

**TOWNSHIP COMMITTEE WORKSHOP MEETING – December 22, 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 # 532 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 – December 22, 2022 – 6:30 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.

**RESOLUTION TO EMPLOY POLICE OFFICERS**

- Chief of Police will announce the recommendations for hire
- Mayor Williams will open Public Comments on Resolution 22-533 only. The public will be permitted one visit to the microphone with a limit of five minutes.

**Res # 533** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Police Department

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

- **Oaths of Office administered by Mayor Williams**

**Recess of the Township Committee. Will reconvene at 7:00PM to continue regular business.**

**TOWNSHIP COMMITTEE MEETING RECONVENE– December 22, 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 December 12, 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 22-51** 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 \_\_\_\_\_

**ORDINANCES FOR FIRST READING**

There are no ordinances for first reading tonight.

**CONSENT AGENDA**

- Res # 534** Resolution Authorizing The Chief Financial Officer And Other Township Officials To Undertake Certain Actions In Connection With The Issuance Of A Not To Exceed \$866,466 General Improvement Bond Anticipation Note
- Res # 535** A Resolution Of The Township Committee Of The Township Of Neptune Accepting Resignations
- Res # 536** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Reclassification
- Res # 537** A Resolution Authorizing The Refund Of Taxes As A Result Of An Overpayment
- Res # 538** Resolution Authorizing The Agreement For Facilities Management Products And Solutions Uniforms, First Aid And Safety And Cleaning Supplies With Cintas Corporation Under Omnia Partners Cooperative Pricing System, Contract #R-NN-19002
- Res # 539** Authorizing Settlement In The Declaratory Judgment Action Seeking A Determination Of Municipal Rights For Insurance Coverage On The Case Of Krista Horan V. Neptune Township
- Res # 540** Governing Body Certification Of The Annual Audit
- Res # 541** Accept A Corrective Action Plan In Connection With The 2021 Audit Recommendations
- Res # 542** Authorize Extension Of Shared Service Agreement With The Borough Of Avon-By-The-Sea For Emergency Medical Services
- Res # 543** Authorize The Execution Of An Interlocal Service Agreement With The Neptune Township School District For The Production Of Joint Newsletters
- Res # 544** A Resolution Authorizing The Cancellation Of Grant Receivables And Grant Reserves
- Res # 545** Authorizing The Township Committee Of The Township Of Neptune To Execute Change Order #2 And Final For \$168,027.82 With P&A Construction Inc. For 2021 Road Improvement Project For A New Contract Total Of \$1,937,860.66
- Res # 546** Authorizing The Township Committee Of The Township Of Neptune To Execute Change Order #1 For \$87,291.41 With Lucas Brothers Inc.. For Gables Phase V Sewer Main Replacement For A New Contract Total Of \$1,559,256.71
- Res # 547** Authorize The Transfer Of 2022 Budget Appropriations #2
- Res # 548** Authorize Payment of Bills

**CONSENT AGENDA**

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

**SEPARATED RESOLUTIONS**

- Res # 549** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Code And Construction

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>Roll Call To Adopt On First Reading</b>		Adopted on First Reading
<b>Motion/ Second</b>		YAY    NAY    ABSTAIN    ABSENT	Dated: November 28, 2022
	Dr. Michael Brantley	X	
Motion	Keith Cafferty	X	
	Robert Lane, Jr.	X	
Second	Tassie D. York	X	
	Nicholas Williams	X	
			_____ Gabriella Siboni, RMC Township Clerk

	<b>Roll Call To Adopt On Second and Final Reading</b>		Adopted on Second Reading
<b>Motion/ Second</b>		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  
RESOLUTION 22-532**

**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;
- Pending or anticipated litigation;
- Privacy;
- Public Safety;
- Educational matter;
- Contract Negotiation

**Description of matter:**

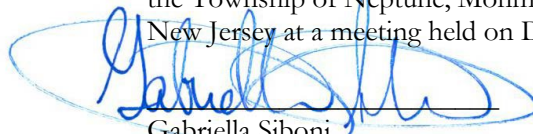
- 1. Personnel
  - o Hires

**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 December 22, 2022

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



**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-533**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
AUTHORIZING CERTAIN PERSONNEL ACTIONS- POLICE DEPARTMENT**

