

TOWNSHIP COMMITTEE WORKSHOP MEETING – February 27, 2023 – 6:00 P.M.

Mayor Cafferty 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	_____
Robert Lane, Jr.	_____
Tassie D. York	_____
Nicholas Williams	_____
Keith Cafferty	_____

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

Mayor Cafferty 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 5, 2023, 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) and the meeting is being streamed live via townhallstreams.com.

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Parking Pilot Program
2. Committee Calendars

Res #23- 113 Authorize An Executive Session As Authorized By The Open Public Meetings Act.

Offered by: _____ Seconded by: _____
Vote: Brantley _____ Lane _____ York _____ Williams _____ Cafferty _____

TOWNSHIP COMMITTEE MEETING – February 27, 2023 – 7:00 P.M.

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

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

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

MOMENT OF SILENCE 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 Cafferty 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 5, 2023, 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) and the meeting is being streamed live via townhallstreams.com.

PRESENTATION

Green Acres Application for Beverly Way Park Improvements

Public Comment on Green Acres Application for Beverly Way Park Improvements

Res #23- 114 A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Submission Of Grant Application To The State Of New Jersey Department Of Environmental Protection Green Acres Enabling Resolution

Offered by: _____ Seconded by: _____
Vote: Brantley _____ Lane _____ Williams _____ York _____ Cafferty _____

APPROVAL OF MINUTES

Motion offered by _____, seconded by _____, to approve the minutes of meetings of January 28, 2023.

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

The Clerk will announce additional information in regards to Separated Resolutions if necessary.

Public comments regarding resolutions presented on this agenda only.

The public comment portion of our meeting is to allow the public to bring to the Committee’s attention their concerns or comments. In accordance with N.J.S.A. 10: 4-12(a) and the Neptune Rules of Committee, the Committee asks the public to limit their comments to five minutes or less. The Committee will respect the public’s time by refraining any comment until the speaker has finished with their allotted time. It should be

further noted that public comment portion of our meeting is not structured as a question and answer session. If a member of the public has questions they seek answers to, an appointment can be made with the appropriate office, Business Administrator or Township Committee Liaison during regular business hours. The Township Clerk will regulate the time during the comment portion of our meeting. The Committee reserves the right to respond to comments or questions at the conclusion of the speakers time.

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 23-05 An Ordinance To Amend Volume I, Chapter VII, Section 7-11 Of The Code Of The Township Of Neptune By Establishing A Stop Intersection At Monroe Avenue And Neptune Boulevard, Neptune Boulevard Circle (Southeast Section), And Neptune Boulevard Circle (Northeast Section)

Explanatory Statement: This ordinance is adding stop intersections on Monroe Ave. and Neptune Boulevard Circle.

Offered by: _____ Seconded by: _____
Vote: Brantley _____ Lane _____ Williams _____ York _____ Cafferty _____

Ordinance 23-06 An Ordinance To Amend Volume I, Chapter 25 Of The Code Of The Township Of Neptune By Amending Fees Under §25-1.2 Vital Statistics

Explanatory Statement: This ordinance is amending the fees for the issuance of death certificates.

Offered by: _____ Seconded by: _____
Vote: Brantley _____ Lane _____ Williams _____ York _____ Cafferty _____

Ordinance 23-07 An Ordinance To Amend Volume I, Chapter VII, Section 7-7.5 Of The Code Of The Township Of Neptune To Add A Parking Time Limitation To A Portion Of Main Avenue

Explanatory Statement: This ordinance is including a parking limitation on a limited number of parking spaces on Main Ave. of three hours between May 15 and September 15.

Offered by: _____ Seconded by: _____
Vote: Brantley _____ Lane _____ Williams _____ York _____ Cafferty _____

Ordinance 23-08 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 _____ Lane _____ Williams _____ York _____ Cafferty _____

ORDINANCES FOR FIRST READING

Ordinance 23-09 An Ordinance To Of The Township Of Neptune To Amend And Supplement Chapter 4 Business And Licensing Regulations By Amending And Supplementing Section 17 “Taxicabs”

Explanatory Statement: This ordinance amends Chapter 4 Section 17 Taxicabs to amend application due dates, revocation timeline, late fees and temporary license fees.

Offered by: _____ Seconded by: _____
Vote: Brantley _____ Lane _____ Williams _____ York _____ Cafferty _____

Ordinance 23-10 Capital Ordinance Amending And Restating In Its Entirety Capital Ordinance Number 22-23 Finally Adopted By The Township Committee Of The Township Of Neptune, In The County Of Monmouth, State Of New Jersey On June 27, 2022 To Decrease The Total Appropriation Therein From \$500,000 To \$370,000, To Decrease The Amount Of The Regional Greenhouse Grant Received Or Expected To Be Received From The New Jersey Department Of Environmental Protection, And To Increase The Amount Appropriated From The Township's General Capital Fund

Explanatory Statement: This ordinance Amends and restates in its entirety Capital Ordinance Number 22-23 (the "Original Ordinance", which provides for the acquisition of an electric powered garbage truck and the acquisition and installation of electric charging stations, including any equipment related thereto, at the Department of Public Works within the Township) to decrease the total appropriation therein by \$130,000, from \$500,000 to \$370,000 due to (i) a decrease in the Regional Greenhouse Fund Grant the Township has received or expects to receive from the New Jersey Department of Environmental Protection's Equipment Modernization Program from \$476,966.16 to \$346,135.45 and (ii) an increase in the appropriation from the Township's Capital Surplus Account in the General Capital Fund from \$23,033.84 to \$23,864.55

Offered by: _____ Seconded by: _____
Vote: Brantley _____ Lane _____ Williams _____ York _____ Cafferty _____

Ordinance 23-11 Bond Ordinance Providing For The Neptune Boulevard Roadway Reconstruction Project, By And In The Township Of Neptune, In The County Of Monmouth, State Of New Jersey; Appropriating \$500,000 Therefor (Including A \$293,929 NJDOT Transportation Trust Fund Grant) And Authorizing The Issuance Of \$206,071 Bonds Or Notes Of The Township To Finance Part Of The Cost Thereof

Explanatory Statement: The bond ordinance provides for the financing of the Neptune Boulevard Roadway Reconstruction Project, which includes roadway reconstruction, drainage improvements, crosswalk improvements, curb replacements and other related improvements to Neptune Boulevard in the Township. Appropriation \$500,000, bonds/ notes authorized \$206,071, grant \$293,929 NJDOT Transportation Trust Fund Grant, Section 20 Costs \$80,000. Useful life: 15 years.

Offered by: _____ Seconded by: _____
Vote: Brantley _____ Lane _____ Williams _____ York _____ Cafferty _____

Ordinance 23-12 Bond Ordinance Amending And Restating In Its Entirety Bond Ordinance Number 21-31 Finally Adopted By The Township Committee Of The Township Of Neptune, In The County Of Monmouth, State Of New Jersey On June 28, 2021 To Increase The Total Appropriation Therein From \$1,600,000 To \$2,500,000, To Increase The Authorization Of Bonds Or Notes Of The Township From \$1,520,000 To \$2,375,000, To Increase Section 20 Costs, And To Amend And Restate Other Provisions Therein

Explanatory Statement: Amend and restate in its entirety Bond Ordinance Number 21-31 (the "Original Ordinance", which provides for Phase II of the Public Works Facility improvement program, including, but not limited to, the construction and reconstruction, as applicable, of various municipal facilities within the Township, such construction and reconstruction to include, but not be limited to, the construction of garages, storage buildings, drainage, roadways, driveways, recycling and training facilities, parking lots, and all other related improvements) to (i) increase the total appropriation therein by \$900,000, from \$1,600,000 to \$2,500,000, (ii) increase the authorization therein of bonds or notes of the Township by \$855,000, from \$1,520,000 to \$2,375,000, (iii) increase the down payment therein by \$45,000, from \$80,000 to \$125,000, (iv) increase the amount for items of expense listed in and permitted under section 20 of the Local Bond Law therein by \$150,000, from \$250,000 to \$400,000, and (v) amend and restate other provisions therein. Appropriation: \$2,500,000 (increased from \$1,600,000 in the Original Ordinance), Bonds/ Notes Authorized: \$2,375,000 (increased from \$1,520,000 in the Original Ordinance), Grants: None (unchanged from Original Ordinance), Down Payment: \$125,000 (increased from \$80,000 in the Original Ordinance), Section 20 Costs: \$400,000 (increased from \$250,000 in the Original Ordinance), Useful Life: 20 years (unchanged from Original Ordinance)

Offered by: _____ Seconded by: _____
Vote: Brantley _____ Lane _____ Williams _____ York _____ Cafferty _____

Ordinance 23-13 Bond Ordinance Providing For The Acquisition Of An Electric Powered Garbage Truck And The Acquisition And Installation Of Electric Charging Stations At The Department Of Public Works, By And In The Township Of Neptune, In The County Of Monmouth, State Of New Jersey; Appropriating \$300,000 Therefor And Authorizing The Issuance Of \$285,000 Bonds Or Notes Of The Township To Finance Part Of The Cost Thereof

Explanatory Statement: The bond ordinance provides for the financing of the acquisition of an electric powered garbage truck and the acquisition and installation of electric charging stations at the Department of Public Works within the Township. Appropriation: \$300,000, Bonds/ Notes Authorized: \$285,000, Grant: None, Down Payment: \$15,000, Section 20 Costs: \$25,000, Useful Life 7 Years.

