Buildings And Housing”

*Explanatory Statement: This ordinance establishes the regulations for Lead Paint Hazards and Rental Properties by identifying the scope and purpose, fees, inspection requirements, exceptions, compliance and penalties.*

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Vote: Brantley \_\_\_\_\_ Cafferty \_\_\_\_\_ Lane \_\_\_\_\_ York \_\_\_\_\_ Williams \_\_\_\_\_

**Ordinance 22-53** An Ordinance To Amend And Supplement Chapter Iv, Section 4-34 Entitled “No Knock Registry”

*Explanatory Statement: This ordinance amends Section 4-34 “No Knock Registry” to amend the responsible department and to remove the purchase of stickers.*

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Vote: Brantley \_\_\_\_\_ Cafferty \_\_\_\_\_ Lane \_\_\_\_\_ York \_\_\_\_\_ Williams \_\_\_\_\_

**Ordinance 22-54** An Ordinance To Amend And Supplement Chapter Iv, Section 4-20 Entitled “Garage Sales”

*Explanatory Statement: This ordinance amends Section 4-20 “Garage Sales” to amend the limits to number of permits issued to a calendar year rather than calculated by “within twelve months”.*

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Vote: Brantley \_\_\_\_\_ Cafferty \_\_\_\_\_ Lane \_\_\_\_\_ York \_\_\_\_\_ Williams \_\_\_\_\_

**Ordinance 22-55** An Ordinance To Amend And Supplement Chapter Iv, Section 4-3 Entitled “General Requirements For Mercantile Registration”

*Explanatory Statement: This ordinance amends Section 4-3 “General Requirements for Mercantile Registration” to add “Business Insurance Registry” which requires filing proof of insurance with mercantile registration applications pursuant to the requirements of S-1368*

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Vote: Brantley \_\_\_\_\_ Cafferty \_\_\_\_\_ Lane \_\_\_\_\_ York \_\_\_\_\_ Williams \_\_\_\_\_

The Clerk announces that the Public Hearings on Ordinance 22-51 will be held on December 22, 2022. Public Hearings on Ordinance 22-52, 22-53, 22-54 and 22-55 will be held at the next Township Committee meeting on December 12, 2022.

**CONSENT AGENDA**

**Res # 498** Resolution Of The Township Of Neptune Approving GDBS Distributors LLC For A Cannabis Business License To Operate As Recreational Use Cannabis Establishment Within The Township Of Neptune

**Res # 499** Resolution Of The Township Of Neptune Approving Jersey Shore Ventures

Group, Llc For A Cannabis Business License To Operate As A Recreational Use Cannabis Establishment Within The Township Of Neptune

- Res # 500** Resolution Providing For The Combination Of Certain Issues Of Not Exceeding \$10,810,597 General Obligation Bonds, Series 2022, Consisting Of \$5,765,597 General Improvement Bonds, Series 2022 And \$5,045,000 Sewer Utility Bonds, Series 2022, Of The Township Of Neptune, In The County Of Monmouth, State Of New Jersey, Determining The Form And Other Details Of Such Bonds, And Providing For The Sale Of Such Bonds To The Monmouth County Improvement Authority Pursuant To The Authority's 2022b And 2022c Pooled Governmental Loan Program
- Res # 501** Authorizing Discharge Of Mortgage Held By Neptune Township On Property Located At 105 Hemlock Drive, Neptune Township, New Jersey, Owned By Richard F. Kuchen
- Res # 502** Authorize The Execution Of A Right Of Access Agreement With Ironbound Property Group Llc
- Res # 503** Resolution Of The Township Committee Of The Township Of Neptune Authorizing Submission Of An Application For DHMAS Grant Funding For Neptune Municipal Alliance Grant Term 9/1/2023 To 9/30/2025
- Res # 504** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing The Submission Of A Strategic Plan For The Neptune Municipal Alliance Grant For Fiscal Year 2024 (Fiscal Grant Cycle July 2020-June 2025)
- Res # 505** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Cancellation Of Mortgages In Connection With Façade Improvement Program Loans
- Res # 506** Resolution Authorizing The Agreement For 2023 Ford F350 Super Duty 4wd Crew Cab To National Auto Fleet Group Under National Joint Powers Alliance Purchasing Program, Sourcewell Contract #091521-NAF In An Amount Not To Exceed \$70,580.00
- Res # 507** Resolution Of The Township Committee Of The Township Of Neptune Awarding Mazza Recycling Services Contract "Disposal Of Bulky Waste"
- Res # 508** Resolution Of The Township Committee Of The Township Of Neptune Awarding Mazza Mulch Inc. Contract "Removal Of Leaves"
- Res # 509** Resolution Authorizing Agreement For Purchase Of Two (2) 2023 Chevrolet Tahoe Pursuit 4wd From Mall Chevrolet Under New Jersey State Co-Op #65MCESCCPS, Contract # ESCNJ 20/21-09 In An Amount Not To Exceed \$91,000.00
- Res # 510** Resolution Authorizing Agreement For Codification Updates To The Land Development Ordinance From GenCode LLC In An Amount Not To Exceed \$14,980.00
- Res # 511** Authorize Change In Title And Text In 2022 Municipal Budget To Provide Matching Funds For A It Pays To Plug In: NJ's Electric Vehicle Charging Grant
- Res # 512** Authorize The Transfer Of 2022 Budget Appropriations #1
- Res # 513** Extend Offer Of Employment For Seasonal/On-Call Drivers In The Department Of Public Works For Snow Plowing
- Res # 514** Authorize The Payment Of Bills
- Res # 515** A Resolution Authorizing The Cancellation Of Taxes

**CONSENT AGENDA**

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Vote: Brantley \_\_\_\_\_ Cafferty \_\_\_\_\_ Lane \_\_\_\_\_ York \_\_\_\_\_ Williams \_\_\_\_\_

**SEPARATED RESOLUTIONS**

**Res # 516** A Resolution Of The Township Committee Of The Township Of Neptune  
Authorizing Certain Personnel Actions- Public Works

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Vote: Brantley \_\_\_\_\_ Cafferty \_\_\_\_\_ Lane \_\_\_\_\_ York \_\_\_\_\_ Williams \_\_\_\_\_

**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**

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

Time adjourned: \_\_\_\_\_

**TOWNSHIP OF NEPTUNE  
ORDINANCE NO. 22-51**

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE LAND  
DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY DEFINING AND  
REGULATING CANNABIS CLASS USES**

BE IT ORDAINED, by the Township Committee of the Township of Neptune that the Land Development Ordinance be and is hereby amended as follows:

**SECTION 1.**

**Section 415.21 – CANNABIS CLASS USES** – is hereby added as follows:

Cannabis Class uses, (other than Alternative Treatment Centers) shall be permitted in the C-1 Zoning District provided the following supplementary regulations are met:

A Hours of Operation. **Cannabis Class 5** uses are permitted the following hours of operation:

1 **Sunday** thru Saturday: 9 AM to 10 PM;

~~2 **Sunday: Closed**~~

B Location. The permitted location of such uses shall be in accordance with the current NJ State requirements in addition to the following:

1 Located within the C-1 and LI Zoning Districts;

2 Class 5 – Cannabis Retailer must be located a minimum 1,000 feet radius from furthest parcel lot line measurement of a school or daycare.

C Permitted Classes of Licenses (as defined by the State of NJ). The following classes or combination of are permitted:

1 Class 1 – Cannabis Cultivator

2 Class 2 – Cannabis Manufacturer

3 Class 3 – Cannabis Wholesaler

4 Class 4 – Cannabis Distributor

5 Class 5 – Cannabis Retailer

6 Class 6 – Cannabis Delivery Service

D Quantity. The maximum permitted number of Class 5- Cannabis Retailer licenses in Neptune Township will be three (3). There is no limit on the number of licenses issued by the Township Committee for Class 1- Cannabis Cultivator, Class 2- Cannabis Manufacturer, Class 3- Cannabis Wholesaler, Class 4- Cannabis Distributor, and Class 6- Cannabis Delivery Service.

- E Penalties. Refer to Land Development Ordinance section 1105.
- F Cannabis Consumption Areas. Cannabis Consumption Areas are prohibited.
- G Performance Standards for All Cannabis Class Uses. Performance standards of Land Development Ordinance section 402 shall also apply.
  - 1 Pollen And Seed Control. The cannabis business licensee shall implement measures to prevent cross-pollination and to prevent cannabis pollen and seeds from leaving the premises, including, but not limited to, use of pollen screens, ultraviolet light and methods to ensure that employees and other visitors do not leave the premises while carrying any cannabis pollen or seeds
  - 2 Odor. A cannabis business licensee shall prevent all odors generated from the cultivation and storage of cannabis from escaping from the buildings on the site, such that the odor cannot be detected by a reasonable person of normal sensitivity outside the buildings. All cannabis facilities shall have an air treatment system to mitigate cannabis-related odor. The air treatment system shall have sufficient odor absorbing filtration systems utilizing carbon filters or similar, and ventilation and exhaust systems to eliminate cannabis odors coming from the interior of the premises, such that any odor generated inside the facility is not detectable by a person of reasonable sensitivity at the subject property line,
  - 3 Lighting.
    - (i) Interior building lighting will likely extend beyond sunset and light trespass at night should be prevented through the use of blackout shades with side tracking or other comparable technologies, activated dusk to dawn.
    - (ii) Exterior building lighting shall comply with Township Ordinances.
- H Cannabis Cultivator & Cannabis Manufacturer Class Uses
  - 1 Water Use. In addition to the meeting all other Township requirements, the Applicant shall provide a water conservation plan, which describes all water sources and their reuse, with zero waste.

**SECTION 2.**

**Section 404.04 – C-1 – Planned Commercial Development,** is hereby amended to add the Cannabis Class Use(s) as a Conditional Use.

**SECTION 3.**

**Section 404.11 – LI – Light Industrial,** is hereby amended to add the Cannabis Class Use(s) as a Conditional Us.

**SECTION 4.**

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

**SECTION 5.**

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

**SECTION 6.**

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

**SECTION 7.**

This Ordinance shall take effect upon its passage and publication according to law.