**WHEREAS**, due to retirements and resignations, there are vacancies in the position of Police Officer; and

**WHEREAS**, candidates were interviewed by the Police Department Command Staff, and;

**WHEREAS**, the Chief of Police has made his recommendations and the Police Committee has approved said recommendations, and;

**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; pending favorable results of physical and psychological examinations:

<u>NAME</u>	<u>DEPARTMENT</u>	<u>POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Steven Kontogiannis	Police	Police Officer	\$40,000.00	January 2, 2023
Joshua James	Police	Police Officer	\$40,000.00	January 2, 2023
Mi'Jaut Berry	Police	Police Officer	\$40,000.00	January 2, 2023
Nicholas Krimin	Police	Police Officer	\$40,000.00	January 2, 2023
James Weinberg	Police	Police Officer	\$40,000.00	January 2, 2023
Sheena Benites	Police	Police Officer	\$40,000.00	January 2, 2023

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 December 22, 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>
Police Department Salary and Wages	01-201-25-240-020

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

\_\_\_\_\_  
Date

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-534**

**RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER AND OTHER TOWNSHIP OFFICIALS TO UNDERTAKE CERTAIN ACTIONS IN CONNECTION WITH THE ISSUANCE OF A NOT TO EXCEED \$866,466 GENERAL IMPROVEMENT BOND ANTICIPATION NOTE**

WHEREAS, the Township of Neptune, in the County of Monmouth, State of New Jersey (the “Township”) is seeking to issue a not to exceed \$866,466 aggregate principal amount General Improvement Bond Anticipation Note (the “Note”) to currently refund (i) a \$105,466 principal portion of a \$2,464,197 Bond Anticipation Note of the Township issued on December 30, 2021 and maturing on December 29, 2022 (the “December Prior Note”), which December Prior Note was originally issued in the aggregate principal amount of \$2,464,197 on December 30, 2021 to temporarily finance the costs of various general capital improvements in and for the Township (the remaining portion of such December Prior Note is being paid in the amount of (a) \$2,169,197 through the issuance of the Township’s General Obligation Bonds, Series 2022, dated December 22, 2022 (the “Series 2022 Bonds”), to The Monmouth County Improvement Authority (the “Authority”) and (b) \$189,534 through the application of the Reserve to Pay BANs in the Township’s General Capital Fund), and (ii) a \$761,000 principal portion of a \$1,261,000 Bond Anticipation Note of the Township issued on July 7, 2022 and maturing on July 6, 2023 (the “July Prior Note” and together with the December Prior Note, the “Prior Notes”), which July Prior Note is subject to prepayment by the Township at any time prior to its stated maturity and was originally issued in the aggregate principal amount of \$1,402,000 on July 13, 2020 to temporarily finance the costs of various general capital improvements in and for the Township (the remaining portion of such July Prior Note is being paid (a) in the amount of \$460,000 through the issuance of the Township’s Series 2022 Bonds to the Authority and (b) by a 2022 budgetary appropriation of the Township in the amount of \$40,000); and

WHEREAS, the Township desires to issue the Note to the Sewer Operating Fund of the Township; and

WHEREAS, such Note shall bear interest at a rate of zero and zero hundredths percentum (0.00%) per annum, shall be dated December 28 2022 and shall mature on December 27, 2023; and

WHEREAS, the Township seeks to authorize the issuance of the Note to the Sewer Operating Fund of the Township.

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY as follows:

Section 1. Pursuant to and in accordance with Bond Ordinance Number 18-06, Bond Ordinance Number 19-27, Bond Ordinance Number 19-28, Bond Ordinance Number 19-29, Bond Ordinance Number 19-38, Bond Ordinance Number 21-13, and Bond Ordinance Number 21-29, all duly adopted by the Township (collectively, the “General Improvement Bond Ordinances”), a General Improvement Bond Anticipation Note of the Township in an aggregate principal amount not to exceed

\$866,466 (the "Note") shall be issued for the purpose of currently refunding a portion of the July Prior Note and a portion of the December Prior Note.

Section 2. The Note is authorized to be issued to the Sewer Operating Fund of the Township.