Offered by: _____ Seconded by: _____
Vote: Brantley _____ Lane _____ Williams _____ York _____ Cafferty _____

Ordinance 23-14 Bond Ordinance Amending And Restating In Its Entirety Bond Ordinance Number 21-32 Finally Adopted By The Township Committee Of The Township Of Neptune, In The County Of Monmouth, State Of New Jersey On June 28, 2021 To Increase The Total Appropriation Therein From \$600,000 To \$900,000, To Increase The Authorization Of Bonds Or Notes Of The Township From \$570,000 To \$855,000, And To Amend And Restate Other Provisions Therein

Explanatory Statement: Amend and restate in its entirety Bond Ordinance Number 21-32 (the "Original Ordinance", which provides for Phase II of the Public Works Facility improvement program, including, but not limited to, the construction and reconstruction, as applicable, of various municipal facilities within the Township, such construction and reconstruction to include, but not be limited to, the construction of garages, storage buildings, drainage, roadways, driveways, recycling and training facilities, parking lots, and all other related improvements) to (i) increase the total appropriation therein by \$300,000, from \$600,000 to \$900,000, (ii) increase the authorization therein of bonds or notes of the Township by \$285,000, from \$570,000 to \$855,000, (iii) increase the down payment therein by \$15,000, from \$30,000 to \$45,000, and (iv) amend and restate other provisions therein. Appropriation: \$900,000 (increased from \$600,000 in the Original Ordinance), Bonds/ Notes Authorized: \$855,000 (increased from \$570,000 in the Original Ordinance) Grant: None (unchanged from Original Ordinance) Down Payment: \$45,000 (increased from \$30,000 in the Original Ordinance) Section 20 Costs: \$100,000 (unchanged from Original Ordinance) Useful Life: 20 years (unchanged from Original Ordinance)

Offered by: _____ Seconded by: _____
Vote: Brantley _____ Lane _____ Williams _____ York _____ Cafferty _____

The Clerk announces the public hearing on ordinances listed will be held on March 13, 2023.

CONSENT AGENDA

- Res #23- 115** A Resolution Of The Township Committee Of The Township Of Neptune Appointing Members To The Recreation Committee
- Res #23- 116** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Recreation
- Res #23- 117** A Resolution Of The Township Committee Of The Township Of Neptune Granting Leave Of Absence To Teresa Richard
- Res #23- 118** Resolution Of The Township Committee Of The Township Of Neptune Awarding Agate Construction Company The Fletcher Lake Bulkhead Contract In An Amount Not To Exceed \$1,003,910.00
- Res #23- 119** Authorizing The Payment Of Bills
- Res #23- 120** Release A Performance Bond Filed By Tyree Organization Ltd For Site Improvements At Block 272 Lots 1.01-6.01
- Res #23- 121** Resolution Of The Township Committee Of The Township Of Neptune To Terminate Employee In Code And Construction

- Res #23- 122** Authorize The Execution Of A Shared Service Agreement With The County Of Monmouth To Provide Emergency Dispatch Services To The Township
- Res#23- 123** Authorizing Certain Personnel Actions- Tourism Representatives
- Res#23- 124** A Resolution Of The Township Committee Of The Township Of Neptune Co-Sponsoring The Celebration Of 95 Years Of The Shark River Hills Fire Department
- Res#23- 125** Authorizing Discharge Of Mortgage Held By Neptune Township On Property Located At 1508 Heck Avenue, Neptune Township, New Jersey, Owned By TRF DP Ridge Avenue, LLC

CONSENT AGENDA

Offered by: _____ Seconded by: _____
Vote: Brantley _____ Lane _____ Williams _____ York _____ Cafferty _____

SEPARATED RESOLUTIONS

- Res #23- 126** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Reclassification

Offered by: _____ Seconded by: _____
Vote: Brantley _____ Lane _____ Williams _____ York _____ Cafferty _____

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Members of the public may address any concern relating to the Township.

The public comment portion of our meeting is to allow the public to bring to the Committee’s attention their concerns or comments. In accordance with N.J.S.A. 10: 4-12(a) and the Neptune Rules of Committee, the Committee asks the public to limit their comments to five minutes or less. The Committee will respect the public’s time by refraining any comment until the speaker has finished with their allotted time. It should be further noted that public comment portion of our meeting is not structured as a question and answer session. If a member of the public has questions they seek answers to, an appointment can be made with the appropriate office, Business Administrator or Township Committee Liaison during regular business hours. The Township Clerk will regulate the time during the comment portion of our meeting. The Committee reserves the right to respond to comments or questions at the conclusion of the speakers time.

ADJOURNMENT

Offered by: _____ Seconded by: _____

Time adjourned: _____

**TOWNSHIP OF NEPTUNE
RESOLUTION 23-113**

**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:

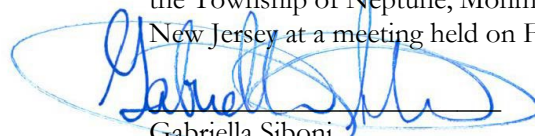
1. Personnel
 - o Appointments, reclassifications, policy
2. Pending or Anticipated Litigation
 - o Litigation Update

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 February 27, 2023


Gabriella Siboni
Township Clerk

TOWNSHIP OF NEPTUNE

RESOLUTION 23-114

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
AUTHORIZING SUBMISSION OF GRANT APPLICATION TO THE STATE OF NEW
JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES
ENABLING RESOLUTION**

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

WHEREAS, the Township of Neptune desires to further the public interest by obtaining funding in the amount of \$463,364.50, in the form of a \$0.00 matching grant and, if available, a \$0.00 loan, from the State to fund the following project(s): Beverly Way Park Improvements at a cost of \$463,364.50; and,

NOW, THEREFORE, the governing body resolves that Keith Cafferty or the successor to the office of Mayor is hereby authorized to:

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

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

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

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE Township Committee of the Township of Neptune that:

1. The Mayor of the above-named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Beverly Way Park Improvements.
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$463,364.50;
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

**TOWNSHIP OF NEPTUNE
ORDINANCE NO. 23-05**

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-11 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ESTABLISHING A STOP INTERSECTION AT MONROE AVENUE AND NEPTUNE BOULEVARD, NEPTUNE BOULEVARD CIRCLE (SOUTHEAST SECTION), AND NEPTUNE BOULEVARD CIRCLE (NORTHEAST SECTION)

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

SECTION 1

Volume I, Chapter VII, Section 7-11 – STOP INTERSECTIONS - is hereby amended to add the following:

Intersection

Monroe Avenue and Neptune Boulevard
Neptune Boulevard Circle
Neptune Boulevard Circle

Stop Sign On:

Monroe Avenue
Southwest section of circle
Northeast section of circle

SECTION 2

This ordinance shall become effective immediately upon its adoption and publication according to law.