<b>Motion/ Second</b>	<b>Roll Call To Adopt On First Reading</b>	Adopted on First Reading
	YAY NAY ABSTAIN ABSENT	Dated:
	Dr. Michael Brantley	
	Keith Cafferty	
	Robert Lane, Jr.	
	Tassie D. York	
	Nicholas Williams	
		_____ Gabriella Siboni, RMC Township Clerk

<b>Motion/ Second</b>	<b>Roll Call To Adopt On Second and Final Reading</b>	Adopted on Second Reading
	YAY NAY ABSTAIN ABSENT	Dated:
	Dr. Michael Brantley	
	Keith Cafferty	
	Robert Lane, Jr.	
	Tassie D. York	
	Nicholas Williams	
		_____ Gabriella Siboni, RMC Township Clerk

\_\_\_\_\_  
Gabriella Siboni  
Township Clerk

\_\_\_\_\_  
Nicholas Williams  
Mayor



**TOWNSHIP OF NEPTUNE  
ORDINANCE 22-**

**ORDINANCE AMENDING NEPTUNE TOWNSHIP CODE, CHAPTER XI, ENTITLED  
“BUILDINGS AND HOUSING”**

WHEREAS, Neptune Township has recognized the need to address lead-based paint hazards concerning buildings and structures within the municipality; and

WHEREAS, the New Jersey State Legislature passed an Act concerning lead-based paint hazards and residential rental properties under N.J.S.A. 52:27D-437.1 in 2021; which went into effect July 22, 2022; requiring local ordinance implementation soon thereafter.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Neptune in the County of Monmouth in the State of New Jersey that the Neptune Township Code, Chapter XI, entitled “Buildings and Housing” shall be amended to add §11-9, entitled, “Lead-based Paint Hazards and Rental Properties” as follows:

**Section 1.**

§11-9            Lead-based Paint Hazards and Rental Properties.

§11-9.1        Definitions.

- a. “Dust Wipe Sampling” means a sample collected by wiping a representative surface and tested in accordance with a method approved by the United States Department of Housing and Urban Development.
- b. “Tenant Turnover” means the time at which all existing occupants vacate a dwelling unit and all new tenants move into the dwelling unit.
- c. “Visual Assessment” means a visual examination for deteriorated paint or visible surface, dust, debris or residue.
- d. “Municipality” means Neptune Township.
- e. “Permanent Local Agency” means the Neptune Township Code Enforcement and Construction Department (hereinafter referred to as “Neptune Code Enforcement.”)

§11-9.2        Scope and Purpose.

- a. Neptune Code Enforcement shall serve as the Department to conduct inspections and enforce laws and Ordinances and Regulations under this Ordinance. Neptune Code Enforcement shall inspect or contract out to a qualified contractor to inspect.
- b. Neptune Code Enforcement shall inspect every single family and two-family located within Neptune Township at the time of tenant turnover for lead-based paint hazards or within two years of the effective date of this Ordinance.
  - i. Thereafter, all such units shall be inspected for lead-based paint hazards the earlier of every three years or upon tenant turnover, except that inspection upon tenant turnover shall not be

required if the owner has a valid lead- safe certification pursuant to this Section.

- c. Neptune Code Enforcement shall charge the dwelling owner or landlord a fee sufficient to cover the cost of the inspection.

§11-9.3      Administration.

- a. Subject to §11-9.4, Neptune Code Enforcement where it is unable to carry out inspections due to the lack of expertise or certification and enforcing Laws, Ordinances and Regulations concerning buildings and structures within Neptune Township, for purposes of this Ordinance, Neptune Code Enforcement shall, through Neptune Township, hire a lead evaluation contractor; certified to provide lead-paint inspection services by the Department of Community Affairs, to inspect every single-family, two-family located within Neptune Township at tenant turnover for lead-based paint hazards or within two years of the effective date of this Ordinance. Thereafter, all such units shall be inspected for lead-based paint hazards the earlier of every three years or upon tenant turnover; except that an inspection upon tenant turnover shall not be required if the owner has a valid lead-safe certification pursuant to this Section. Neptune shall charge the dwelling owner or landlord a fee sufficient to cover the cost of the inspection, including the cost of hiring the lead evaluation contractor; subject to §11-9.4; §11-9.5 and §11-9.6.
- b. Neptune shall permit the dwelling owner or landlord to directly hire a lead evaluation contractor who is certified to provide lead pain inspection services by the Department of Community Affairs to satisfy the requirements of §11-9.2 and §11-9.3.

§11-9.4      Consultation.

- a. Neptune Code Enforcement or lead evaluation contractor with the duty to inspect single-family and two-family pursuant to this Section may consult with the local Health Board, the Department of Health or the Department of Community Affairs concerning the criteria for the inspection and identification of areas and conditions involving the high risk of lead poisoning at dwellings; methods of detection of lead in dwellings and the standards for the repair of dwellings containing lead paint.

§11-9.5      Fees.

- a. Fees established pursuant to this Section shall be dedicated to meeting the cost of implementing and enforcing this Section and shall not be used for any other purpose. The following fees shall be assessed:

<u>Type of Fee</u>	<u>Amount of Fee</u>
Initial Inspection Fee	\$280 per unit
Lead Hazard Control Assistance Act	\$20.00 per unit
Re-Inspection Fee	\$100.00 per unit

§11-9.6      Exceptions.

- a. Notwithstanding §11-9.3 - §11-9.6 of this Ordinance to the contrary, a dwelling unit in a single-family, two-family or multi-rental dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards if the unit:
  - 1. Has been certified to be free of lead-based paints;
  - 2. Was constructed during or after 1978;

3. Is in a multi-dwelling that has been registered with the Department of Community Affairs as a multiple dwelling for at least 10 years and either under the current or previous owner has no outstanding lead violations from the most recent cyclical inspection performed under the “Hotel and Multiple Dwelling Law,” N.J.S.A. 55:13A-1, et seq;
4. Is a single-family or two-family seasonal rental dwelling which is rented less than 6 months duration each year by tenants that do not have consecutive lease renewals;
5. Has a valid, lead safe certification issued in accordance with this Section.

§11-9.7 Inspections.

- a . If a lead evaluation contractor or Neptune Code Enforcement finds that a lead-based paint lead hazard exists in a dwelling unit upon conducting an inspection pursuant to this Section, then the owner of the dwelling unit shall remediate the lead-based paint hazard by using abatement or lead-based paint hazard control methods, approved in accordance with the provisions of the “Lead Hazard Control Assistance Act,” N.J.S.A. 52:27D-437.1, et als.
  - i. If a lead hazard is identified in an inspection of one of the dwelling units in a building consisting of two-dwelling units, then the lead evaluation contractor or permanent local agency shall inspect the remainder of the building’s dwelling units for lead hazards with the exception of dwelling units that have been certified that have been certified to be free of lead-based paint.
  - ii. Upon the remediation of the lead- based paint hazard, the lead evaluation contractor of Neptune Code Enforcement shall conduct an additional inspection of the unit to certify that the hazard no longer exists.
- b. If a lead evaluation contractor or Neptune Code Enforcement finds that no lead-based paint hazards exist in a dwelling unit upon conducting an inspection pursuant to this Section, or following remediation of the lead-based paint hazard pursuant to Paragraph (a.) of this subsection, then the lead evaluation contractor or Neptune Code Enforcement shall certify the dwelling unit as lead safe on a form prescribed by the Department of Community Affairs provided for in regulations or guidance promulgated by the State of New Jersey. The lead safe certification provided to the property owner by the lead evaluation contractor of Neptune Code Enforcement pursuant to this Section shall be valid for 2 years.

§11-9.8 Compliance.

- a.. Property owners shall provide the following:
  1. Evidence of the valid lead safe certification obtained pursuant to this Section as well as evidence on the most recent tenant turnover at the time of the cyclical inspection carried out under the “Hotel and Motel Multiple Dwelling Law,” N.J.S.A. 55:13A-1 et seq., unless not required to have had an inspection by a lead evaluation contractor or Neptune Code Enforcement pursuant to §11-9.7, (a.) (1-5);

2. Provide evidence of a valid lead safe certification to new tenants of the property at the time of tenant turnover; unless not required to have had an inspection by a lead evaluation contractor or Neptune Code Enforcement pursuant to §11-9.7 (a.) (1-5) and shall affix a copy of such certification as an exhibit to the tenant's or tenants' lease;
3. Maintain record of lead safe certification, which shall include the name or names of the unit's tenant or tenants, if the inspection was conducted during a period of tenancy; unless not required to have had inspection by a lead evaluation contractor or Neptune Code Enforcement pursuant to §11-9.7, (a.) (1-5);
4. If a lead evaluation contractor or Neptune Code Enforcement finds that a lead-based paint hazard exists in the dwelling unit upon conducting an inspection pursuant to this Section, then the lead evaluation contractor or Neptune Code Enforcement shall notify the Commissioner of Community Affairs, who shall review the findings in accordance with §8 of the "Lead Hazard Control Assistance Act," N.J.S.A. 52:27D-437.8;
5. If a dwelling located in Neptune, in which less than 3 percent of children tested, 6 years of age or younger, have a blood lead level greater than or equal to 5 ug/dL, according to the central lead screening database maintained by the Department of Health pursuant to Section 5 of N.J.S.A. 26:2-137.6 or according to other data deemed appropriate by the Commissioner, then a lead evaluation contractor or Neptune Code Enforcement may inspect for lead-based paint hazards through visual assessment;
6. If a dwelling located in Neptune, in which at least 3 percent of children tested, 6 years of age or younger, have a blood lead level greater than or equal to 5 ug/dL, according to the central lead screening database maintained by the Department of Health pursuant to Section 5 of N.J.S.A. 26:2-137.6 or according to other data deemed appropriate by the Commissioner, then the lead evaluation contractor or Neptune Code Enforcement shall inspect for lead-based paint hazards through dust wipe sampling;
7. If a lead hazard is identified in an inspection of one of the dwelling units in a building consisting of 2 or 3 dwelling units, then the lead evaluation contractor or Neptune Code Enforcement shall inspect the remainder of the building's dwelling units for lead hazards, with the exception of dwelling units that have been certified to be free of lead-based paint. The lead evaluation contractor or Neptune Code Enforcement may charge fees in accordance with this Section for such additional inspections.
8. In addition to the fees permitted to be charged for inspection of rental housing pursuant to this Section, Neptune shall assess an additional fee of \$20.00 per unit inspected by a certified lead evaluation contractor or Neptune Code Enforcement for purposes of the "Lead Hazard Control Assistance Act," N.J.S.A. 52:27D-437.1 et al., concerning lead hazard control work, unless the unit owner demonstrates that the Department of Community Affairs has already assessed an additional inspection fee of \$20.00 pursuant to

the provisions of Section 10 of N.J.S.A. 52:27D-437.10. In a common interest community, any inspection fee charged pursuant to this subsection shall be the responsibility of the unit owner and not the homeowners' association, unless the association is the owner of the unit. The fees collected pursuant to this subsection shall be deposited into the "Lead Hazard Control Assistance Fund" established pursuant to Section 4 of N.J.S.A. 52:27D-437.4.

§11-9.9 Limitations.

In association with an application for lead remediation funding provided pursuant to the "Lead Hazard Control Assistance Fund," established pursuant to Section 4 of N.J.S.A. 52:27D-437.4, or any other program administered for lead remediation purposes by the Department of Community Affairs, the Township shall not request or require that a property owner disclose the social security number of any person renting the property or otherwise associated with the inspected property other than the property owner. This disclosure requirement prohibition shall apply to an application for assistance, funded and administered by the State for lead remediation purposes.

§11-9.10 Rule and Regulations

Neptune shall comply with adopted Rules and Regulations of the Department of Community Affairs affecting actions of Neptune and Neptune Code Enforcement under this Ordinance.