Section 3. The Note shall be dated December 28, 2022 and shall mature on December 27, 2023, shall bear interest from its date, which interest shall be at a rate of zero and zero hundredths percentum (0.00%) per annum, and shall be in the form attached hereto as Exhibit A.

Section 4. The Note shall be subject to prepayment by the Township at any time prior to its stated date of maturity.

Section 5. The Note shall be executed by the Mayor and the Chief Financial Officer of the Township and the official seal shall be thereunto affixed and attested to by the Clerk of the Township. To the extent not otherwise determined by this resolution, it is hereby delegated to the Chief Financial Officer of the Township the authority to determine all matters in connection with the Note issued, and the signature of the Chief Financial Officer upon the Note shall be conclusive evidence as to all such determinations. The Chief Financial Officer is also hereby authorized to sell part or all of the Note from time to time at a public or private sale and to deliver it to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from its date to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Committee at the meeting next succeeding the date when any sale or delivery of the Note pursuant to this resolution is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the Note so sold, the price obtained and the name of the purchaser. The Chief Financial Officer is hereby authorized and directed to deliver any certificates necessary in connection with the issuance of the Note.

Section 6. This resolution shall take effect immediately.

Upon motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing resolution was adopted by affirmative vote of the majority of the Township Committee at a regular meeting of the Township Committee duly called and held on the 22nd day of December, 2022 by the following vote:

<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

**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 the annexed resolution is a true, complete and correct copy of a resolution duly adopted by the Township Committee at its meeting duly called and held on December 22, 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 as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Township this 22<sup>nd</sup> day of December , 2022.

(SEAL)

---

GABRIELLA SIBONI,  
Clerk of the Township of Neptune

**EXHIBIT A**

**FORM OF NOTE**

BAN 2022-2

\$866,466

**Township of Neptune,  
In the County of Monmouth,  
State of New Jersey  
United States of America**

**GENERAL IMPROVEMENT BOND ANTICIPATION NOTE**

\*\*\*\*\*

KNOW ALL MEN BY THESE PRESENTS that the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), for value received, hereby acknowledges itself to be indebted and promises to pay to the Sewer Operating Fund of the Township, the registered owner hereof or its registered assigns, on the 27th day of December, 2023, the principal sum of EIGHT HUNDRED SIXTY-SIX THOUSAND FOUR HUNDRED SIXTY-SIX DOLLARS (\$866,466) with interest thereon at the rate of zero and zero hundredths percentum (0.00%) per annum (computed on the basis of a 360-day year of twelve 30-day months), payable at the maturity hereof. Both principal of and interest on this Note are payable in lawful money of the United States of America upon presentation and surrender hereof at the Office of the Chief Financial Officer of the Township. The full faith and credit of the Township are hereby irrevocably pledged for the prompt payment of the principal of and interest on this Note as the same become due and payable.

This Note may be registered as to principal and interest after which it will be transferable only upon presentation to the Chief Financial Officer of the Township at his office with a written assignment duly acknowledged or proved, and the name of the assignee shall be endorsed hereon and entered in the books kept in the office of said Chief Financial Officer of the Township.

This Note is subject to prepayment by the Township at any time prior to its stated maturity.

This Note is being issued to currently refund (i) a \$105,466 principal portion of a \$2,464,197 Bond Anticipation Note of the Township issued on December 30, 2021 and maturing on December 29, 2022 (the "December Prior Note"), which December Prior Note was originally issued in the aggregate principal amount of \$2,464,197 on December 30, 2021 to temporarily finance the costs of various general capital improvements in and for the Township (the remaining portion of such December Prior Note is being paid in the amount of (a) \$2,169,197 through the issuance of the Township's General Obligation Bonds, Series 2022, dated December 22, 2022 (the "Series 2022 Bonds"), to The Monmouth County Improvement Authority (the "Authority") and (b) \$189,534 through the application of the Reserve to Pay BANs in the Township's General Capital Fund), and (ii) a \$761,000 principal portion of a \$1,261,000 Bond Anticipation Note of the Township issued on July 7, 2022 and maturing on July 6, 2023 (the "July Prior Note" and together with the December Prior Note, the "Prior Notes"), which July Prior Note is subject to prepayment by the Township at any time prior to its stated maturity and was originally issued in the aggregate principal amount of \$1,402,000 on July 13, 2020 to temporarily finance the costs of various general capital improvements in and for the Township (the remaining portion of such July Prior Note is being paid (a) in the amount of \$460,000 through the issuance of the Township's Series 2022 Bonds to the Authority and (b) by a 2022 budgetary appropriation of the Township in the amount of \$40,000). This Note is authorized to be issued pursuant to the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*, as amended and supplemented, various bond ordinances duly adopted by the Township Committee, approved by the Mayor and published as required by law, and a resolution duly adopted by the Township Committee on December 22, 2022.