Motion/ Second	Roll Call To Adopt On First Reading	Adopted on First Reading Dated: February 13, 2023
	YAY NAY ABSTAIN ABSENT	
Second	Dr. Michael Brantley X	
	Robert Lane, Jr. X	
Motion	Nicholas Williams X	
	Tassie D. York X	
	Keith Cafferty X	_____ 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	
	Robert Lane, Jr.	
	Nicholas Williams	
	Tassie D. York	
	Keith Cafferty	_____ Gabriella Siboni, RMC Township Clerk

Gabriella Siboni
Township Clerk

Keith Cafferty
Mayor

TOWNSHIP OF NEPTUNE

ORDINANCE NO. 23-06

AN ORDINANCE TO AMEND VOLUME I, CHAPTER 25 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY AMENDING FEES UNDER §25-1.2 VITAL STATISTICS

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

SECTION 1

Volume I, Chapter 25, Section 25-1.2 – Vital Statistics

§25-1.2 Vital Statistics

- a. The fee for a certified copy of a birth, ~~death~~, marriage, remarriage, domestic partnership or civil union, or reaffirmation of civil union certificate. \$15.00
- b. The fee for a certified copy of a death certificate \$25.00 for the first and \$5.00 for each additional Copy**
- ~~b. c.~~ Preparing and/or processing each birth correction form REG. 34, REG. 35, REG. 56 and REG. 60 (this fee does not include a new birth certificate). \$10.00
- ~~c. d.~~ Preparing and/or processing corrective form REG. 34 in the following instances:
 - 1. Adding a father's name as a result of a paternity suit. \$10.00
 - 2. Correcting false information given on any record by the informant or on a marriage certificate by the bride and groom. \$10.00
 - 3. Correcting false information given on any death certificate by the informant, funeral director or any individual having personal knowledge. \$10.00
- ~~d. e.~~ The fee for a burial permit (set by State of New Jersey). \$5.00

SECTION 2

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

Motion/	Roll Call To Adopt On First Reading					Adopted on First Reading
Second		YAY	NAY	ABSTAIN	ABSENT	Dated: February 13, 2023
	Dr. Michael Brantley	X				
Second	Robert Lane, Jr.	X				
	Nicholas Williams	X				
Motion	Tassie D. York	X				Gabriella Siboni, RMC
	Keith Cafferty	X				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					
	Robert Lane, Jr.					
	Nicholas Williams					
	Tassie D. York					Gabriella Siboni, RMC
	Keith Cafferty					Township Clerk

Gabriella Siboni
Township Clerk

Keith Cafferty
Mayor

TOWNSHIP OF NEPTUNE

ORDINANCE NO. 23-07

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-7.5 OF THE CODE OF THE TOWNSHIP OF NEPTUNE TO ADD A PARKING TIME LIMITATION TO A PORTION OF MAIN AVENUE

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

SECTION 1

Volume I, Chapter VII, Section 7-7.5 – Parking Time Limited on Certain Streets – is hereby amended to add the following:

<u>Name of Street</u>	<u>Side</u>	<u>Hours</u>	<u>Max Time</u>	<u>Day</u>	<u>Location</u>
Main Avenue	North	9:00AM-6:00PM	3 Hours	May 15- September 15	66 feet to 124 feet west of the Northwest corner of Central Ave. Main Ave.
Main Avenue	North	9:00AM-6:00PM	3 Hours	May 15- September 15	59 Feet to 104 Feet west of the north west Corner of Pilgrim Pathway and Main Ave.
Main Avenue	South	9:00AM-6:00PM	3 Hours	May 15- September 15	43 Feet west to 99 feet west of the Southwest corner of Central Ave. and Main Ave.
Main Avenue	South	9:00AM-6:00PM	3 Hours	May 15- September 15	100 feet to 156 feet east of the South East Corner of New York Ave. and Main Ave.

SECTION 2

This ordinance shall take effect upon publication by law.

Motion/ Second	Roll Call To Adopt On First Reading				Adopted on First Reading Dated: February 13, 2023
		YAY	NAY	ABSTAIN	ABSENT
	Dr. Michael Brantley	X			
Second	Robert Lane, Jr.	X			
	Nicholas Williams	X			
Motion	Tassie D. York	X			
	Keith Cafferty	X			
					_____ 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				
	Robert Lane, Jr.				
	Nicholas Williams				
	Tassie D. York				
	Keith Cafferty				
					_____ Gabriella Siboni, RMC Township Clerk

Gabriella Siboni
Township Clerk

Keith Cafferty
Mayor

TOWNSHIP OF NEPTUNE

ORDINANCE 23-08

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 15th and July 15th 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/ Second	Roll Call To Adopt On First Reading				Adopted on First Reading Dated: February 13, 2023
	YAY	NAY	ABSTAIN	ABSENT	
	Dr. Michael Brantley	X			
Second	Robert Lane, Jr.	X			
	Nicholas Williams	X			
Motion	Tassie D. York	X			
	Keith Cafferty	X			
					<hr/> Gabriella Siboni, RMC Township Clerk

**Motion/
Second**

Roll Call To Adopt On Second and Final Reading

YAY NAY ABSTAIN ABSENT

Adopted on Second Reading
Dated:

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

Gabriella Siboni, RMC
Township Clerk

Gabriella Siboni
Township Clerk

Keith Cafferty
Mayor

TOWNSHIP OF NEPTUNE
ORDINANCE NO. 23-

AN ORDINANCE TO OF THE TOWNSHIP OF NEPTUNE TO AMEND AND
SUPPLEMENT CHAPTER 4 BUSINESS AND LICENSING REGULATIONS BY
AMENDING AND SUPPLEMENTING SECTION 17 "TAXICABS"

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

SECTION 1.

§4-17 TAXICABS

§4-17.3 Medallion Owner and Medallion Operators (Lessees)

- a. Required. No person, firm or corporation shall hire out, keep or use for hire or pay, or cause to be kept for use or hire or pay, any vehicle commonly known as a taxicab, within the territorial limits of the Township of Neptune, in the County of Monmouth without first having obtained an annual taxi medallion license. The taxi medallion owner is responsible to apply for and obtain a taxi medallion license annually. If a taxi medallion license lapses more than ~~ninety (90)~~ **thirty (30)** days beyond March 31st of each year, their taxi medallion shall be revoked and returned to the Township of Neptune and sold at a public sale held by the Township of Neptune. The taxi medallion owner must be notified.
- b. Application.
 1. **Applications for a taxi medallion license to operate a taxicab or taxicabs must be made by the medallion owner in a manner prescribed by the Mercantile Registration Officer.**
 2. **The application is to include but not limited to the primary responsible person, company name, home address, phone number, Tax Id #, Entity Id#.**
 3. **All medallion applications, if not already submitted, must include the application for the driver(s) or a sworn affidavit that the car does not have a driver. Once a driver is hired / employed they must submit an application prior to the taxi being allowed to operate.**
- c. Number. No taxicab license shall be granted unless the number of licenses used and outstanding shall be less than fifty (50).
- d. Fees.
 1. **The fee for each taxi medallion owned shall be the sum of one hundred (\$100.00) dollars for each year beginning the 31st day of March thereof, which fee shall not be apportioned and is imposed for the purpose of regulation. A fee will be assessed even if no vehicle is in operation/on the road.**
 2. **A late fee of \$25.00 per day will be assessed for each medallion not renewed and paid for by March 31st of each calendar year.**
- e. Inspection of Vehicles. No taxicab license shall be issued until the vehicle has been thoroughly and carefully inspected and examined by the Police Department and determined to be in a thoroughly safe condition for the transportation of passengers.
- f. Issuance. Upon approval and granting of a license for the operation of a taxicab ~~the Mercantile Registration Officer shall provide the licensee with a card containing the name of the applicant, the Township license number; in addition, the Mercantile Registration Officer shall issue a decal~~ **displaying the medallion number and operating year** to be affixed to the vehicle by a representative of the Township. This decal is to be affixed to the left rear window. **Any vehicle**

found operating without the proper decal will be subject to a summons to appear in municipal court for operating without the proper documentation and subject to the penalties in section §4-17.12

g. Transfer of Taxi Medallion Ownership

- 1.** No owner, licensee or bailee of a licensed taxicab shall sell, lease, rent, assign, transfer, or, in any manner whatsoever, dispose of a taxicab owner's license without first notifying the Township in writing. This notification must be in writing by the prospective new owner and the current owner, shall be notarized, and shall provide all necessary information. It shall be required that the Township Committee pass a resolution to affect the sale. This applies only to the sale of ownership.
 - 2.** There shall be a one-time charge of one hundred (\$100.00) dollars at the time of a sale or lease of an ownership license payable to the Township of Neptune.
- h. Change of Vehicle. If a taxicab is taken out of service and is replaced by another taxicab, a form shall be furnished by the Mercantile Registration Officer, which shall be completed by the applicant. There shall be a charge of fifty (\$50.00) dollars payable to the Township of Neptune.
- i. Registration. New Jersey Motor Vehicle Commission Registrations shall be provided to the Mercantile Registration Officer within five (5) days of submitting an application.