§11-9.11 Violations and Penalties

Neptune Code Enforcement shall be authorized to conduct investigations and issue penalties not inconsistent with this Section to enforce a property owner's failure to comply with this Ordinance. If Neptune or Neptune Code Enforcement determines that a property owner has failed to comply with this Ordinance with respect to a rental dwelling unit owned by the property owner, the property owner shall first be given 30 days to cure any violation by conducting the required inspection or initiate any required remediation efforts. If the property owner has not cured the violations after 30 days, they shall be subject to a penalty not exceeding \$1,000.00 per week until the necessary action has been taken; unless penalties are specified elsewhere in this Ordinance or with regard to a specific violation, in which case such provision shall supersede this Section. If a violation is of a continuing nature, each day or portion of each day during which it occurs shall constitute an additional, separate and distinct offense.

**Section 2.** All Ordinances or parts of Ordinances that are inconsistent herewith are repealed, but only to the extent of such inconsistency.

**Section 3.** The amended Ordinance shall become effective immediately upon its passage and the publication as required by law.

<b>Motion/ Second</b>	<b>Roll Call To Adopt On First Reading</b>	Adopted on First Reading Dated:
	YAY    NAY    ABSTAIN    ABSENT	
	Dr. Michael Brantley Keith Cafferty Robert Lane, Jr. Tassie D. York	_____ Gabriella Siboni, RMC Township Clerk

Nicholas Williams

**Motion/  
Second**

**Roll Call To Adopt On Second and Final Reading**

YAY    NAY    ABSTAIN    ABSENT

Adopted on Second Reading  
Dated:

Dr. Michael Brantley  
Keith Cafferty  
Robert Lane, Jr.  
Tassie D. York  
Nicholas Williams

\_\_\_\_\_  
Gabriella Siboni, RMC  
Township Clerk

\_\_\_\_\_  
Gabriella Siboni  
Township Clerk

\_\_\_\_\_  
Nicholas Williams  
Mayor

**TOWNSHIP OF NEPTUNE**

**ORDINANCE 22-53**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER IV, SECTION 4-34  
ENTITLED “NO KNOCK REGISTRY”**

BE IT ORDAINED by the Township Committee of the Township of Neptune of the County of Monmouth in the State of New Jersey that the Neptune Township Code of Ordinances, Volume I, Chapter IV, Section §4-34, Entitled “No Knock Registry” is amended as follows:

**SECTION 1.**

§4-34

a. The ~~Police Department~~ Mercantile Registration Office shall maintain a list of addresses of those premises where the owner and/or occupant has notified the ~~Police Department~~ Mercantile Registration Office that soliciting, canvassing, peddling, hawking or other actions set forth more fully in §4-4 of the Code of the Township of Neptune are not permitted on the premises (hereinafter referred to as the “No Knock Registry”). A request by owners or occupants being included on the No Knock Registry shall be by completion and submission of a form made available ~~to the Police Department~~ by the Mercantile Registration Office. The No Knock Registry shall be updated on January 15<sup>th</sup> and July 15<sup>th</sup> of each year.

~~b. Any owner and/or occupant who has requested enlistment on the No Knock Registry, pursuant to §4-33(a) herein shall be able to purchase, for a fee of \$5.00 a sticker for display at his, her or their premises indicating enlistment on the No Knock Registry.~~

c. The ~~Police Department~~ Mercantile Registration Office shall distribute the current No Knock Registry to any licensee at the time of issuance of a license to solicit, canvass, peddle, or hawk or otherwise act under §4-4 of the Code of the Township of Neptune. Said licensee shall not solicit, canvass, peddle or hawk or take any other actions subject to a license under §4-4 of any premises identified on the current No Knock Registry.

**SECTION 2.**

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

**SECTION 3.**

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

**SECTION 4.**

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

**SECTION 5.**

This Ordinance shall take effect upon its passage and publication according to law.

**Motion/**                      **Roll Call To Adopt On First Reading**                      Adopted on First Reading  
**Second**    YAY    NAY    ABSTAIN    ABSENT                      Dated:

Dr. Michael Brantley  
Keith Cafferty  
Robert Lane, Jr.  
Tassie D. York  
Nicholas Williams

\_\_\_\_\_  
Gabriella Siboni, RMC  
Township Clerk

**Motion/**                      **Roll Call To Adopt On Second and Final Reading**                      Adopted on Second Reading  
**Second**    YAY    NAY    ABSTAIN    ABSENT                      Dated:

Dr. Michael Brantley  
Keith Cafferty  
Robert Lane, Jr.  
Tassie D. York  
Nicholas Williams

\_\_\_\_\_  
Gabriella Siboni, RMC  
Township Clerk

\_\_\_\_\_  
Gabriella Siboni  
Township Clerk

\_\_\_\_\_  
Nicholas Williams  
Mayor



**TOWNSHIP OF NEPTUNE**

**ORDINANCE 22-54**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER IV, SECTION 4-20  
ENTITLED "GARAGE SALES"**

BE IT ORDAINED by the Township Committee of the Township of Neptune of the County of Monmouth in the State of New Jersey that the Neptune Township Code of Ordinances, Volume I, Chapter IV, Section §4-20, Entitled "Garage Sales" is amended as follows:

**SECTION 1.**

§4-20 Garage Sales

§4-20.4 Regulations

- a. Any license for a garage sale shall be valid and remain in force for a maximum of three (3) days and shall apply only to the person to whom granted and shall not be transferable.
- b. A license shall be valid for a single premises only. Participants in neighborhood/regional garage sale must each obtain a license.
- c. Items must be displayed on the licensed premises only.
- d. A garage sale may not be conducted earlier than 8:00 a.m. nor later than 5:00 p.m.
- e. Posting of signs shall be in accordance with the Township's Sign Ordinance.
- f. No person shall be issued more than two (2) licenses ~~within twelve (12) months~~ **in a calendar year** for the purpose of conducting a garage sale. Participation in a neighborhood/regional garage sale shall not be counted towards the two (2) annual individual licenses.
- ~~g.~~ No more than two (2) licenses for a neighborhood/ regional garage sale shall be issued ~~within a twelve (12) month period.~~ **in a calendar year.**
- h. Any person to whom a license is granted shall be required to exhibit such license in a conspicuous location.

**SECTION 2.**

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

**SECTION 3.**

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

**SECTION 4.**

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

**SECTION 5.**

This Ordinance shall take effect upon its passage and publication according to law.

<b>Motion/ Second</b>	<b>Roll Call To Adopt On First Reading</b>				Adopted on First Reading
	YAY	NAY	ABSTAIN	ABSENT	Dated:
	Dr. Michael Brantley				
	Keith Cafferty				
	Robert Lane, Jr.				_____
	Tassie D. York				Gabriella Siboni, RMC
	Nicholas Williams				Township Clerk

<b>Motion/ Second</b>	<b>Roll Call To Adopt On Second and Final Reading</b>				Adopted on Second Reading
	YAY	NAY	ABSTAIN	ABSENT	Dated:
	Dr. Michael Brantley				
	Keith Cafferty				
	Robert Lane, Jr.				_____
	Tassie D. York				Gabriella Siboni, RMC
	Nicholas Williams				Township Clerk

\_\_\_\_\_  
Gabriella Siboni  
Township Clerk

\_\_\_\_\_  
Nicholas Williams  
Mayor

**TOWNSHIP OF NEPTUNE**

**ORDINANCE 22-55**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER IV, SECTION 4-3  
ENTITLED “GENERAL REQUIREMENTS FOR MERCANTILE REGISTRATION”**

BE IT ORDAINED by the Township Committee of the Township of Neptune of the County of Monmouth in the State of New Jersey that the Neptune Township Code of Ordinances, Volume I, Chapter IV, Section §4-3, Entitled “General Requirements For Mercantile Registration” is amended as follows:

**SECTION 1.**

§4-3 General Requirements for Mercantile Registration

§4-3.12 Business Insurance Registry

- a. The owner of a business or the owner of a rental unit or units shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.
- b. The owner of a multifamily home which is four or fewer units, one of which is owner-occupied, shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$300,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.
- c. The Owner of a business, owner of a rental unit or units, and the owner of a multi-family home of four or fewer units, one of which is owner occupied, shall annually register the certificate of insurance demonstrating compliance with the noted insurance requirements with the application for Mercantile Registration.

**SECTION 2.**

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

**SECTION 3.**

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

**SECTION 4.**

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

**SECTION 5.**

This Ordinance shall take effect upon its passage and publication according to law.

**Motion/  
Second**

**Roll Call To Adopt On First Reading**

Adopted on First Reading  
Dated:

YAY   NAY   ABSTAIN   ABSENT

Dr. Michael Brantley  
Keith Cafferty  
Robert Lane, Jr.  
Tassie D. York  
Nicholas Williams

---

Gabriella Siboni, RMC  
Township Clerk

**Motion/  
Second**

**Roll Call To Adopt On Second and Final Reading**

Adopted on Second Reading  
Dated:

YAY   NAY   ABSTAIN   ABSENT

Dr. Michael Brantley  
Keith Cafferty  
Robert Lane, Jr.  
Tassie D. York  
Nicholas Williams

---

Gabriella Siboni, RMC  
Township Clerk

---

Gabriella Siboni  
Township Clerk

---

Nicholas Williams  
Mayor

**TOWNSHIP OF NEPTUNE  
RESOLUTION 22-497**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE AUTHORIZING  
THE DISCUSSION OF MATTERS IN A CLOSED SESSION PURSUANT TO THE STATUTORY EXCLUSIONS  
OF N.J.S.A. 10:4-12**

**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,

**WHEREAS**, the matters to be discussed relate to a statutorily excluded topic pursuant N.J.S.A 10:4-12(b) 1-9, specifically:

- Attorney- client privilege;
- X      Employment and personnel;
- Imposition of civil penalty;
- Investigation;
- Leasing or acquisition of property;
- X      Pending or anticipated litigation;
- Privacy;
- Public Safety;
- Educational matter;
- Contract Negotiation

**Description of matter:**

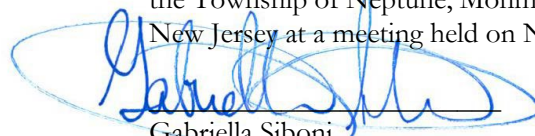
1. Personnel
  - o Hires
2. Attorney Client Privilege
  - o Update on Litigation

**WHEREAS**, this may be disclosed to the public at a time when the necessity for confidentiality no longer exists, or within six months or less from the date hereof.

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

1. That the Township Committee shall retire into executive session where the public shall be excluded and where said matters shall be discussed.
2. That the Township Committee shall reconvene in public session upon conclusions of the discussions.
3. That the minutes of this executive session shall be closed from public inspection and shall so remain until the reason for confidentiality ceases to exist, or upon formal action by the Township Committee at an official meeting.