It is hereby certified and recited that all acts, conditions and things essential to the validity of this Note exist, have happened and have been done, and that every requirement of law affecting the issuance hereof has been duly complied with, and this Note is within every debt and other limit prescribed by the Constitution and laws of the State of New Jersey.

IN WITNESS WHEREOF, the Township has caused this Note to be signed by its Mayor and Chief Financial Officer and its official seal to be hereunto affixed and attested to by the Township Clerk, and this Note to be dated the 28th day of December, 2022.

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

By: **[FORM OF NOTE- DO NOT SIGN]**  
**NICHOLAS WILLIAMS,**  
Mayor

(SEAL)

**[FORM OF NOTE- DO NOT SIGN]**  
**MICHAEL J. BASCOM,**  
Chief Financial Officer

**[FORM OF NOTE- DO NOT SIGN]**  
**GABRIELLA SIBONI,**  
Township Clerk

BAN 2022-2

\$866,466

Township of Neptune  
in the County of Monmouth  
State of New Jersey  
United States of America

REGISTERED CERTIFICATE

It is hereby certified that the within Note is registered as to principal and interest as follows:

Date of Registry	Name of Registered Holder	Registered By
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-535**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
ACCEPTING RESIGNATIONS**

**WHEREAS**, the Human Resources Director has received notification from employee(s) that they will be resigning their position; and

**THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Neptune that the resignation(s) of noted below are hereby accepted; and,

<u>NAME</u>	<u>DEPARTMENT</u>	<u>POSITION</u>	<u>DATE OF NOTIFICATION</u>	<u>EFFECTIVE DATE OF RESIGNATION</u>
Chase Cumella	Police Department	SLEO II	December 19, 2022	December 21, 2022

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the respective departments, Business Administrator and Human Resources Director.



**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-536**

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

**WHEREAS**, the following re-classifications 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 Reclassification of the following individuals; and

**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>PREVIOUS POSITION</u>	<u>RECLASSIFICATION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Joseph Mullen	Public Works	Driver	Laborer	\$44,000.00	11/14/2022

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 December 22, 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>
Streets and Roads Salary and Wages	01-201-26-290-010

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

\_\_\_\_\_  
Date

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-537**

**A RESOLUTION AUTHORIZING THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT**

WHEREAS, the properties listed below reflect overpayments, and:

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

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 refund the taxes as stated herein,

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

<b><u>Block</u></b>	<b><u>Lot</u></b>	<b><u>Assessed to</u></b>	<b><u>Address</u></b>	<b><u>Year</u></b>	<b><u>Amount</u></b>
302	19	Braha	1114 Corlies Ave.	2022	\$4,484.94
517	37	Baker	202 Ridge Ave.	2022	\$1,418.08
4501	3	Assuncao	38 Marcy Dr.	2022	\$2,309.25
618	12	DJD Capital	1920 Bangs Ave.	2022	\$1,105.98
302	1	DJD Capital	120 Atkins Ave.	2022	\$1,768.49

**TOWNSHIP OF NEPTUNE  
RESOLUTION #22-538**

**RESOLUTION AUTHORIZING THE AGREEMENT FOR FACILITIES MANAGEMENT PRODUCTS AND SOLUTIONS UNIFORMS, FIRST AID AND SAFETY AND CLEANING SUPPLIES WITH CINTAS CORPORATION UNDER OMNIA PARTNERS COOPERATIVE PRICING SYSTEM, CONTRACT #R-NN-19002**

WHEREAS, the Township of Neptune wishes to authorize the agreement for Facilities Management Products And Solutions Uniforms, First Aid And Safety And Cleaning Supplies with Cintas Corporation under OMNIA Partners Cooperative Pricing System contract #R-NN-19002 pursuant to awarded contract agreement pricing; and