§ 4-17.4 Taxicab Driver's License

- a. Required. No person shall drive a taxicab in the Township of Neptune without first obtaining a Township of Neptune Taxicab Driver's license. **Driver applications must be submitted along with the medallion application or no later than March 31st of the calendar year.**
- b. Fee. The license fee for a first time driver of a taxicab shall be one hundred (\$100.00) dollars for each year, or part thereof. Thereafter, the renewal application fee shall be fifty (\$50.00) dollars.
- c. Conditions. For applicants, no application for a taxicab driver's license, under the terms of this section, shall be issued unless the applicant:
 1. Is twenty-one (21) years of age or older and has a valid New Jersey Basic Driver's License as defined by the New Jersey Motor Vehicle Commission.
 2. All applicants shall submit annually the "Medical Examination Form" provide by Mercantile Registration Office. Said form must be completed by a Medical Doctor, certifying that the application is of sound physical condition and healthy enough for safe operation of a taxicab, must be completed no more than thirty (30) days prior to application, must be stamped by said Doctor and notarized.
 3. Shall have an acceptable understanding of the English language.
 4. Produce affidavits, on the form provided by the Mercantile Registration Office, of their good character from at least three (3) reputable citizens who have known them personally.
 5. Shall not be addicted to the use of narcotics or intoxicating liquors.
 6. Shall be a citizen of the United States and present a Social Security Card as proof thereof or present a temporary or permanent Alien Registration Card, a work visa or a federally approved work permit.

7. Applications for a taxi driver's license must be made by the taxi driver in a manner prescribed by the Mercantile Registration Officer. All applications must at a minimum include the full name, home address, places of residence for the preceding five (5) years, age, color, height, color of eyes and hair, place of birth, previous employment, whether married or single, a photograph, whether they have ever been convicted of a crime or a violation of this section, and whether their license has ever been revoked or suspended and for what cause, in this or any other state, which statement shall be signed and sworn to by the applicant and filed with the Mercantile Registration Officer.
 8. Shall be fingerprinted by the vendor approved by the Township of Neptune Police Department and provide a digital photo via email to the mercantile office.
 9. Never have been convicted of a crime in New Jersey or engaged in conduct in any other state or jurisdiction, which if committed in New Jersey, would constitute a crime. For purposes of this section, a "crime" shall be any offense that is a violation of Title 2C of the New Jersey Statutes, excluding disorderly persons and petty disorderly person's offenses. The Police Chief shall have the ability to exempt an individual from this section by determining the affirmative demonstration of rehabilitation from any person who has been convicted of a crime. The determination would be on the basis of the following: (1) nature and seriousness; (2) circumstances under which occurred; (3) the date; (4) the age at the time at which the crime occurred; (5) whether the crime was repeated; (6) social conditions which may have contributed to the crime; and (7) evidence of rehabilitation, including good conduct in the community, counseling, psychological or psychiatric treatment, additional academic or vocational training or personal recommendations.
 10. Provide ~~a current driver's abstract from the New Jersey Motor Vehicle Commission~~ **a certified complete driver history abstract from the New Jersey Motor Vehicle Commission issued no more than 30 days prior to application.**
- d. Issuance of License. Upon satisfactory fulfillment of the foregoing requirements, there shall be issued by the Mercantile Registration Officer to the applicant, after the approval of the Chief of Police, a taxi license identification card, which shall contain the photograph, name, address, taxi stand and any other information that shall be deemed necessary by the Mercantile Registration Officer. Upon receipt of the criminal background checks and drivers abstract, the Mercantile Registration Officer shall be authorized to issue a taxi license. If the taxicab driver requests a replacement of the annual or temporary license, there shall be a charge of ~~twenty-five~~ **Fifty (\$50.00) dollars.**
- e. Revocation or Suspension of License
1. If at any time within the licensed year a taxicab driver is convicted of a crime, their driver's license becomes suspended, or has permitted his cab to be used for any illegal or immoral purpose, the Mercantile Registration Officer shall immediately suspend or revoke the taxicab driver's license.
 2. The Township Committee, after a hearing, may suspend or revoke the taxicab license of any taxicab driver who loiters within any space prohibited by law or ordinance, or who stands in a prohibited place soliciting or waiting for new passengers, or who violates any provision of the New Jersey Motor Vehicle Commission Laws or of this ordinance, or any of the rules or regulations made by the Township Committee or Chief of Police regulating taxicabs.
- f. License Renewals. Taxicab driver's licenses must be renewed annually. The annual renewal application fee shall be fifty (\$50.00) dollars. No renewal shall be granted until such time as the applicant has been fingerprinted by the vendor approved by the Neptune Township Police

Department. Renewals must be submitted no later than March 1st annually. Drivers who do not fulfil the requirements for renewal prior to the expiration will not be permitted to operate.

Failure to renew by March 31st will deem the applicant's status as a renewal void and they will become a new applicant.

§4-17.12 Penalties

Any person violating any of the provisions of this section shall, upon conviction, be punished by a mandatory fine not less than ~~one hundred (\$100.00)~~ **Five Hundred (\$500.00)** dollars nor more than two thousand (\$2,000.00) dollars, a term of imprisonment not to exceed 90 days or a period of community service not to exceed 90 days or any combination.

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 Robert Lane, Jr. Tassie D. York Nicholas Williams Keith Cafferty	_____ 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 Robert Lane, Jr. Tassie D. York Nicholas Williams Keith Cafferty	_____ Gabriella Siboni, RMC Township Clerk

Gabriella Siboni
Township Clerk

Keith Cafferty
Mayor

**TOWNSHIP OF NEPTUNE
CAPITAL ORDINANCE NUMBER 23-10**

CAPITAL ORDINANCE AMENDING AND RESTATING IN ITS ENTIRETY CAPITAL ORDINANCE NUMBER 22-23 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON JUNE 27, 2022 TO DECREASE THE TOTAL APPROPRIATION THEREIN FROM \$500,000 TO \$370,000, TO DECREASE THE AMOUNT OF THE REGIONAL GREENHOUSE GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND TO INCREASE THE AMOUNT APPROPRIATED FROM THE TOWNSHIP'S GENERAL CAPITAL FUND

WHEREAS, the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), heretofore finally adopted Capital Ordinance Number 22-23 on June 27, 2022, entitled "CAPITAL ORDINANCE PROVIDING FOR THE ACQUISITION OF AN ELECTRIC POWERED GARBAGE TRUCK AND THE ACQUISITION AND INSTALLATION OF ELECTRIC CHARGING STATIONS AT THE DEPARTMENT OF PUBLIC WORKS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$500,000 TO PAY FOR THE COST THEREOF, WHICH AMOUNT WILL BE FUNDED BY A \$476,966.16 REGIONAL GREENHOUSE GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND BY \$23,033.84 FROM THE TOWNSHIP'S GENERAL CAPITAL FUND" (the "Original Ordinance"); and

WHEREAS, the amount of the Regional Greenhouse Fund Grant the Township has received or expects to receive from the New Jersey Department of Environmental Protection's Equipment Modernization Program (the "NJDEP Grant") to fund part of the Capital Improvements (as defined in the Original Ordinance) is less than the amount of such NJDEP Grant contemplated in the Original Ordinance; and

WHEREAS, the Township Committee of the Township desires to amend and restate the Original Ordinance in its entirety in order to decrease the total appropriation therein by \$130,000, from \$500,000 to \$370,000 due to (i) a decrease in the NJDEP Grant received or expected to be received from \$476,966.16 to \$346,135.45 and (ii) an increase in the appropriation from the Township's Capital Surplus Account in the General Capital Fund from \$23,033.84 to \$23,864.55.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The recitals set forth in the preambles to this capital ordinance are fully incorporated by this reference as if set forth in full herein.