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on November 28, 2022

  
Gabriella Siboni  
Township Clerk

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-498**

**RESOLUTION OF THE TOWNSHIP OF NEPTUNE APPROVING GDBS DISTRIBUTORS LLC FOR A CANNABIS BUSINESS LICENSE TO OPERATE AS RECREATIONAL USE CANNABIS ESTABLISHMENT WITHIN THE TOWNSHIP OF NEPTUNE**

**WHEREAS**, in 2020 New Jersey voters approved Public Question 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

**WHEREAS**, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act,” N.J.S.A. 24:6l-31 et seq. (the “Act”), which legalizes the personal use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial personal use cannabis operations, use, and possession; and

**WHEREAS**, the Act establishes the following six marketplace classes of business licenses to be issued by the State of New Jersey Cannabis Regulatory Commission for the legal operation of cannabis establishments and other types of cannabis marketplace activity in the State: Class 1 Cannabis Cultivator; Class 2 Cannabis Manufacturer; Class 3 Cannabis Wholesaler; Class 4 Cannabis Distributor; Class 5 Cannabis Retailer; and Class 6 Cannabis Delivery; and

**WHEREAS**, section 31a of the Act, N.J.S.A. 24:6l-45a, authorizes municipalities to adopt ordinances and regulations prohibiting outright or limiting the number of any class of licensed “cannabis establishments” (defined in section 33 of the Act, N.J.S.A. 24-6l-33, as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors, or cannabis delivery services allowed to operate within its municipal boundaries; and

**WHEREAS**, GDBS Distributors LLC wishes to operate as both a medical and personal use cannabis establishment, and specifically as a Class 2 Cannabis Manufacturer within the Township of Neptune; and

**WHEREAS**, on February 28, 2022, the Neptune Township Committee passed Ordinance 22-10, which allows for GDBS Distributors LLC to operate as both a medical and personal use cannabis establishment within the Township of Neptune, including specifically as a “Class 2 Cannabis Manufacturer service”; and

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

1. The aforesaid recitals are incorporated herein as if set forth at length;
2. GDBS Distributors LLC is registered to do business in the State of New Jersey and is authorized to operate as Cannabis Manufacturer by the CRC;
3. The Township of Neptune has specifically passed Ordinance 22-10, which allows GDBS Distributors LLC to operate both as a medical and personal use cannabis establishment, and specifically as a “Class 2 Cannabis Manufacturer service” within the Township of Neptune’s jurisdiction;

4. The issuance of a license to GDBS Distributors LLC by the State to concurrently operate as both a medical and personal use cannabis establishment by the CRC will not exceed any limits placed on the number of licensed cannabis establishments permitted to operate within the municipality;
5. The Township of Neptune supports the application of GDBS Distributors LLC and this Resolution may be relied upon by the CRC as proof of local support by the Township of Neptune of GDBS Distributors LLC certification.
6. The Township Clerk is hereby authorized and directed to provide a copy of this Resolution to GDBS Distributors LLC and to transmit a copy of this Resolution to the CRC; and
7. This Resolution shall take effect upon adoption in accordance with applicable law.

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-499**

**RESOLUTION OF THE TOWNSHIP OF NEPTUNE APPROVING JERSEY SHORE VENTURES GROUP, LLC FOR A CANNABIS BUSINESS LICENSE TO OPERATE AS A RECREATIONAL USE CANNABIS ESTABLISHMENT WITHIN THE TOWNSHIP OF NEPTUNE**

**WHEREAS**, in 2020 New Jersey voters approved Public Question 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

**WHEREAS**, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act,” N.J.S.A. 24:61-31 et seq. (the “Act”), which legalizes the personal use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial personal use cannabis operations, use, and possession; and

**WHEREAS**, the Act establishes the following six marketplace classes of business licenses to be issued by the State of New Jersey Cannabis Regulatory Commission for the legal operation of cannabis establishments and other types of cannabis marketplace activity in the State: Class 1 Cannabis Cultivator; Class 2 Cannabis Manufacturer; Class 3 Cannabis Wholesaler; Class 4 Cannabis Distributor; Class 5 Cannabis Retailer; and Class 6 Cannabis Delivery; and

**WHEREAS**, section 31a of the Act, N.J.S.A. 24:61-45a, authorizes municipalities to adopt ordinances and regulations prohibiting outright or limiting the number of any class of licensed “cannabis establishments” (defined in section 33 of the Act, N.J.S.A. 24-61-33, as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors, or cannabis delivery services allowed to operate within its municipal boundaries; and

**WHEREAS**, Jersey Shore Ventures Group, LLC wishes to operate as a recreational use cannabis establishment, and specifically as a Class 1 Cannabis Cultivator within the Township of Neptune;

**WHEREAS**, on February 28, 2022, the Neptune Township Committee passed Ordinance 22-10, which allows for Jersey Shore Ventures Group, LLC to operate as recreational use cannabis establishment within the Township of Neptune, including specifically as a “Class 1 Cannabis Cultivator service”; and

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

1. The aforesaid recitals are incorporated herein as if set forth at length;
2. Jersey Shore Ventures Group, LLC is registered to do business in the State of New Jersey and is authorized to operate as Class 1 Cannabis Cultivator by the CRC;
3. The issuance of a license to Jersey Shore Ventures Group, LLC by the State operate as recreational use cannabis establishment by the CRC will not exceed any limits placed on the number of licensed cannabis establishments permitted to operate within the municipality;



4. The Township of Neptune supports the application of Jersey Shore Ventures Group, LLC and this Resolution may be relied upon by the CRC as proof of local support by the Township of Neptune of Jersey Shore Ventures Group, LLC certification.
5. The Township Clerk is hereby authorized and directed to provide a copy of this Resolution to Jersey Shore Ventures Group, LLC and to transmit a copy of this Resolution to the CRC; and
6. This Resolution shall take effect upon adoption in accordance with applicable law.

**TOWNSHIP OF NEPTUNE  
MONMOUTH COUNTY, NEW JERSEY**

**RESOLUTION NUMBER 22-500**

**RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF NOT EXCEEDING \$10,810,597 GENERAL OBLIGATION BONDS, SERIES 2022, CONSISTING OF \$5,765,597 GENERAL IMPROVEMENT BONDS, SERIES 2022 AND \$5,045,000 SEWER UTILITY BONDS, SERIES 2022, OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF SUCH BONDS, AND PROVIDING FOR THE SALE OF SUCH BONDS TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY PURSUANT TO THE AUTHORITY'S 2022B AND 2022C POOLED GOVERNMENTAL LOAN PROGRAM**

**WHEREAS**, the Township of Neptune (the "Township"), in the County of Monmouth, State of New Jersey, has determined that there exists a need within the Township to finance the costs of various general capital improvements (the "General Improvements Project") and sewer capital improvements (the "Sewer Improvements Project" and together with the General Improvements Project, the "Project") throughout the Township; and

**WHEREAS**, the Township Committee has duly adopted various bond ordinances (the "Ordinances") to appropriate moneys and authorize the issuance of bonds or bond anticipation notes to undertake the Project; and

**WHEREAS**, the Township has determined to finance the Project with the proceeds of a loan (the "Loan") to be made to the Township by the Monmouth County Improvement Authority (the "MCIA") in connection with an MCIA 2022B and 2022C Pooled Governmental Loan Program currently scheduled to close on or about December 22, 2022 (the "2022B and 2022C MCIA Bond Program"); and

**WHEREAS**, in order for the Township to receive the Loan from the MCIA, it is necessary to combine the bonds authorized under said Ordinances, by fund, into one issue of bonds per fund, namely (i) a general improvement bond series in the principal amount of not to exceed \$5,765,597 and (ii) a sewer utility bond series in the principal amount of not to exceed \$5,045,000, aggregating said amount, and to memorialize the applicable obligations of the general capital improvement fund and the sewer utility fund of the Township, pursuant to the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"); and

**WHEREAS**, to evidence the Loan, the Township will authorize, execute, attest and deliver to the MCIA the Township's not to exceed \$10,810,597 General Obligation Bonds, Series 2022, consisting of \$5,765,597 General Improvement Bonds, Series 2022 (the "General Improvement Bonds") and \$5,045,000 Sewer Utility Bonds, Series 2022 (the "Sewer Utility Bonds" and together with the General Improvement Bonds, the "Bonds") in accordance with the provisions hereof and pursuant to the terms of the Local Bond Law and other applicable law; and

**WHEREAS**, section 27(a)(2) of the Local Bond Law allows for the sale of the Bonds to the MCIA without any public offering, all under the terms and conditions set forth herein and in a Bond Purchase Agreement by and between the Township and the MCIA to be dated as of the date of the sale of such Bonds.

**NOW THEREFORE, BE IT RESOLVED** BY NOT LESS THAN TWO-THIRDS VOTE OF THE FULL MEMBERSHIP OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

**SECTION 1.** Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the bonds of the Township, authorized pursuant to the general improvement bond ordinances (the “General Improvement Ordinances”) of the Township heretofore adopted and described in Section 2 hereof, shall be combined into a single issue of General Improvement Bonds, Series 2022, in the aggregate principal amount of not exceeding \$5,765,597, and to memorialize the obligations of the general capital improvement fund of the Township.

**SECTION 2.** The principal amount of bonds authorized by each General Improvement Ordinance to be combined into a single issue as above provided, and the General Improvement Ordinances authorizing the General Improvement Bonds described by reference to the ordinance number, description and date of final adoption, amount of issue and average period of usefulness determined in each of the General Improvement Ordinances, are respectively as follows:

<b><u>Ordinance Number</u></b>	<b><u>Description and Date of Final Adoption</u></b>	<b><u>Amount of Issue</u></b>	<b><u>Useful Life</u></b>
19-02	Construction of living shoreline flood mitigation project along Shark River, finally adopted February 25, 2019	\$460,000	10.00 years
20-13	COVID related improvements and acquisitions, finally adopted May 18, 2020	\$250,000	5.00 years
20-19	Various 2020 roadway and drainage improvements, finally adopted August 10, 2020	\$900,000	15.00 years
21-13	Acquisition of body worn cameras, vehicle mounted cameras, and related computer hardware and software for use by the police department, finally adopted April 26, 2021	\$161,000	5.00 years
21-23	Improvements to various parks, finally adopted May 24, 2021	\$100,000	15.00 years
21-24	Roadway reconstruction and drainage improvements to Myrtle Avenue, finally adopted May 24, 2021	\$173,197	15.00 years
21-30	Construction and reconstruction of sidewalks and municipal facilities, finally adopted June 28, 2021	\$285,000	10.00 years

<u>Ordinance Number</u>	<u>Description and Date of Final Adoption</u>	<u>Amount of Issue</u>	<u>Useful Life</u>
21-31	Phase II (General) of the public works facility improvement program, finally adopted June 28, 2021	\$300,000	20.00 years
22-07	Neptune Boulevard roadway reconstruction project, finally adopted February 28, 2022	\$151,400	15.00 years
22-30	2022 road program, including roadway reconstruction and drainage and ADA accessibility improvements to various roadways, finally adopted July 25, 2022	\$1,000,000	15.00 years
22-31	Acquisition of vehicles and equipment for various Township departments, finally adopted July 25, 2022	\$1,200,000	7.00 years
22-32	Improvements to various municipal facilities, finally adopted July 25, 2022	\$285,000	15.00 years
22-33	Replacement of bulkhead along Fletcher Lake, finally adopted July 25, 2022	\$500,000	15.00 years
<b>TOTALS</b>		<b>\$5,765,597</b>	

**SECTION 3.** The following matters are hereby determined with respect to the combined issue of General Improvement Bonds:

(a) The average period of usefulness, computed on the basis of the respective amounts of General Improvement Bonds presently authorized to be issued pursuant to each of the General Improvement Ordinances and the respective periods or average periods of usefulness therein determined, is not more than 12.23 years.