WHEREAS, Cintas Corporation having an address at 51 New England Ave. Piscataway, NJ 08854, has been awarded under OMNIA Partners Cooperative Pricing System contract #R-NN-19002 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 Facilities Management Products And Solutions Uniforms, First Aid And Safety And Cleaning Supplies with Cintas Corporation under OMNIA Partners Cooperative Pricing System contract #R-NN-19002 pursuant to awarded contract agreement pricing 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 December 22, 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 Facilities Management Products And Solutions Uniforms, First Aid And Safety And Cleaning Supplies with Cintas Corporation under OMNIA Partners Cooperative Pricing System contract #R-NN-19002 pursuant to awarded contract agreement pricing

<b>Account Name</b>	<b>Account Number</b>
Other Public Works Function	01-201-26-300-020
Sewer OE	07-201-55-501-020
Buildings and Grounds OE	01-201-26-310-020
Uniform Construction OE	01-201-22-195-020
Other Code OE	01-201-22-200-020
Administration OE	01-201-20-100-020

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

\_\_\_\_\_  
Date

**TOWNSHIP OF NEPTUNE**

**RESOLUTION #22-539**

**AUTHORIZING SETTLEMENT IN THE DECLARATORY JUDGMENT ACTION SEEKING A DETERMINATION OF MUNICIPAL RIGHTS FOR INSURANCE COVERAGE ON THE CASE OF KRISTA HORAN V. NEPTUNE TOWNSHIP**

WHEREAS, former employee, Krista Horan, of the Municipal Library, was terminated, and after some negotiations between the Township's Labor Attorney and Plaintiff's Attorney, a lawsuit was brought in the Superior Court of New Jersey, Monmouth County, under Docket No. MON-L-00306-18; claiming wrongful termination; and

WHEREAS, the matter was referred to the insurance carrier, National Casualty, under Policy No. PKONJA0025, but was denied coverage in the instant matter based on the proposition that the claim was not filed in a timely fashion; and

WHEREAS, during the time period of the aforesaid initial lawsuit, Neptune Township changed JIFs and insurance carriers, and by Resolution approved on August 13, 2018, authorized the Township Attorney, Gene J. Anthony, Esq., to file a legal action known as Declaratory Judgment in the Superior Court of New Jersey; seeking a Court ruling and interpretation as to the appropriateness of the insurance carrier's denial, and that such action would include both JIFs and insurance carriers, including an excess insurance carrier that overlapped during the period of the Horan matter; and

WHEREAS, the underlying Horan matter was ultimately settled for \$150,000.00, and so authorized by the governing body on November 8, 2018 by Resolution; and

WHEREAS, the original Declaratory Judgment matter that was filed in the Superior Court, Law Division, Monmouth County under Docket No. MON-L-3398-18 included the Garden State Municipal Joint Insurance Fund, Underwriters at Lloyd's, 100% Brit Syndicates, Ltd., Syndicate 2987; Statewide Insurance Fund; National Casualty Company; Nationwide Insurance Company, Evanston Insurance Company (later to be voluntarily dismissed from said lawsuit), and have been subject to outstanding Motions and Cross-motions for Summary Judgment.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorizes a Stipulation of Settlement and Dismissal with Prejudice to be filed with the Court upon full execution, which settles the aforesaid case under Docket No. MON-L-3398-18 with Nationwide Insurance Company paying the Township Five Thousand Dollars (\$5,000.00) and the remaining Defendants sharing in a payment of One Thousand Dollars (\$1,000.00); for a total payment to the Township of Six Thousand Dollars (\$6,000.00), with mutual releases releasing all claims, complaints and counterclaims filed by all parties in this matter.

**TOWNSHIP OF NEPTUNE  
RESOLUTION 22-540**

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

**WHEREAS**, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, N.J.S.A. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

- Auditor's Opinion
- Schedule of Findings and Questioned Costs
- Schedule of Findings and Recommendations
- General Comments

**WHEREAS**, the members of the governing body have personally reviewed as a minimum, as evidenced by the group affidavit form of the governing body attached hereto,

- Auditor's Opinion
- Schedule of Findings and Questioned Costs
- Schedule of Findings and Recommendations
- General Comments

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of N.J.S.A. 52:27BB-52, to wit:

N.J.S.A. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE BE IT RESOLVED**, That the Township Committee of the Township of Neptune, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I, Gabriella Siboni, Township Clerk of Neptune Township, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of Neptune, New Jersey at a regular meeting held on December 22, 2022.