Section 2. The capital ordinance of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), heretofore finally adopted by the Township Committee on June 27, 2022, numbered 22-23 and entitled, "CAPITAL ORDINANCE PROVIDING FOR THE ACQUISITION OF AN ELECTRIC POWERED GARBAGE TRUCK AND THE ACQUISITION AND INSTALLATION OF ELECTRIC CHARGING STATIONS AT THE DEPARTMENT OF PUBLIC WORKS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$500,000 TO PAY FOR THE COST THEREOF, WHICH AMOUNT WILL BE FUNDED BY A \$476,966.16 REGIONAL GREENHOUSE GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND BY \$23,033.84 FROM THE TOWNSHIP'S GENERAL CAPITAL FUND" (the "Original Ordinance"), is hereby amended and restated in its entirety as set forth below:

"CAPITAL ORDINANCE PROVIDING FOR THE ACQUISITION OF AN ELECTRIC POWERED GARBAGE

TRUCK AND THE ACQUISITION AND INSTALLATION OF ELECTRIC CHARGING STATIONS AT THE DEPARTMENT OF PUBLIC WORKS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$370,000 TO PAY FOR THE COST THEREOF, WHICH AMOUNT WILL BE FUNDED BY A \$346,135.45 REGIONAL GREENHOUSE GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND BY \$23,864.55 FROM THE TOWNSHIP'S GENERAL CAPITAL FUND

WHEREAS, the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), wishes to undertake the acquisition of capital equipment consisting of the acquisition of an electric powered garbage truck and the acquisition and installation of electric charging stations at the Department of Public Works within the Township, all as shall be more particularly described in documents on file in the Office of the Clerk of the Township and by this reference incorporated herein (collectively, the "Capital Improvements"); and

WHEREAS, the cost of said Capital Improvements is estimated to be \$370,000; and

WHEREAS, the Township has received or is expected to receive a Regional Greenhouse Fund Grant from the New Jersey Department of Environmental Protection's Equipment Modernization Program in the amount of \$346,135.45 (the "NJDEP Grant") to finance a portion of the Capital Improvements; and

WHEREAS, the Township Committee desires to authorize the appropriation and expenditure of (i) the NJDEP Grant and (ii) the amount of \$23,864.55 from the Township's Capital Surplus Account in the General Capital Fund (the "Township Funds"), in order to finance the aforesaid Capital Improvements.

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE

OF NEW JERSEY (a majority of the full membership thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The recitals set forth in the preambles to this capital ordinance are fully incorporated by this reference as if set forth in full herein.

SECTION 2. The Capital Improvements or purposes described in Section 3 of this capital ordinance are hereby authorized as general capital improvements to be undertaken by the Township. There is hereby appropriated the NJDEP Grant in the amount of \$346,135.45 and the Township Funds in the amount of \$23,864.55 for said Capital Improvements or purposes stated in Section 3 hereof.

SECTION 3. The Capital Improvements or purposes hereby authorized are for the acquisition of an electric powered garbage truck and the acquisition and installation of electric charging stations, including any equipment related thereto, at the Department of Public Works within the Township, in accordance with the Regional Greenhouse Grant Project, and also including all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

SECTION 4. The expenditure of the NJDEP Grant and the Township Funds for the Capital Improvements or purposes set forth in Section 3 hereof is hereby authorized and approved. The Mayor, the Clerk, the Chief Financial Officer and any other official/officer of the Township are each hereby authorized and directed to execute, deliver and perform any agreement with the New Jersey Department of Environmental Protection or any other agreement necessary to undertake the Capital Improvements or purposes set forth herein and to effectuate any transaction contemplated thereby and hereby.

SECTION 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this capital ordinance to the extent of any

inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services, New Jersey Department of Community Affairs.

SECTION 6. Capitalized terms used herein and not otherwise defined, shall have the meanings ascribed to such terms in the preambles of this capital ordinance.

SECTION 7. This ordinance shall take effect in accordance with applicable New Jersey law, including N.J.S.A. 40:49-1 et seq.”

Section 3. This ordinance shall take effect in accordance with applicable New Jersey law, including N.J.S.A. 40:49-1 et seq.

ADOPTED ON FIRST READING
DATED: February 27, 2023

GABRIELLA SIBONI,
Clerk of the Township of Neptune

ADOPTED ON SECOND READING
DATED: March 13, 2023

GABRIELLA SIBONI,
Clerk of the Township of Neptune

APPROVED AFTER SECOND READING
DATED: _____, 2023

KEITH CAFFERTY, Mayor

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
PUBLIC NOTICE
NOTICE OF PENDING CAPITAL ORDINANCE AND SUMMARY

The capital ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Neptune, in the County of Monmouth, State of New Jersey, on February 27, 2023. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, on March 13, 2023 at 7:00 p.m. Information regarding remote access to the meeting may be found on the Township’s website at www.neptunetownship.org. During the week prior to and up to and including the date of such meeting, copies of the full capital ordinance will be available at no cost and during regular business hours at the Office of the Clerk for the members of the general public who shall request the same. The summary of the terms of such capital ordinance follows:

- Title:** CAPITAL ORDINANCE AMENDING AND RESTATING IN ITS ENTIRETY CAPITAL ORDINANCE NUMBER 22-23 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON JUNE 27, 2022 TO DECREASE THE TOTAL APPROPRIATION THEREIN FROM \$500,000 TO \$370,000, TO DECREASE THE AMOUNT OF THE REGIONAL GREENHOUSE GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND TO INCREASE THE AMOUNT APPROPRIATED FROM THE TOWNSHIP’S GENERAL CAPITAL FUND
- Purpose(s):** Amend and restate in its entirety Capital Ordinance Number 22-23 (the “Original Ordinance”, which provides for the acquisition of an electric powered garbage truck and the acquisition and installation of electric charging stations, including any equipment related thereto, at the Department of Public Works within the Township) to decrease the total appropriation therein by \$130,000, from \$500,000 to \$370,000 due to (i) a decrease in the Regional Greenhouse Fund Grant the Township has received or expects to receive from the New Jersey Department of Environmental Protection’s Equipment Modernization Program from \$476,966.16 to \$346,135.45 and (ii) an increase in the appropriation from the Township’s Capital Surplus Account in the General Capital Fund from \$23,033.84 to \$23,864.55
- Appropriation and Grant:** \$370,000 (decreased from \$500,000 in the Original Ordinance), consisting of (i) a Regional Greenhouse Fund Grant received or expected to be received from the New Jersey Department of Environmental Protection’s Equipment Modernization Program in the amount of \$346,135.45 (decreased from \$476,966.16 in the Original Ordinance), and (ii) the amount of \$23,864.55 (increased from \$23,033.84 in the Original Ordinance), which amount is from the Township’s Capital Surplus Account in the General Capital Fund

GABRIELLA SIBONI,
Clerk of the Township of Neptune

**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
PUBLIC NOTICE
CAPITAL ORDINANCE NOTICE OF FINAL PASSAGE AND SUMMARY**

The capital ordinance, the summary terms of which are included herein, has been finally adopted by the governing body of the Township of Neptune, in the County of Monmouth, State of New Jersey on March 13, 2023. Copies of the full capital ordinance are available at no cost and during regular business hours at the Office of the Clerk of the Township for members of the general public who request the same. The summary of the terms of such capital ordinance follows:

- Title:** CAPITAL ORDINANCE AMENDING AND RESTATING IN ITS ENTIRETY CAPITAL ORDINANCE NUMBER 22-23 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON JUNE 27, 2022 TO DECREASE THE TOTAL APPROPRIATION THEREIN FROM \$500,000 TO \$370,000, TO DECREASE THE AMOUNT OF THE REGIONAL GREENHOUSE GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND TO INCREASE THE AMOUNT APPROPRIATED FROM THE TOWNSHIP'S GENERAL CAPITAL FUND
- Purpose(s):** Amend and restate in its entirety Capital Ordinance Number 22-23 (the "Original Ordinance", which provides for the acquisition of an electric powered garbage truck and the acquisition and installation of electric charging stations, including any equipment related thereto, at the Department of Public Works within the Township) to decrease the total appropriation therein by \$130,000, from \$500,000 to \$370,000 due to (i) a decrease in the Regional Greenhouse Fund Grant the Township has received or expects to receive from the New Jersey Department of Environmental Protection's Equipment Modernization Program from \$476,966.16 to \$346,135.45 and (ii) an increase in the appropriation from the Township's Capital Surplus Account in the General Capital Fund from \$23,033.84 to \$23,864.55
- Appropriation and Grant:** \$370,000 (decreased from \$500,000 in the Original Ordinance), consisting of (i) a Regional Greenhouse Fund Grant received or expected to be received from the New Jersey Department of Environmental Protection's Equipment Modernization Program in the amount of \$346,135.45 (decreased from \$476,966.16 in the Original Ordinance), and (ii) the amount of \$23,864.55 (increased from \$23,033.84 in the Original Ordinance), which amount is from the Township's Capital Surplus Account in the General Capital Fund

GABRIELLA SIBONI,
Clerk of the Township of Neptune

CERTIFICATE OF INTRODUCTION

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the “Township”), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Township duly called and held on February 27, 2023 at 7:00 p.m. at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body of the Township and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this ____ day of _____, 2023.