(b) The General Improvement Bonds of the combined issue shall be designated “General Improvement Bonds, Series 2022”, and shall mature within the average period of usefulness hereinabove determined.

(c) The General Improvement Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law that are applicable to the sale and issuance of bonds to an authority or political subdivision of a county under section 27(a)(2) of the Local Bond Law.

**SECTION 4.** The following additional matters are hereby determined, declared, recited and stated:

(a) None of the General Improvement Bonds described in Section 2 hereof have been sold or issued heretofore, and the several General Improvement Ordinances described in Section 2 have not been rescinded heretofore and now remain in full force and effect as authorizations for the respective amounts of bonds set opposite the descriptions of the General Improvement Ordinances set forth in Section 2 hereof.

(b) The several purposes or improvements authorized by the respective General Improvement Ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law.

**SECTION 5.** Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the bonds of the Township, authorized pursuant to the sewer utility bond ordinances (the “Sewer Utility Ordinances”) of the Township heretofore adopted and described in Section 6 hereof, shall be combined into a single issue of Sewer Utility Bonds, Series 2022, in the aggregate principal amount of not exceeding \$5,045,000, and to memorialize the obligations of the sewer utility fund of the Township.

**SECTION 6.** The principal amount of bonds authorized by each Sewer Utility Ordinance to be combined into a single issue as above provided, and the Sewer Utility Ordinances authorizing the Sewer Utility Bonds described by reference to the ordinance number, description and date of final adoption, amount of issue and average period of usefulness determined in each of the Sewer Utility Ordinances, are respectively as follows:

<b><u>Ordinance Number</u></b>	<b><u>Description and Date of Final Adoption</u></b>	<b><u>Amount of Issue</u></b>	<b><u>Useful Life</u></b>
20-21	Phase VI of the Gables Area sanitary sewer rehabilitation project, replacement of sewer force mains and lines, pump station improvements and sanitary sewer system infrastructure improvements, finally adopted August 10, 2020	\$1,910,000	40.00 years
21-32	Phase II (Sewer Utility) of the public works facility improvement program, finally adopted June 28, 2021	\$570,000	20.00 years
21-33	Various sanitary sewer infrastructure improvements, including to Clinton Avenue Force Main, Seaview Island Pump Station, and New York Road Pump Station, finally adopted June 28, 2021	\$760,000	40.00 years
22-14	Sixth Avenue area sanitary sewer replacement project, finally adopted March 14, 2022	\$950,000	40.00 years
22-34	2022 Bradley Park sanitary sewer replacement project, finally adopted July 25, 2022	\$855,000	40.00 years
<b>TOTALS</b>		<b>\$5,045,000</b>	

**SECTION 7.** The following matters are hereby determined with respect to the combined issue of Sewer Utility Bonds:

(a) The average period of usefulness, computed on the basis of the respective amounts of Sewer Utility Bonds presently authorized to be issued pursuant to each of the Sewer Utility Ordinances

and the respective periods or average periods of usefulness therein determined, is not more than 37.74 years.

(b) The Sewer Utility Bonds of the combined issue shall be designated “Sewer Utility Bonds, Series 2022”, and shall mature within the average period of usefulness hereinabove determined.

(c) The Sewer Utility Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law that are applicable to the sale and issuance of bonds to an authority or political subdivision of a county under section 27(a)(2) of the Local Bond Law.

**SECTION 8.** The following additional matters are hereby determined, declared, recited and stated:

(a) None of the Sewer Utility Bonds described in Section 6 hereof have been sold or issued heretofore, and the several Sewer Utility Ordinances described in Section 6 have not been rescinded heretofore and now remain in full force and effect as authorizations for the respective amounts of bonds set opposite the descriptions of the Sewer Utility Ordinances set forth in Section 6 hereof.

(b) The several purposes or improvements authorized by the respective Sewer Utility Ordinances described in Section 6 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and some of such improvements or purposes, if applicable and permitted by law, may be deductible from gross debt in any annual or supplemental debt statement.

**SECTION 9.** The General Improvement Bonds and the Sewer Utility Bonds are sometimes collectively referred to herein as the “Bonds”. The General Improvement Ordinances and the Sewer Utility Ordinances are sometimes collectively referred to herein as the “Ordinances”.

**SECTION 10.** In accordance with the provisions of N.J.S.A. 40A:2-27(a)(2) and pursuant to the Ordinances, the Township hereby authorizes the sale and award of, and hereby sells and awards, the Township’s \$10,810,597 General Obligation Bonds, Series 2022, consisting of \$5,765,597 General Improvement Bonds, Series 2022 (the “General Improvement Bonds”) and \$5,045,000 Sewer Utility Bonds, Series 2022 (the “Sewer Utility Bonds” and together with the General Improvement Bonds, the “Bonds”) to the MCIA in accordance with the provisions hereof and in accordance with the terms of a Bond Purchase Agreement to be executed by and between the Township and the MCIA (the “Bond Purchase Agreement”). The Mayor of the Township (the “Mayor”) and Chief Financial Officer of the Township (the “Chief Financial Officer”) are each hereby authorized and directed on behalf of the Township, in consultation with Bond Counsel (as hereinafter defined), to negotiate the terms of such Bond Purchase Agreement, to be dated the date of sale of the Bonds, to approve the terms of aforesaid Bond Purchase Agreement and to execute and deliver said Bond Purchase Agreement to the MCIA. The Bonds have been referred to and described in the Ordinances finally adopted at duly called and held meetings of the Township Committee and published as required by law, and such Ordinances are combined for purposes of sale pursuant to this resolution, all pursuant to terms of the Local Bond Law and other applicable law.

**SECTION 11.** In accordance with the provisions of N.J.S.A. 40A:2-27(a)(2), the Chief Financial Officer is hereby authorized and directed to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the MCIA and the terms and conditions hereof

and as set forth in the Bond Purchase Agreement, the following items with respect to the Bonds, except those terms and conditions which are set forth in the Bond Purchase Agreement:

- (a) The aggregate principal amount of the Bonds to be issued, provided that the total amount of Bonds issued shall not exceed the aggregate principal amount of \$10,810,597, issued in two series aggregating said amount;
- (b) The maturity and principal installments of the Bonds, which maturity shall not exceed 12.23 years for the General Improvement Bonds and 37.74 years for the Sewer Utility Bonds, respectively;
- (c) The date of the Bonds of each series;
- (d) The interest rates of the Bonds of each series;
- (e) The purchase price of the Bonds of each series; and
- (f) The terms and conditions under which the Bonds of each series shall be subject to redemption, as applicable, prior to their stated maturities.

**SECTION 12.** Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Bonds by the parties authorized under Section 13(c) hereof.

**SECTION 13.** The Township Committee hereby determines that certain terms of the Bonds shall be as follows:

- (a) The Bonds of each series shall be issued in a single denomination and shall be numbered (i) GI-1 for the General Improvement Bonds and (ii) SU-1 for the Sewer Utility Bonds (or such other designation as determined by Bond Counsel);
- (b) The Bonds of each series shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Bonds of each series shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Clerk of the Township (the “Township Clerk”).

**SECTION 14.** The Bonds of each series shall be in the form set forth in Exhibit A attached hereto with such additions, deletions and omissions as may be necessary for the Township to comply with the requirements of the 2022B and 2022C MCIA Bond Program, upon the advice of Bond Counsel.

**SECTION 15.** The law firm of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Township (“Bond Counsel”), NW Financial Group, LLC, Municipal Advisor to the MCIA (the “Municipal Advisor”), the Township Engineer, the Township Attorney and the

Township Auditor are each hereby authorized and directed to perform all actions necessary to consummate the issuance of the Bonds and the respective Project for which each series of the Bonds are issued, including but not limited to, drafting and arranging for the printing and execution of the Bonds and all applicable documentation necessary to memorialize and consummate the issuance of the Bonds and the undertaking of the Project, preparing all necessary financial information, all engineering and design work, preparation of plans and specifications and conducting all necessary studies, searches and analysis in connection with the issuance of the Bonds and the undertaking of the Project. The Mayor, the Chief Financial Officer, the Township Clerk, the Township Attorney and any other Township representative (including Bond Counsel, the Municipal Advisor, or the Township Auditor) are each hereby authorized and directed to execute and deliver any certificates necessary or desirable in connection with the financial and other information to the MCIA related thereto.

**SECTION 16.** The Mayor, the Chief Financial Officer, the Township Clerk and any other Township representative, are each hereby authorized and directed to (i) execute any certificates or documents necessary or desirable in connection with the sale of the Bonds, including the Bond Purchase Agreement, or the undertaking of the Project, and each are hereby further authorized and directed to deliver same to the County of Monmouth, New Jersey (the “County”) and/or the MCIA, as applicable, upon delivery of the Bonds and the applicable receipts of payment therefor, or in accordance with the 2022B and 2022C MCIA Bond Program and (ii) perform such other actions as they deem necessary, desirable or convenient, in consultation with Bond Counsel and/or the Municipal Advisor, in relation to the execution and delivery of the Bonds and any certificates, documents, instruments or agreements necessary or desirable in connection therewith.

**SECTION 17.** The Mayor and Chief Financial Officer are each hereby authorized and directed, without further authorization, to enter into and execute a continuing disclosure agreement or such other agreement as may be required by the MCIA for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time, in a form satisfactory to Bond Counsel.

**SECTION 18.** The Township hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended, in order to preserve the exemption from taxation of interest on the Bonds issued as tax-exempt obligations, including the requirement to rebate all net investment earnings on gross proceeds above the yield on the Bonds, if necessary.

**SECTION 19.** Upon the adoption hereof, the Township Clerk shall forward certified copies of this resolution: (a) via electronic email, to (i) John D. Draikiwicz, Esq. of Gibbons, P.C., Newark, New Jersey, the MCIA Bond Counsel, at JDraikiwicz@gibbonslaw.com, and (ii) Everett M. Johnson, Esq., of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Township, at ejohnson@wilentz.com; and (b) via certified first class mail, to (i) John D. Draikiwicz, Esq., Gibbons P.C., One Gateway Center, Newark, New Jersey 07102, and (ii) Everett M. Johnson, Esq., Wilentz, Goldman & Spitzer, P.A., 90 Woodbridge Center Drive, Woodbridge, New Jersey 07095.