\_\_\_\_\_  
Gabriella Siboni, RMC  
Municipal Clerk

**State of New Jersey**  
**County of Monmouth**

We, members of the governing body of the Township of Neptune, in the County of Monmouth, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Committee of the Township of Neptune in the County of Monmouth;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2021;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

Name

Signature

Mayor Nicholas Williams

\_\_\_\_\_

Deputy Mayor Keith Cafferty

\_\_\_\_\_

Committeewoman Tassie York

\_\_\_\_\_

Committeeman Robert Lane, Jr.

\_\_\_\_\_

Committeeman Dr. Michael Brantley

\_\_\_\_\_

\_\_\_\_\_  
Gabiella Siboni, RMC  
Municipal Clerk

Sworn and Subscribed to me on this  
22nd day of December, 2022

\_\_\_\_\_  
Signature of Notary Public

The Municipal Clerk shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

**TOWNSHIP OF NEPTUNE  
RESOLUTION 22-541**

**ACCEPT A CORRECTIVE ACTION PLAN IN CONNECTION WITH THE 2021 AUDIT  
RECOMMENDATIONS**

WHEREAS, the Township Committee previously accepted the 2021 Township of Neptune audit by resolution; and,

WHEREAS, the Chief Financial Officer has reviewed the comments and recommendations portion of said audit and submitted a Corrective Action Plan to the Township Committee,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Corrective Action Plan of the 2021 Township of Neptune Audit be and is hereby accepted and is authorized for submission to the Division of Local Government Services; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer.

**Township of Neptune**  
**Corrective Action Plan- In Response to 2021 Audit**  
**Michael J. Bascom, CMFO, CTC**

Comment / Recommendation	Explanation	Corrective Action	Responsible Employee	Date of C.A.
<b>2021-001 Interfunds:</b> Interfunds receivable and payable were reflected on the various balance sheets of the funds at December 31, 2021.	Interfund balances were resolved after the books for 2021 had been closed out. As a result, the Township ended the year with Interfund balances.	The Township will assure that interfund balances are transferred prior to year –end, to the extent possible.	Debbie Latshaw, Assistant CFO	12/31/2022
<b>2021-002 Uniform Construction Code Report:</b> Other expenditures were incorrectly entered on the UCC report. The Township included the current fund appropriation amount twice on the UCC report.	The report was prepared by the Construction Official with assistance from the Finance Department. The DRAFT report was correct upon review of the Finance Department, however, it was incorrectly revised prior to submission.	The Township will monitor the preparation of the UCC report to assure that it is properly prepared prior to submission.	Debbie Latshaw, Assistant CFO  Joseph Ciccone, Construction Official	12/31/2022
<b>2021-003 Municipal Court Bail Reconciliation:</b> The bank reconciliation of the bail account contains reconciling items that are carried forward from previous years.	The court has failed to take timely action to resolve reconciling items when proving the bank statements.	Reconciling items on the Municipal Court bank reconciliation shall be investigated and fully resolved in a timely basis.	Ursula Postell, Municipal Court Administrator	12/31/2022



**TOWNSHIP OF NEPTUNE  
RESOLUTION 22-542**

**AUTHORIZE EXTENSION OF SHARED SERVICE AGREEMENT WITH THE BOROUGH  
OF AVON-BY-THE-SEA FOR EMERGENCY MEDICAL SERVICES**

WHEREAS, the *Uniform Shared Services and Consolidation Act* (N.J.S.A. 40A:65-1 through 40A:65-35) authorizes local units of this State to enter into a contract with any other local unit or units for the joint provision within their several jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; and,

WHEREAS, the Borough of Avon-By-The-Sea (“Borough”) and the Township of Neptune, through the Neptune Township Emergency Medical Services, (“Neptune Township Emergency Medical Services”) have identified an area where working together through Shared Services will result in a positive outcome for both the Borough and the Neptune Township Emergency Medical Services; and