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

CERTIFICATE OF FINAL ADOPTION

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the “Township”), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Township duly called and held on March 13, 2023 at 7:00 p.m. at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body of the Township and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this ____ day of _____, 2023.

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

CLERK'S CERTIFICATE

I, GABRIELLA SIBONI, DO HEREBY CERTIFY that I am the Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), a municipal corporation organized and existing under the laws of the State of New Jersey, and that as such I am duly authorized to execute and deliver this certificate on behalf of the Township. In such capacity, I have the responsibility to maintain the minutes of the meetings of the governing body of the Township and the records relative to all resolutions and ordinances of the Township. The representations made herein are based upon the records of the Township. I DO HEREBY FURTHER CERTIFY THAT:

1. Attached hereto is the capital ordinance introduced on February 27, 2023 and finally adopted on March 13, 2023.

2. After introduction, the capital ordinance was published as required by law in the _____ (name of the newspaper) on _____, 2023.

3. Following the passage of the capital ordinance on first reading, and at least seven (7) days prior to the final adoption thereof, I caused to be posted in the public place in the principal municipal building of the Township at the place where public notices are customarily posted, a copy of said capital ordinance or a summary thereof and a notice that copies of the capital ordinance would be made available to the members of the general public of the Township who requested copies up to and including the time of further consideration of the capital ordinance by the governing body. Copies of the capital ordinance were made available to all who requested same.

4. After final passage, the capital ordinance was duly approved by the Mayor of the Township on _____, 2023 and was duly published as required by law in the _____ (name of the newspaper) on _____, 2023.

5. The capital ordinance has not been amended, added to, altered or repealed and said ordinance is now in full force and effect.

6. A certified copy of this capital ordinance and a copy of the amended capital budget form have been filed with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, as applicable.

7. The official seal of the Township is the seal, an impression of which is affixed opposite my signature on this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this ____ day of _____, 2023.

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

**CERTIFICATE OF PAYMENT FROM CAPITAL SURPLUS ACCOUNT CONCERNING
CAPITAL ORDINANCE**

I, the undersigned Chief Financial Officer of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY that prior to final adoption of the capital ordinance entitled,

“CAPITAL ORDINANCE AMENDING AND RESTATING IN ITS ENTIRETY CAPITAL ORDINANCE NUMBER 22-23 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON JUNE 27, 2022 TO DECREASE THE TOTAL APPROPRIATION THEREIN FROM \$500,000 TO \$370,000, TO DECREASE THE AMOUNT OF THE REGIONAL GREENHOUSE GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND TO INCREASE THE AMOUNT APPROPRIATED FROM THE TOWNSHIP’S GENERAL CAPITAL FUND”,

there was available as an appropriation for the improvements or purposes authorized by said capital ordinance the amount of \$23,864.55 (the “Township Funds”), which Township Funds were available from the Township’s Capital Surplus Account in the General Capital Fund and which Township Funds have been appropriated for the improvements or purposes authorized by said capital ordinance.

IN WITNESS WHEREOF, I have hereunto set my hand as of this ___ day of _____, 2023.

MICHAEL J. BASCOM,
Chief Financial Officer

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

BOND ORDINANCE NUMBER 23-11

BOND ORDINANCE PROVIDING FOR THE NEPTUNE BOULEVARD ROADWAY RECONSTRUCTION PROJECT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$500,000 THEREFOR (INCLUDING A \$293,929 NJDOT TRANSPORTATION TRUST FUND GRANT) AND AUTHORIZING THE ISSUANCE OF \$206,071 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the “Township”). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the amount of \$500,000, including a \$293,929 Transportation Trust Fund Grant (the “Grant”) from the New Jersey Department of Transportation (the “NJDOT”) under the Fiscal Year 2023 NJDOT Transportation Trust Fund Municipal Aid Program. No down payment for said improvements is required pursuant to the provisions of Section 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”).

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$500,000 appropriation not provided for by application hereunder of the Grant, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$206,071 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal

amount not exceeding \$206,071 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are for the Neptune Boulevard Roadway Reconstruction Project, which includes, but is not limited to, roadway reconstruction, drainage improvements, crosswalk improvements, curb replacements and other related improvements to Neptune Boulevard in the Township, as further described in the NJDOT Transportation Trust Fund application related to this project on file with the Township Engineer, and all other related improvements including, but not limited to, as applicable, engineering and design work, consulting, preparation of plans and specifications, construction planning, surveying, permits, bid documents, construction inspection and contract administration, equipment rental and all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans and specifications therefor on file in the Office of the Township Engineer and available for public inspection and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$206,071.

(c) The estimated cost of said improvements or purposes is \$500,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Grant in the amount of \$293,929 available for such improvements or purposes.

SECTION 4. Other than the Grant, in the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. Other than the Grant, in the event, however, that

any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth, shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget and capital

programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes which the Township may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$206,071 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$80,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond

ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all tax-exempt bonds and notes issued under this bond ordinance.

SECTION 11. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township, which are authorized herein, and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township, which are authorized herein,

and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. The Mayor, the Chief Financial Officer, the Administrator, and any other official/officer of the Township are each hereby authorized and directed to execute, deliver and perform any agreement necessary to undertake the improvements or purposes set forth herein and to effectuate any transaction contemplated hereby.

SECTION 13. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

ADOPTED ON FIRST READING

DATED: February 27, 2023

GABRIELLA SIBONI,
Clerk of the Township of Neptune

ADOPTED ON SECOND READING

DATED: March 13, 2023

GABRIELLA SIBONI,
Clerk of the Township of Neptune

APPROVED AFTER SECOND READING

DATED: _____, 2023

KEITH CAFFERTY, Mayor

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

PUBLIC NOTICE

NOTICE OF INTRODUCED/PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a regular meeting of the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey, on February 27, 2023. It will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held at Township Municipal Complex, 25 Neptune Boulevard, Neptune, New Jersey, on March 13, 2023 at 7:00 p.m. Information regarding remote access to the meeting may be found on the Township's website at www.neptunetownship.org. During the week prior to and up to and including the date of such meeting, copies of the full bond ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR THE NEPTUNE BOULEVARD ROADWAY RECONSTRUCTION PROJECT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$500,000 THEREFOR (INCLUDING A \$293,929 NJDOT TRANSPORTATION TRUST FUND GRANT) AND AUTHORIZING THE ISSUANCE OF \$206,071 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purpose(s): The bond ordinance provides for the financing of the Neptune Boulevard Roadway Reconstruction Project, which includes roadway reconstruction, drainage improvements, crosswalk improvements, curb replacements and other related improvements to Neptune Boulevard in the Township.

Appropriation: \$500,000

Bonds/Notes Authorized: \$206,071

Grant: \$293,929 NJDOT Transportation Trust Fund Grant

Section 20 Costs: \$80,000

Useful Life: 15 years

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

PUBLIC NOTICE
NOTICE OF FINAL ADOPTION OF BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey on March 13, 2023 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost and during regular business hours at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR THE NEPTUNE BOULEVARD ROADWAY RECONSTRUCTION PROJECT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$500,000 THEREFOR (INCLUDING A \$293,929 NJDOT TRANSPORTATION TRUST FUND GRANT) AND AUTHORIZING THE ISSUANCE OF \$206,071 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purpose(s): The bond ordinance provides for the financing of the Neptune Boulevard Roadway Reconstruction Project, which includes roadway reconstruction, drainage improvements, crosswalk improvements, curb replacements and other related improvements to Neptune Boulevard in the Township.

Appropriation: \$500,000

Bonds/Notes Authorized: \$206,071

Grant: \$293,929 NJDOT Transportation Trust Fund Grant

Section 20 Costs: \$80,000

Useful Life: 15 years

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

CERTIFICATE OF INTRODUCTION OF BOND ORDINANCE

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a regular meeting of the Township Committee of the Township duly called and held on February 27, 2023 at 7:00 p.m. at Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township as of this __ day of _____, 2023.