**SECTION 20.** This resolution shall take effect immediately.



**EXHIBIT A**

**UNITED STATES OF AMERICA**

**TOWNSHIP OF NEPTUNE  
IN THE COUNTY OF MONMOUTH  
STATE OF NEW JERSEY**

**[GENERAL IMPROVEMENT] [SEWER UTILITY] BOND,  
SERIES 2022**

**NUMBER [GI-1] / [SU-1]**

**DATE OF ORIGINAL ISSUE:** December 22, 2022

**REGISTERED OWNER:** Monmouth County Improvement Authority

**PRINCIPAL SUM:** \_\_\_\_\_ Dollars  
(\$\_\_\_\_\_)

**THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH,** a body politic and corporate of the State of New Jersey (the "Township"), hereby acknowledges itself indebted and for value received promises to pay to the order of the Monmouth County Improvement Authority (the "Authority"), c/o \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ (the "Trustee"), Account Number \_\_\_\_\_, the Principal Sum specified above payable in the amounts and on the dates specified and set forth on Schedule A attached hereto and by this reference made a part hereof, and to pay interest on such sum from the Date of Original Issue of this Bond until payment in full at the interest rates per annum and in the amounts and dates specified and set forth on Schedule A attached hereto and by this reference made a part hereof. Interest is payable to the Authority at the corporate trust office of the Trustee on the May 15 and November 15 prior to each June 1 and December 1, commencing June 1, 2023, in an amount equal to the interest accruing to each such June 1 and December 1. This Bond as to principal will be payable on the fifteenth day of the month immediately preceding the due date therefor at the corporate trust office of the Trustee. Upon the occurrence of an event of default by the Authority under the bond resolution adopted by the Authority on

November 10, 2022 (as the same may be supplemented and amended, the "Resolution") which event of default is directly attributable to a default hereunder or to a default by the Township under its Bond Purchase Agreement with the Authority relating to the Authority's purchase of this Bond, or in the event of default in any payments of principal of or interest on this Bond, the Trustee may by notice to the Chief Financial Officer of the Township at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, New Jersey 07753, accelerate the principal amount of this Bond all as provided in the Resolution. Amounts not paid when due hereunder shall bear interest at the Late Payment Rate (as hereinafter defined) until paid. This Bond shall be prepayable as set forth in Section 1303 of the Resolution.

Both principal of and interest on this Bond is payable in lawful money of the United States of America and in immediately available funds.

As used herein, "Business Day" shall mean any day that is not a Saturday, a Sunday or a legal holiday in the State of New Jersey or the State of New York or a day on which the Trustee is legally authorized to close. "Late Payment Rate" shall mean a rate per annum equal to the lower of (i) the greater of (a) three percent above the interest rate that JPMorgan Chase publicly announces from time to time as its prime lending rate, such interest rate to change on the effective date of each announced change in such rate, and (b) the rate then payable on this bond, and (ii) the maximum interest rate allowed by law.

This Bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), and is one of the [General Improvement] [Sewer Utility] Bonds referred to in and issued pursuant to a resolution duly adopted by the Township Committee on November 28, 2022 entitled, "RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF NOT EXCEEDING \$10,810,597 GENERAL OBLIGATION BONDS, SERIES 2022, CONSISTING

OF \$5,765,597 GENERAL IMPROVEMENT BONDS, SERIES 2022 AND \$5,045,000 SEWER UTILITY BONDS, SERIES 2022, OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF SUCH BONDS, AND PROVIDING FOR THE SALE OF SUCH BONDS TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY PURSUANT TO THE AUTHORITY'S 2022B AND 2022C POOLED GOVERNMENTAL LOAN PROGRAM" and the various bond ordinances referred to therein, all finally adopted and published as required by law.

The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal of and the interest on, and all other amounts due under, this Bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this Bond exist, have happened and have been performed and that this Bond, together with all other indebtedness of the Township, is within every debt and other limit prescribed by such Constitution or statutes.

The Township agrees to pay (i) all costs and expenses, including legal fees, in connection with the administration and enforcement of this Bond, and (ii) its share of the amounts payable pursuant to Section 9(vi)(C) of the Bond Purchase Agreement by and between the Township and the Authority.

**IN WITNESS WHEREOF**, the Township of Neptune, in the County of Monmouth, State of New Jersey has caused this Bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this Bond and the seal to be attested to by the manual signature of the its Clerk, and this Bond to be dated the Date of Original Issue as specified above.

**TOWNSHIP OF NEPTUNE,  
IN THE COUNTY OF MONMOUTH,  
STATE OF NEW JERSEY**

**ATTEST:**

**(SEAL)**

**[Form of Bond – Do Not Sign]**  
**NICHOLAS WILLIAMS,**  
**Mayor**

**[Form of Bond – Do Not Sign]**  
**GABRIELLA SIBONI,**  
**Township Clerk**

**[Form of Bond – Do Not Sign]**  
**MICHAEL J, BASCOM,**  
**Chief Financial Officer**

**ASSIGNMENT**

FOR VALUE RECEIVED \_\_\_\_\_ hereby sells, assigns and transfers unto \_\_\_\_\_ (Please Print or Type Name and Address of Assignee) the within Bond and irrevocably appoints \_\_\_\_\_ as Attorney to transfer this Bond on the registration books of the \_\_\_\_\_ with full power of substitution and revocation.

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**NOTICE**

The signature of this assignment must correspond with the name as it appears on the face of the within Bond in every particular.

Dated:

Signature of Guarantee:

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**SCHEDULE A**

TOWNSHIP OF NEPTUNE  
IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY

[GENERAL IMPROVEMENT] [SEWER UTILITY] BOND,  
SERIES 2022

Schedule of Principal and Interest Payments

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest</u>	Principal and <u>Interest</u>
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**CERTIFICATION**

I, GABRIELLA SIBONI, Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), DO HEREBY CERTIFY that attached hereto is a copy of a resolution entitled "RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF NOT EXCEEDING \$10,810,597 GENERAL OBLIGATION BONDS, SERIES 2022, CONSISTING OF \$5,765,597 GENERAL IMPROVEMENT BONDS, SERIES 2022 AND \$5,045,000 SEWER UTILITY BONDS, SERIES 2022, OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF SUCH BONDS, AND PROVIDING FOR THE SALE OF SUCH BONDS TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY PURSUANT TO THE AUTHORITY'S 2022B AND 2022C POOLED GOVERNMENTAL LOAN PROGRAM" (the "Resolution"), which Resolution was duly adopted by the Township Committee at a meeting duly called and held on November 28, 2022, in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., at which meeting a quorum was present and acting throughout and which Resolution has been compared by me with the original thereof as officially recorded in the Minute Book of said Township Committee and that said Resolution has not been amended, modified or repealed and is in full force and effect on and as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Township this \_\_\_\_ day of \_\_\_\_\_, 2022.

(SEAL)

\_\_\_\_\_  
GABRIELLA SIBONI,  
Clerk of the Township of Neptune

**TOWNSHIP OF NEPTUNE  
RESOLUTION NO. 22-501**

**AUTHORIZING DISCHARGE OF MORTGAGE HELD BY NEPTUNE TOWNSHIP ON PROPERTY  
LOCATED AT 105 HEMLOCK DRIVE, NEPTUNE TOWNSHIP, NEW JERSEY, OWNED BY  
RICHARD F. KUCHEN**

WHEREAS, the Township of Neptune is the owner and holder of a certain mortgage note totaling \$7,406.25, secured by a certain mortgage for such sum made by Affordable Housing Alliance to the Township dated September 10, 2020 and recorded April 21, 2021 in Mortgage Book OR-9503, Page 5779 on property located at 105 Hemlock Drive, Neptune Township, New Jersey; and

WHEREAS, the Township has been advised that Mr. Richard F. Kuchen has passed away and his estate is the owner of the property subject to the second mortgage of \$7,406.25 at 105 Hemlock Drive, Neptune Township, New Jersey, and have sold the subject property and are seeking to discharge the aforesaid mortgage and have paid the \$7,406.25 due and owing to the Township.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune that the governing body hereby authorizes the discharge of a secondary mortgage held by Neptune Township with Richard F. Kuchen, entered into on December 10, 2020 in the amount of \$7,406.25, and recorded in the Clerk's Office of Monmouth County on April 21, 2021 in Mortgage Book OR-9503, Page 5779, per Paragraph 5 of the aforesaid mortgage, which required release of the second mortgage upon payment of the principal in full.

BE IT FURTHER RESOLVED, the Township Committee hereby authorizes the Township Attorney, Gene J. Anthony, Esq. to prepare the necessary Discharge of Mortgage, and obtain the necessary execution by the Mayor and Municipal Clerk and forward the same to the proper authority for recording purposes.



**TOWNSHIP OF NEPTUNE  
RESOLUTION #22-502**

**AUTHORIZE THE EXECUTION OF A RIGHT OF ACCESS AGREEMENT WITH  
IRONBOUND PROPERTY GROUP LLC**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the "**Act**"), provides a process for municipalities to participate in the redevelopment and improvement of properties designated as areas in need of redevelopment or as areas in need of rehabilitation; and

WHEREAS, the Township of Neptune (the "Township") desires that the land located in an area which has been determined to be an area in need of redevelopment in accordance with the Act (the "**Redevelopment Area**"), currently designated on the Tax Map of the Township of Neptune as Block 611, Lots 1, 38, 39, 40, and 41, more commonly known as 1700-1718 West Lake Avenue; and Block 610, Lot 14, more commonly known as 1711 West Lake Avenue (collectively, the "**Project Site**") be redeveloped in accordance with the West Lake Avenue Redevelopment Plan adopted by the Township by Ordinance No. 06-51 on November 27, 2006 (the "**Redevelopment Plan**"); and

WHEREAS, the Township owns all of the parcels comprising the Project Site; and

WHEREAS, on or about June 10, 2022, Ironbound Property Group LLC ("**Ironbound**") submitted to the Township a Pre- Submission Form (the "**Proposal**"), seeking to be designated as the Redeveloper for the Project Site and outlining its intention to redevelop the Project Site, together with a concept plan (the "**Concept Plan**"); and

WHEREAS, Ironbound proposes to redevelop the Project Site as two (2) separate parcels to be referred to herein as the "South Parcel", comprising Block 611, Lots 1, 38, 39, 40, and 41, and the "North Parcel" comprising Block 610, Lot 14; and

WHEREAS, Ironbound intends to acquire the parcels comprising the South Parcel from the Township and redevelop it as one mixed use building comprising approximately 28 residential units and +/- 5,000 sf for business and retail; and

WHEREAS, Ironbound intends to enter into a long-term ground lease with the Township for the North Parcel such that a concessionaire's license can potentially be issued/ utilized in connection with the operation of a proposed restaurant to be constructed thereupon by Ironbound; and

WHEREAS, the Township's Redevelopment Committee vetted the Proposal and met with Ironbound to further discuss the Proposal and the Concept Plan and the implementation of the Redevelopment Plan, generally; and

WHEREAS, by Resolution No. 22-456 adopted by the Township Committee of the Township of Neptune (the "**Township Committee**"), Ironbound has been designated as the Redeveloper of the Project Site expressly conditioned upon the successful negotiation of a Redevelopment Agreement setting forth all the terms and conditions regarding the implementation of a Project upon the Project Site and the Parties have entered into Conditional Designation and Interim Cost Agreement (the "**Conditional Designation Agreement**") which, *inter alia*, requires Ironbound to reimburse all of the costs and fees incurred and to be incurred by the Township in connection with the review of the Proposal and the Concept Plan and the preparation and negotiation of a Redevelopment Agreement, among other such expenses; and

WHEREAS, Ironbound has now requested temporary access to the parcels comprising the Project Site for itself and its consultants, representatives, contractors and their subcontractors (collectively referred to as “**Authorized Representatives**”) in order to undertake certain due diligence activities thereupon and the Township is willing to provide Redeveloper with a limited, revocable right of access under the conditions described in the attached Right of Access Agreement; and

WHEREAS, the Township Committee believes it is in the best interest of the Township to enter into such a Right of Access Agreement with Ironbound in order to encourage the redevelopment of the Project Site.