WHEREAS, Resolution 21-435 Authorized the Execution of an agreement between the Borough and Neptune Township Emergency Medical Services for an initial period of one (1) year beginning January 1, 2021 to December 31, 2021, the agreement may be extended by Agreement of both parties for a period of five (5) years beyond the expiration date by resolution of each governing body with an allowance to amend the annual fee based upon costs and call volume; and

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

1. The Mayor and Clerk are hereby authorized and directed to enter into a Shared Service Agreement (“Agreement”) with the Borough of Avon-By-The-Sea with respect to the provision of Emergency Medical Services pursuant to the terms and conditions set forth in the Agreement. A copy of the Agreement shall be open for public inspection at the Office of the Municipal Clerk.
2. The Borough will pay the Township a base fee of \$176.99 per month. The total number of calls included in the base fee shall be twelve (12) calls for the year and any calls in excess of this amount shall be billed at a rate of \$176.99 per call in addition to the base rate.
3. The terms of this Agreement shall take effect upon the adoption of appropriate Resolutions and execution of the Agreement by the parties thereto.

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

**TOWNSHIP OF NEPTUNE  
RESOLUTION #22-543**

**AUTHORIZE THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT WITH  
THE NEPTUNE TOWNSHIP SCHOOL DISTRICT FOR THE PRODUCTION OF JOINT  
NEWSLETTERS**

WHEREAS, the Township of Neptune and the Neptune Township School District desires to enter into an Interlocal Service Agreement pursuant to N.J.S.A. 40A:65-1 et seq. whereby the District will produce up to four (4) newsletters annually containing information about both District and municipal operations, news and events; and,

WHEREAS, the Township will agree to pay the District a fee for each newsletter based on a fee schedule outlined in the Interlocal Service Agreement and in consultation with the District's approved vendor; and,

WHEREAS, the Township will provide the text for their portion of the newsletter and the District will be responsible for all other aspects including preparation, layout, production and mailing; and,

WHEREAS, this Interlocal Service Agreement shall be for a term of one (1) year,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Interlocal Service Agreement with the Neptune Township School District, a copy of which is on file in the Office of the Municipal Clerk, which authorizes the Township and District to produce joint newsletters to provide pertinent information about municipal and school operations to Township residents; and,

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

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-544**

**A RESOLUTION AUTHORIZING THE CANCELLATION OF GRANT RECEIVABLES AND GRANT RESERVES**

WHEREAS, certain Grant Receivables and Grant Reserve balances remain open for projects that were completed for less than the anticipated grant amount and/or for which the funding will not be received; and,

WHEREAS, it is necessary to formally cancel said balances,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the following grant receivables and grant reserves be and hereby authorized to be cancelled:

<b>GRANT NAME</b>	<b>RECEIVABLE CANCELLED</b>	<b>DEFERRED CHGS UNFUNDED</b>
16-27 FEMA Public Assistance	\$20,386.64	\$20,386.64

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 22-545**

**AUTHORIZING THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE TO  
EXECUTE CHANGE ORDER #2 AND FINAL FOR \$168,027.82 WITH P&A CONSTRUCTION INC.  
FOR 2021 ROAD IMPROVEMENT PROJECT FOR A NEW CONTRACT TOTAL OF \$1,937,860.66**

**WHEREAS**, on October 25, 2021, the Township Committee adopted Resolution #21-378 which awarded a bid to P&A Construction, Inc. in the amount of \$1,692,881.84 in connection with 2021 Road Improvement Program Contract, and;

**WHEREAS**, Change Order #2 and Final reflects a total contract amount change of \$168,027.82, which reflects the following changes:

- Additional resurfacing throughout Sunshine Village development including Sunshine Parkway, Central Boulevard and Asbury Park Boulevard from Sunshine Village Park to Wayside Road, entire length of Hollywood Ave. and remainder of Monmouth Ave.