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

CERTIFICATE OF FINAL ADOPTION OF BOND ORDINANCE

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a regular meeting of the Township Committee of the Township duly called and held on March 13, 2023, at 7:00 p.m. at Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township as of this __ day of _____, 2023.

(SEAL)

**GABRIELLA SIBONI,
Clerk of the Township of Neptune**

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

CLERK'S CERTIFICATE REGARDING BOND ORDINANCE ADOPTION PROCESS

I, GABRIELLA SIBONI, DO HEREBY CERTIFY that I am the Clerk of the Township of Neptune, in the County of Monmouth (the "Township"), a municipal corporation organized and existing under the laws of the State of New Jersey, and that as such I am duly authorized to execute and deliver this certificate on behalf of the Township. In such capacity, I have the responsibility to maintain the minutes of the meetings of the governing body of the Township and the records relative to all resolutions and ordinances of the Township. The representations made herein are based upon the records of the Township. I DO HEREBY FURTHER CERTIFY THAT:

1. Attached hereto is the bond ordinance introduced on February 27, 2023 and finally adopted on March 13, 2023.

2. After introduction, the bond ordinance was published as required by law on _____, 2023 in the _____ (name of the newspaper).

3. Following the passage of the bond ordinance on first reading, and at least seven (7) days prior to the final adoption thereof, I caused to be posted in the principal municipal building of the Township at the place where public notices are customarily posted, a copy of said bond ordinance or a summary thereof and a notice that copies of the bond ordinance would be made available to the members of the general public of the Township who requested copies, up to and including the time of further consideration of the bond ordinance by the governing body. Copies of the bond ordinance were made available to all who requested same.

4. After final passage, the bond ordinance was duly approved by the Mayor on _____, 2023 and was duly published as required by law on _____, 2023 in the _____ (name of the newspaper). No protest signed by any person against making

any improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the bond ordinance has been presented to the governing body or to me or filed in my office within twenty (20) days after said publication or at any other time after the final passage thereof.

5. The bond ordinance has not been amended, added to, altered or repealed and said bond ordinance is now in full force and effect.

6. A certified copy of the bond ordinance and a copy of the amended capital budget form has been filed with the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs, as applicable.

7. The official seal of the Township is the seal, an impression of which is affixed opposite my signature on this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township as of this __ day of _____, 2023.

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

CERTIFICATE OF SUPPLEMENTAL DEBT STATEMENT FOR BOND ORDINANCE

I, the undersigned, Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY, that the attached Supplemental Debt Statement was prepared, executed and sworn to by Michael J. Bascom, the Chief Financial Officer of the Township, as of February 27, 2023, that such Supplemental Debt Statement was filed in my office on or by February 27, 2023 and with the Director of the Division of Local Government Services on _____, 2023.

**GABRIELLA SIBONI,
Clerk of the Township of Neptune**

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

BOND ORDINANCE NUMBER 23-12

BOND ORDINANCE AMENDING AND RESTATING IN ITS ENTIRETY BOND ORDINANCE NUMBER 21-31 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON JUNE 28, 2021 TO INCREASE THE TOTAL APPROPRIATION THEREIN FROM \$1,600,000 TO \$2,500,000, TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES OF THE TOWNSHIP FROM \$1,520,000 TO \$2,375,000, TO INCREASE SECTION 20 COSTS, AND TO AMEND AND RESTATE OTHER PROVISIONS THEREIN

WHEREAS, the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey (the “Township”) heretofore finally adopted Bond Ordinance Number 21-31 on June 28, 2021, entitled “BOND ORDINANCE PROVIDING FOR PHASE II (GENERAL) OF THE PUBLIC WORKS FACILITY IMPROVEMENT PROGRAM, INCLUDING THE CONSTRUCTION AND RECONSTRUCTION OF MUNICIPAL FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,520,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF” (the “Original Ordinance”); and

WHEREAS, the Township Committee of the Township desires to amend and restate the Original Ordinance in its entirety in order to (i) increase the total appropriation therein by \$900,000, from \$1,600,000 to \$2,500,000, (ii) increase the authorization therein of bonds or notes of the Township by \$855,000, from \$1,520,000 to \$2,375,000, (iii) increase the down payment therein by \$45,000, from \$80,000 to \$125,000, (iv) increase the amount for items of expense listed in and permitted under section 20 of the Local Bond Law therein by \$150,000, from \$250,000 to \$400,000, and (v) amend and restate other provisions therein.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The recitals set forth in the preambles to this bond ordinance are fully incorporated by this reference as if set forth in full herein.

Section 2. The bond ordinance of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), heretofore finally adopted by the Township Committee on June 28, 2021, numbered 21-31 and entitled, "BOND ORDINANCE PROVIDING FOR PHASE II (GENERAL) OF THE PUBLIC WORKS FACILITY IMPROVEMENT PROGRAM, INCLUDING THE CONSTRUCTION AND RECONSTRUCTION OF MUNICIPAL FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,520,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF" (the "Original Ordinance"), is hereby amended and restated in its entirety as set forth below:

"BOND ORDINANCE PROVIDING FOR PHASE II (GENERAL) OF THE PUBLIC WORKS FACILITY IMPROVEMENT PROGRAM, INCLUDING THE CONSTRUCTION AND RECONSTRUCTION OF MUNICIPAL FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$2,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,375,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF

NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the “Township”). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the amount of \$2,500,000, said sum being inclusive of a down payment in the amount of \$125,000 (the “Down Payment”) for said improvements as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”), which Down Payment is now available from the General Capital Improvement Fund by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$2,500,000 appropriation not provided for by application hereunder of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$2,375,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$2,375,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are for Phase II of the Public Works Facility improvement program, including, but not limited to, the construction and reconstruction, as applicable, of various municipal facilities within the Township, such construction and reconstruction to include, but not be limited to, the construction of garages, storage buildings, drainage, roadways, driveways, recycling and training facilities, parking lots, and all other related improvements, including, but not limited to, as

applicable, engineering and design work, site work, consulting, preparation of plans and specifications, construction planning, surveying, permits, bid documents, construction inspection and contract administration, equipment rental and all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans and specifications therefor on file in the Office of the Township Engineer and available for public inspection and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$2,375,000.

(c) The estimated cost of said improvements or purposes is \$2,500,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Down Payment in the amount of \$125,000 available for such improvements or purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Monmouth, make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth, shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature

later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes which the Township may lawfully undertake

as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is twenty (20) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$2,375,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$400,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any

expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are “placed in service” (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all tax-exempt bonds and notes issued under this bond ordinance.

SECTION 11. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township, which are authorized herein, and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. The Mayor, the Chief Financial Officer, the Administrator, and any other official/officer of the Township are each hereby authorized and directed to execute, deliver and perform

any agreement necessary to undertake the improvements or purposes set forth herein and to effectuate any transaction contemplated hereby.

SECTION 13. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.”

Section 3. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

ADOPTED ON FIRST READING

DATED: February 27, 2023

GABRIELLA SIBONI,
Clerk of the Township of Neptune

ADOPTED ON SECOND READING

DATED: March 13, 2023

GABRIELLA SIBONI,
Clerk of the Township of Neptune

APPROVED AFTER SECOND READING

DATED: _____, 2023

KEITH CAFFERTY, Mayor

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

PUBLIC NOTICE

NOTICE OF INTRODUCED/PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a regular meeting of the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey, on February 27, 2023. It will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, New Jersey, on March 13, 2023 at 7:00 p.m. Information regarding remote access to the meeting may be found on the Township's website at www.neptunetownship.org. During the week prior to and up to and including the date of such meeting, copies of the full bond ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE AMENDING AND RESTATING IN ITS ENTIRETY BOND ORDINANCE NUMBER 21-31 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON JUNE 28, 2021 TO INCREASE THE TOTAL APPROPRIATION THEREIN FROM \$1,600,000 TO \$2,500,000, TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES OF THE TOWNSHIP FROM \$1,520,000 TO \$2,375,000, TO INCREASE SECTION 20 COSTS, AND TO AMEND AND RESTATE OTHER PROVISIONS THEREIN