NOW, THEREFORE, it is hereby resolved by the Township Committee of Neptune as follows:

1. The Mayor is hereby authorized and directed to execute a Right of Access Agreement between the Township of Neptune and Ironbound Property Group LLC in substantially the form attached hereto as **Attachment A**.
2. The Business Administrator and Staff of the Township of Neptune are hereby authorized and directed to take all actions as shall be deemed necessary or desirable to implement this Resolution.
3. This Resolution shall be effective immediately.

Attachment A (to Resolution)  
Form of Right of Access Agreement

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-503**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE AUTHORIZING SUBMISSION OF AN APPLICATION FOR DMHAS GRANT FUNDING FOR NEPTUNE MUNICIPAL ALLIANCE GRANT TERM 9/1/2023 TO 9/30/2025**

**FORM 1B – DMHAS Youth Leadership Grant**

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

**WHEREAS**, The Township Council of the **Township of Neptune** , County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Township Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Monmouth;

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Neptune, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Township/of Neptune Council does hereby authorize submission of an application for DMHAS Grant funding for the Neptune Municipal Alliance for Grant Term 9/1/23 – 9/30/25 in the amount of:  
DMHAS Grant Funding            \$ 7,251.05
2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: \_\_\_\_\_  
*Nicholas Williams, Mayor*

**CERTIFICATION**

I, Gabriella Siboni, Municipal Clerk of the Township of Neptune, County of Monmouth, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Committee on this 28<sup>th</sup> day of November, 2022

\_\_\_\_\_  
*Gabriella Siboni*  
*Township Clerk*

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-504**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN FOR THE NEPTUNE  
MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2024 (FISCAL GRANT CYCLE JULY  
2020-JUNE 2025)**

**FORM 1B**

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Township Council of the **Township of Neptune** , County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Township Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Monmouth;

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Neptune, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Neptune Township Municipal Alliance grant for fiscal year **2024** in the amount of:

DEDR	<u>\$ 21,290.00</u>
Cash Match	<u>\$ 5,322.50</u>
In-Kind	<u>\$ 15,967.50</u>

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: \_\_\_\_\_  
*Nicholas Williams, Mayor*

**CERTIFICATION**

I, Gabriella Siboni, Municipal Clerk of the Township of Neptune, County of Monmouth, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Committee on this 28<sup>th</sup> day of November, 2022

\_\_\_\_\_  
*Gabriella Siboni*  
*Township Clerk*

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-505**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
AUTHORIZING CANCELLATION OF MORTGAGES IN CONNECTION WITH FAÇADE  
IMPROVEMENT PROGRAM LOANS**

WHEREAS, the Township of Neptune holds the following four mortgages in connection with Façade Improvement Program Loans:

<b>Date</b>	<b>Name</b>	<b>Address</b>
5/1/2013	35 Brew, Inc.	1401 NJ-35 Neptune, NJ 07753

WHEREAS, the loans have been paid in full and the façades have been maintained for the required five year period; and;

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

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 cancellations of four mortgages, as stated herein, in connection with four Façade Improvement Program Loans; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Secretary to the Economic Development Corporation.

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-506**

**RESOLUTION AUTHORIZING THE AGREEMENT FOR 2023 FORD F350 SUPER DUTY 4WD CREW CAB TO NATIONAL AUTO FLEET GROUP UNDER NATIONAL JOINT POWERS ALLIANCE PURCHASING PROGRAM, SOURCEWELL CONTRACT #091521-NAF IN AN AMOUNT NOT TO EXCEED \$70,580.00**

WHEREAS, the Township of Neptune wishes to authorize the agreement for 2023 Ford F350 Super Duty 4WD Crew Cab to National Auto Fleet Group Under National Joint Powers Alliance Purchasing Program, Sourcewell Contract #091521-NAF in an amount not to exceed \$70,580.00; and

WHEREAS, National Auto Fleet Group, having an address at 480 Auto Center Drive Watsonville, CA 95076, has been awarded under National Joint Powers Alliance Purchasing Program, Sourcewell Contract# 091521-NAF for purposes of providing such services; and

WHEREAS, N.J.S.A.40A:11-12 permits the purchase of goods and services without advertising for bids when purchased under contract for goods or services entered on behalf of the State by the Division of Purchase and Property in the Department of the Treasury.

Now, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that:

1. The agreement for 2023 Ford F350 Super Duty 4WD Crew Cab to National Auto Fleet Group Under National Joint Powers Alliance Purchasing Program, Sourcewell Contract #091521-NAF in an amount not to exceed \$70,580.00 is hereby approved.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer and Qualified Purchasing Agent

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on November 28, 2022

\_\_\_\_\_  
Gabriella Siboni  
Township Clerk

**Certification of Funds**

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the agreement for 2023 Ford F350 Super Duty 4WD Crew Cab to National Auto Fleet Group Under National Joint Powers Alliance Purchasing Program, Sourcewell Contract #091521-NAF in an amount not to exceed \$70,580.00.

**Account Name**  
Sewer OE

**Account Number**  
07-201-55-513-020

\_\_\_\_\_  
Michael Bascom, Chief Financial Officer

\_\_\_\_\_  
Date

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-507**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
AWARDING MAZZA RECYCLING SERVICES CONTRACT “DISPOSAL OF BULKY WASTE”**

WHEREAS, the Township of Neptune advertised a notice to bidders on October 25, 2022 requesting bid submissions for the “Disposal of Bulky Waste”; and

WHEREAS, on November 16, 2022, the Township of Neptune received bids as follows:

<b>Company</b>	<b>Address</b>	<b>Base Bid</b>
Mazza Recycling Services	3230 Shafto Road Unit B Tinton Falls, NJ 07753	2023- \$95.50 per ton
		2024- \$95.50 per ton

WHEREAS, the Qualified Purchasing Agent has recommended to the Township Committee that the contract be awarded to Mazza Recycling Services, and;

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

1. The Township Committee hereby concurs with the recommendations of the Qualified Purchasing Agent and hereby awards the contract for the “Disposal of Bulky Waste” to Mazza Recycling Services at a rate of \$95.50 per ton for the year 2023 and a rate of \$95.50 per ton for the year 2024 in a form of contract acceptable to the Township Attorney.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, and Qualified Purchasing Agent

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on November 28, 2022

\_\_\_\_\_

Gabriella Siboni

Township Clerk

**Certification of Funds**

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the agreement “Disposal of Bulky Waste” to Mazza Recycling Services at a rate of \$95.50 per ton for the year 2023 and a rate of \$95.50 per ton for the year 2024

**Account Name**  
Solid Waste Disposal OE

**Account Number**  
01-201-32-465-020

\_\_\_\_\_  
Michael Bascom, Chief Financial Officer

\_\_\_\_\_  
Date



**TOWNSHIP OF NEPTUNE  
RESOLUTION 22-507  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
AWARDING MAZZA MULCH INC. CONTRACT “REMOVAL OF LEAVES”**

WHEREAS, the Township of Neptune advertised a notice to bidders on October 25, 2022 requesting bid submissions for the “Removal of Leaves”; and

WHEREAS, on November 16, 2022, the Township of Neptune received bids as follows:

<b>Company</b>	<b>Address</b>	<b>Base Bid</b>
Mazza Mulch Inc.	3230A Shafto Road Tinton Falls, NJ 07753	2023- \$6.15 per cubic yard 2024- \$6.15 per cubic yard
Britton Industries	151 New Road Marlton, NJ 08053	2023- \$7.95 per cubic yard 2024- \$7.95 per cubic yard

WHEREAS, the Qualified Purchasing Agent has recommended to the Township Committee that the contract be awarded to Mazza Mulch Inc., and;

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

1. The Township Committee hereby concurs with the recommendations of the Qualified Purchasing Agent and hereby awards the contract for the “Removal of Leaves” to Mazza Mulch Inc. at a rate of \$6.15 per cubic yard for the year 2023 and a rate of \$6.15 per cubic yard for the year 2024 in a form of contract acceptable to the Township Attorney.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, and Qualified Purchasing Agent

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on November 28, 2022

\_\_\_\_\_  
Gabriella Siboni

Township Clerk

**Certification of Funds**

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the agreement “Removal of Leaves” to Mazza Mulch Inc. at a rate of \$6.15 per cubic yard for the year 2023 and a rate of \$6.15 per cubic yard for the year 2024

**Account Name**  
Solid Waste Disposal OE

**Account Number**  
01-201-32-465-020

\_\_\_\_\_  
Michael Bascom, Chief Financial Officer

\_\_\_\_\_  
Date

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-509**

**RESOLUTION AUTHORIZING AGREEMENT FOR PURCHASE OF TWO (2) 2023 CHEVROLET TAHOE PURSUIT 4WD FROM MALL CHEVROLET UNDER NEW JERSEY STATE CO-OP #65MCESCCPS, CONTRACT # ESCNJ 20/21-09 IN AN AMOUNT NOT TO EXCEED \$91,000.00**

WHEREAS, the Township of Neptune sought two (2) 2023 Chevrolet Tahoe Pursuit 4WD from Mall Chevrolet under New Jersey State Co-Op #65MCESCCPS, contract # ESCNJ 20/21-09 in an amount not to exceed \$91,000.00; and

WHEREAS, Mall Chevrolet, having an address at 75 Haddonfield Road Cherry Hill, NJ 08002 has been awarded under State Co-Op #65MCESCCPS, Contract# ESCNJ 20/21-09 for purposes of providing such services; and

WHEREAS, N.J.S.A.40A:11-12 permits the purchase of goods and services without advertising for bids when purchased under contract for goods or services entered on behalf of the State by the Division of Purchase and Property in the Department of the Treasury.