**WHEREAS**, the Township of Neptune, pursuant to N.J.A.C. 5:30-11.99, desires to amend its contract with P&A Construction, Inc. to reflect those changes, and;

**WHEREAS**, Change Order #2 and final account for a change in amount of \$168,027.82 has been prepared to reflect an increase in the contract quantities and is a 9.9255% change in original contract price, and;

**WHEREAS**, the Township's attorney has reviewed the project and Change Order #2 and Final and recommends the Township Execute Change Order #2 and Final, and;

**WHEREAS**, the total new contract price shall be \$1,937,860.66 after Change Order #2 and final has been accepted and executed by the Township, and;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Neptune, County of Monmouth, State of New Jersey that:

1. Change Order #2 and final which increases the contract amount by \$76,951.20 for the contract between the Township of Neptune and P&A Construction Inc be executed thereby increasing the new total contract price for the project to \$1,937,860.66.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, Engineer, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

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 December 12, 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 execution of Change Order #2 and final with P&A Construction Inc be executed thereby increasing the new total contract price for the project to \$1,937,860.66.

Account Name	Account Number
2020 Road & Drainage Improv	04-215-55-907-900
_____	_____

_____	_____
Michael Bascom, Chief Financial Officer	Date

**TOWNSHIP OF NEPTUNE  
RESOLUTION 22-546**

**AUTHORIZING THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE TO  
EXECUTE CHANGE ORDER #1 FOR \$87,291.41 WITH LUCAS BROTHERS INC.. FOR GABLES  
PHASE V SEWER MAIN REPLACEMENT FOR A NEW CONTRACT TOTAL OF \$1,559,256.71**

**WHEREAS**, on January 11, 2021, the Township Committee adopted Resolution #21-69 which awarded a bid to Lucas Brothers, Inc. in the amount of \$1,471,965.30 in connection with Gables Phase V Sewer Main Replacement Contract, and;

**WHEREAS**, Change Order #1 reflects a total contract amount change of \$87,291.41, which reflects the following changes:

- Significant increase in fuel and asphalt price adjustments between the time of bid and the date of construction
- Various unknowns relating to the existing subsurface utilities that were encountered during the course of construction.

**WHEREAS**, the Township of Neptune, pursuant to N.J.A.C. 5:30-11.99, desires to amend its contract with Lucas Brothers, Inc. to reflect those changes, and;

**WHEREAS**, Change Order #1 account for a change in amount of \$87,291.41 has been prepared to reflect an increase in the contract quantities and is a 5.9303% change in original contract price, and;

**WHEREAS**, the Township's attorney has reviewed the project and Change Order #1 and recommends the Township Execute Change Order #1, and;

**WHEREAS**, the total new contract price shall be \$1,559,256.71 after Change Order #1, has been accepted and executed by the Township, and;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Neptune, County of Monmouth, State of New Jersey that:

1. Change Order #1 which increases the contract amount by \$87,291.41 for the contract between the Township of Neptune and Lucas Brothers, Inc be executed thereby increasing the new total contract price for the project to \$1,559,256.71.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, Engineer, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

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 December 22, 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 execution of Change Order #1 with Lucas Brothers, Inc be executed thereby increasing the new total contract price for the project to \$1,559,256.71

Account Name  
Ord. 20-21 Gables Phase VI

Account Number  
08-215-55-951-550

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

\_\_\_\_\_  
Date

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-547**

**AUTHORIZE THE TRANSFER OF 2022 BUDGET APPROPRIATIONS #2**

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
Employee Group Health Insurance	\$190,000.00	
Police Department S&W		\$190,000.00
	<u>\$190,000.00</u>	<u>\$190,000.00</u>

MARINA	TO	From
Marina S&W	\$700.00	
Social Security FICA	\$1,000.00	
Capital Outlay		\$500.00
Marina OE		\$1,200.00
	<u>\$1,700.00</u>	<u>\$1,700.00</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 #22-548**

**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:

**December 22, 2022 Bill List**

Current Fund	\$4,055,933.23
Grant Fund	\$31,853.33
Trust Other	\$46,779.54
General Capital	\$272,131.70
Sewer Operating Fund	\$379,242.55
Sewer Capital Fund	\$14,196.23
Marina Operating Fund	\$22,124.38
Dog Trust	\$29.40

**Bill List Total** **\$4,822,290.36**

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

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-549**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
AUTHORIZING CERTAIN PERSONNEL ACTIONS- CODE AND CONSTRUCTION**

**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>
	Code and Construction			
	Code and Construction			

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 December 22, 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>
Uniform Construction Code Salary and Wages	01-201-22-195-010

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

\_\_\_\_\_  
Date