Now, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that:

1. The Purchase of sought two (2) 2023 Chevrolet Tahoe Pursuit 4WD from Mall Chevrolet under New Jersey State Co-Op #65MCESCCPS, contract # ESCNJ 20/21-09 in an amount not to exceed \$91,000.00 is hereby approved.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, Public Works Director, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., and Public Works Director.

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on November 28, 2022

\_\_\_\_\_  
Gabriella Siboni

Township Clerk

**Certification of Funds**

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the Purchase of sought two (2) 2023 Chevrolet Tahoe Pursuit 4WD from Mall Chevrolet under New Jersey State Co-Op #65MCESCCPS, contract # ESCNJ 20/21-09 in an amount not to exceed \$91,000.00

**Account Name**  
2021 MCIA  
Insurance Refunds  
Police OE

**Account Number**  
05-220-55-910-020  
01-299-55  
01-201-25-240020

\_\_\_\_\_  
Michael Bascom, Chief Financial Officer

\_\_\_\_\_  
Date

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-510**

**RESOLUTION AUTHORIZING AGREEMENT FOR CODIFICATION UPDATES TO THE LAND DEVELOPMENT ORDINANCE FROM GENCODE LLC IN AN AMOUNT NOT TO EXCEED \$14,980.00**

WHEREAS, the Township of Neptune desires to retain the services of a qualified company for purposed of maintaining the Township of Neptune’s Land Use Development ordinances, including supplementation of the codes and electronic publishing, and

WHEREAS, General Code, LLC has provided a proposal to Neptune Township for the purposes of performing the sought after codification services in an amount not to exceed \$14,980.00; and

WHEREAS, N.J.S.A.40A:11-5 authorizes the award of an agreement for services in connection with the revision and codification of the municipal ordinances without public bidding.

Now, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that:

1. The agreement with General Code, LLC to update the Land Development Ordinance, update online code housed on eCode365 and provide two custom printed Land Development Ordinance Volumes in an amount not to exceed \$14,980.00 is hereby approved.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, Public Works Director, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., and Public Works Director.

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on November 28, 2022

\_\_\_\_\_  
Gabriella Siboni

Township Clerk

**Certification of Funds**

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the agreement with General Code, LLC to update the Land Development Ordinance, update online code housed on eCode365 and provide two custom printed Land Development Ordinance Volumes in an amount not to exceed \$14,980.00

**Account Name**  
Clerk OE

**Account Number**  
01-201-20-120-020

\_\_\_\_\_  
Michael Bascom, Chief Financial Officer

\_\_\_\_\_  
Date

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-511**

**AUTHORIZE CHANGE IN TITLE AND TEXT IN 2022 MUNICIPAL BUDGET TO PROVIDE MATCHING FUNDS FOR A IT PAYS TO PLUG IN: NJ'S ELECTRIC VEHICLE CHARGING GRANT**

WHEREAS, N.J.S. 40A:4-85 provides that the Director of the Division of Local Finance may, at the request of, or with the consent of, the governing body of the county or municipality, make changes of the title, text or amount of any appropriation appearing in the budgets as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any such county or municipality; and,

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of N.J.S. 40A:4-85, the Township of Neptune hereby requests the Director of the Division of Local Finance to make the following corrections in the budget of the year 2022;

	<b>Appropriation Title</b>	<b>Amount</b>
Appropriation From:	Matching Fund for Grant	\$18,750.00
Appropriation To:	Matching Funds- It Pays to Plug In: NJ's Electric Vehicle Charging Grant Local Match	\$18,750.00

BE IT FURTHER RESOLVED that the foregoing correction is, in the opinion of the governing body, warranted and authorized by the statute above referred to, and is necessary for the orderly operation of the municipality for the reasons hereinafter set forth: The appropriation "Matching Funds for Grants" is a non-spending appropriation which must be transferred into a specific line-item for use by the municipality. The municipality has been awarded funding from the It Pays to Plug In: NJ's Electric Vehicle Charging Grant Local Match Grant which requires a municipal cash match which is expected to be \$18,750.00 for 2022; and,

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

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-512**

**AUTHORIZE THE TRANSFER OF 2022 BUDGET APPROPRIATIONS #1**

WHEREAS, N.J.S. 40A:4-58 permits the transfer of current year appropriations during the last two months of the fiscal year, and;

WHEREAS, the Chief Financial Officer has recommended that the following appropriation transfers be authorized,

OPERATING	TO	From
General Admin S&W		\$5,000.00
Human Resources S&W		\$15,000.00
Municipal Clerk S&W		\$15,000.00
Municipal Clerk OE	\$15,000.00	
Financial Admin S&W		\$5,000.00
MIS OE		\$3,500.00
Revenue Admin OE		\$6,000.00
Tax Assessment S&W	\$1,000.00	
Tax Assessment OE	\$5,000.00	
Engineering Services OE	\$60,000.00	
Economic Development OE		\$2,000.00
Planning Board S&W	\$6,000.00	
Community Programs OE		\$1,000.00
Uniform Construction Code S&W	\$20,000.00	
Uniform Construction Code OE	\$9,000.00	
Other Code Enf S&W		\$15,000.00
Other Code Enf OE	\$7,000.00	
Mercantile Licensing OE	\$6,000.00	
Police Department S&W		\$157,792.57
Police Department OE	\$30,000.00	
Office of Emergency Management S&W	\$1,000.00	
Office of Emergency Management OE	\$6,000.00	
EMS S&W		\$25,000.00
EMS OE		\$5,000.00
Streets & Roads S&W		\$7,500.00
Other Public Works S&W		\$25,000.00
Solid Waste S&W		\$70,000.00
Building & Grounds S&W	\$16,000.00	
Building & Grounds OE	\$10,000.00	
Contracted Services	\$50,000.00	
Public Health Services S&W	\$9,600.00	
Environmental/Shade Tree S&W	\$500.00	

Environmental/Shade Tree OE		\$2,500.00
Recreation S&W		\$10,000.00
Senior Citizens Program S&W		\$10,000.00
Senior Citizens Program OE	\$10,000.00	
Maintenance Parks OE	\$10,000.00	
Publicity & Tourism S&W	\$1,000.00	
Celebrations of Public Events OE		\$10,000.00
Street Lighting OE	\$15,000.00	
Telephone OE	\$15,000.00	
Natural Gas OE	\$10,000.00	
Gasoline OE	\$25,000.00	
Matching Funds for Grants	\$2,192.57	
Interlocal - Vehicle Maintenance	\$50,000.00	
	<u>\$390,292.57</u>	<u>\$390,292.57</u>

SEWER	<u>TO</u>	<u>From</u>
MCIA Capital Lease Program	\$19,503.98	
TNSA Annual Charge		\$19,503.98
	<u>\$19,503.98</u>	<u>\$19,503.98</u>

MARINA	<u>TO</u>	<u>From</u>
MCIA Capital Lease Program	\$2,348.59	
Interest on Bonds	\$2,137.46	
Interest of Notes	\$1,700.00	
Marina Operating S&W		\$6,186.05
	<u>\$6,186.05</u>	<u>\$6,186.05</u>

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, that 2022 Budget Appropriations be transferred as stated herein; and,

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

**TOWNSHIP OF NEPTUNE  
RESOLUTION #22-513**

**EXTEND OFFER OF EMPLOYMENT FOR SEASONAL/ON-CALL DRIVERS IN THE  
DEPARTMENT OF PUBLIC WORKS FOR SNOW PLOWING**

WHEREAS, Resolution 22-442 was adopted by the Township Committee to employ seasonal/on-call drivers in the Department of Public Works for Snow Plowing and additional names have since been submitted to included, and;

WHEREAS, the Township desires to create a pool of individuals with commercial drivers license who would be called upon during major snowfalls to operate snow plows as a supplement to the full-time Public Works staff; and,

WHEREAS, the Director of Public Works has forwarded his recommendations to employ workers for this purpose; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following individuals be and are hereby employed in the Department of Public Works as Casual Employees on an on-call basis only for snow plowing during major snow/ice events during the 2022-2023 winter season at an hourly rate of \$32.00; and,

William Burdge  
Frank Martuscelli, Sr.  
Ceasar Cowart

Greg E. LaFrance  
John Matthews  
Jaime Gray

Sidney Chasey  
John Fritz  
Patrick Mackin

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

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on November 28, 2022

\_\_\_\_\_  
Gabriella Siboni  
Township Clerk

**Certification of Funds**

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the above noted personnel actions.

**Account Name**  
Streets & Roads S&W

**Account Number**  
01-201-26-290-010

\_\_\_\_\_  
Michael Bascom, Chief Financial Officer

\_\_\_\_\_  
Date

**TOWNSHIP OF NEPTUNE**

**RESOLUTION #22-514**

**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:

**November 28, 2022 Bill List**

Current Fund	\$8,483,052.52
Grant Fund	\$57,482.09
Trust Other	\$30,999.21
General Capital	\$153,283.00
Sewer Operating Fund	\$1,421,215.39
Marina Operating Fund	\$145,127.77
Library Trust	\$810.31

**Bill List Total** **\$10,291,970.29**

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



**TOWNSHIP OF NEPTUNE**  
**RESOLUTION 22-515**  
**A RESOLUTION AUTHORIZING THE CANCELLATION OF TAXES**

WHEREAS, the property known as Block 5503, Lot 9, with an address of Compass Ct, is has a 2014 balance of \$1.54; and,

WHEREAS, the Tax Collector of the Township of Neptune desires to cancel the taxes balance for 2014; and,

WHEREAS, the amounts to be canceled are as follow;

Tax Year	Amount to Cancel
2014	\$1.54

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

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Tax Collector, Deputy Treasurer and Auditor.

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
AUTHORIZING CERTAIN PERSONNEL ACTIONS- PUBLIC WORKS**

**WHEREAS**, the following appointments have been reviewed by the Department Heads of the respective Departments; and

**WHEREAS**, the Human Resources Director in consultation with the Township Administrator and the Department Heads involved have recommended the appointments of the following individuals; and

**WHEREAS**, the Township Administrator concurs with the findings of the Department Head and hereby recommends to the Township Committee that the following appointments be made.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Neptune that the following personnel actions be and are hereby authorized on the effective date included herein.

<u>NAME</u>	<u>DEPARTMENT</u>	<u>POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
	Public Works	CDL Class A Driver		12/7/2022

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on November 28, 2022

\_\_\_\_\_  
Gabriella Siboni  
Township Clerk

**Certification of Funds**

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the above noted personnel actions.

<b>Account Name</b>	<b>Account Number</b>
Solid Waste Collection Salary and Wages	01-201-26-305-010

\_\_\_\_\_  
Michael Bascom, Chief Financial Officer

\_\_\_\_\_  
Date