Purpose(s): Amend and restate in its entirety Bond Ordinance Number 21-31 (the "Original Ordinance", which provides for Phase II of the Public Works Facility improvement program, including, but not limited to, the construction and reconstruction, as applicable, of various municipal facilities within the Township, such construction and reconstruction to include, but not be limited to, the construction of garages, storage buildings, drainage, roadways, driveways, recycling and training facilities, parking lots, and all other related improvements) to (i) increase the total appropriation therein by \$900,000, from \$1,600,000 to \$2,500,000, (ii) increase the authorization therein of bonds or notes of the Township by \$855,000, from \$1,520,000 to \$2,375,000, (iii) increase the down payment therein by \$45,000, from \$80,000 to \$125,000, (iv) increase the amount for items of expense listed in and permitted under section 20 of the Local Bond Law therein by \$150,000, from \$250,000 to \$400,000, and (v) amend and restate other provisions therein

Appropriation: \$2,500,000 (increased from \$1,600,000 in the Original Ordinance)

Bonds/Notes Authorized: \$2,375,000 (increased from \$1,520,000 in the Original Ordinance)

Grant: None (unchanged from Original Ordinance)

Down Payment: \$125,000 (increased from \$80,000 in the Original Ordinance)

Section 20 Costs: \$400,000 (increased from \$250,000 in the Original Ordinance)

Useful Life: 20 years (unchanged from Original Ordinance)

**GABRIELLA SIBONI,
Clerk of the Township of Neptune**

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

PUBLIC NOTICE

NOTICE OF FINAL ADOPTION OF BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey on March 13, 2023 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost and during regular business hours at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title:	BOND ORDINANCE AMENDING AND RESTATING IN ITS ENTIRETY BOND ORDINANCE NUMBER 21-31 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON JUNE 28, 2021 TO INCREASE THE TOTAL APPROPRIATION THEREIN FROM \$1,600,000 TO \$2,500,000, TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES OF THE TOWNSHIP FROM \$1,520,000 TO \$2,375,000, TO INCREASE SECTION 20 COSTS, AND TO AMEND AND RESTATE OTHER PROVISIONS THEREIN
Purpose(s):	Amend and restate in its entirety Bond Ordinance Number 21-31 (the "Original Ordinance", which provides for Phase II of the Public Works Facility improvement program, including, but not limited to, the construction and reconstruction, as applicable, of various municipal facilities within the Township, such construction and reconstruction to include, but not be limited to, the construction of garages, storage buildings, drainage, roadways, driveways, recycling and training facilities, parking lots, and all other related improvements) to (i) increase the total appropriation therein by \$900,000, from \$1,600,000 to \$2,500,000, (ii) increase the authorization therein of bonds or notes of the Township by \$855,000, from \$1,520,000 to \$2,375,000, (iii) increase the down payment therein by \$45,000, from \$80,000 to \$125,000, (iv) increase the amount for items of expense listed in and permitted under section 20 of the Local Bond Law therein by \$150,000, from \$250,000 to \$400,000, and (v) amend and restate other provisions therein
Appropriation:	\$2,500,000 (increased from \$1,600,000 in the Original Ordinance)
Bonds/Notes Authorized:	\$2,375,000 (increased from \$1,520,000 in the Original Ordinance)
Grant:	None (unchanged from Original Ordinance)
Down Payment:	\$125,000 (increased from \$80,000 in the Original Ordinance)
Section 20 Costs:	\$400,000 (increased from \$250,000 in the Original Ordinance)
Useful Life:	20 years (unchanged from Original Ordinance)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

CERTIFICATE OF INTRODUCTION OF BOND ORDINANCE

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a regular meeting of the Township Committee of the Township duly called and held on February 27, 2023 at 7:00 p.m. at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township as of this __ day of _____, 2023.

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

CERTIFICATE OF FINAL ADOPTION OF BOND ORDINANCE

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a regular meeting of the Township Committee of the Township duly called and held on March 13, 2023 at 7:00 p.m. at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township as of this __ day of _____, 2023.

(SEAL)

**GABRIELLA SIBONI,
Clerk of the Township of Neptune**

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

CLERK'S CERTIFICATE REGARDING BOND ORDINANCE ADOPTION PROCESS

I, GABRIELLA SIBONI, DO HEREBY CERTIFY that I am the Clerk of the Township of Neptune, in the County of Monmouth (the "Township"), a municipal corporation organized and existing under the laws of the State of New Jersey, and that as such I am duly authorized to execute and deliver this certificate on behalf of the Township. In such capacity, I have the responsibility to maintain the minutes of the meetings of the governing body of the Township and the records relative to all resolutions and ordinances of the Township. The representations made herein are based upon the records of the Township. I DO HEREBY FURTHER CERTIFY THAT:

1. Attached hereto is the bond ordinance introduced on February 27, 2023 and finally adopted on March 13, 2023.

2. After introduction, the bond ordinance was published as required by law on _____, 2023 in the _____ (name of the newspaper).

3. Following the passage of the bond ordinance on first reading, and at least seven (7) days prior to the final adoption thereof, I caused to be posted in the principal municipal building of the Township at the place where public notices are customarily posted, a copy of said bond ordinance or a summary thereof and a notice that copies of the bond ordinance would be made available to the members of the general public of the Township who requested copies, up to and including the time of further consideration of the bond ordinance by the governing body. Copies of the bond ordinance were made available to all who requested same.

4. After final passage, the bond ordinance was duly approved by the Mayor on _____, 2023 and was duly published as required by law on _____, 2023 in the _____ (name of the newspaper). No protest signed by any person against making

any improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the bond ordinance has been presented to the governing body or to me or filed in my office within twenty (20) days after said publication or at any other time after the final passage thereof.

5. The bond ordinance has not been amended, added to, altered or repealed and said bond ordinance is now in full force and effect.

6. A certified copy of the bond ordinance and a copy of the amended capital budget form has been filed with the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs, as applicable.

7. The official seal of the Township is the seal, an impression of which is affixed opposite my signature on this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township as of this __ day of _____, 2023.

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

CERTIFICATE OF SUPPLEMENTAL DEBT STATEMENT FOR BOND ORDINANCE

I, the undersigned, Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY, that the attached Supplemental Debt Statement was prepared, executed and sworn to by Michael J. Bascom, the Chief Financial Officer of the Township, as of February 27, 2023, that such Supplemental Debt Statement was filed in my office on or by February 27, 2023 and with the Director of the Division of Local Government Services on _____, 2023.

**GABRIELLA SIBONI,
Clerk of the Township of Neptune**

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

DOWN PAYMENT CERTIFICATE CONCERNING BOND ORDINANCE

I, the undersigned Chief Financial Officer of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY that prior to final adoption of the ordinance entitled,

“BOND ORDINANCE AMENDING AND RESTATING IN ITS ENTIRETY BOND ORDINANCE NUMBER 21-31 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON JUNE 28, 2021 TO INCREASE THE TOTAL APPROPRIATION THEREIN FROM \$1,600,000 TO \$2,500,000, TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES OF THE TOWNSHIP FROM \$1,520,000 TO \$2,375,000, TO INCREASE SECTION 20 COSTS, AND TO AMEND AND RESTATE OTHER PROVISIONS THEREIN”,

there was available as a down payment for the improvements or purposes authorized by said bond ordinance \$125,000, which was available from the General Capital Improvement Fund by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

IN WITNESS WHEREOF, I have hereunto set my hand as of this ___ day of _____, 2023.

MICHAEL J. BASCOM,
Chief Financial Officer

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

BOND ORDINANCE NUMBER 23-13

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF AN ELECTRIC POWERED GARBAGE TRUCK AND THE ACQUISITION AND INSTALLATION OF ELECTRIC CHARGING STATIONS AT THE DEPARTMENT OF PUBLIC WORKS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the amount of \$300,000, said amount being inclusive of a down payment in the amount of \$15,000 (the "Down Payment") for said improvements as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), which Down Payment is now available from the General Capital Improvement Fund by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$300,000 appropriation not provided for by application hereunder of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$285,000 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$285,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are for the acquisition of an electric powered garbage truck and the acquisition

and installation of electric charging stations at the Department of Public Works within the Township, including, but not limited to, as applicable, engineering and design work, consulting, preparation of plans and specifications, construction planning, permits, bid documents, construction inspection and contract administration, equipment rental and all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans and specifications therefor on file in the Office of the Township Clerk and available for public inspection and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$285,000.

(c) The estimated cost of said improvements or purposes is \$300,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Down Payment in the amount of \$15,000 available for such improvements or purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Monmouth, make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth, shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes

issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes which the Township may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is seven (7) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in

the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$285,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$25,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all tax-exempt bonds and notes issued under this bond ordinance.

SECTION 11. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township, which are authorized herein, and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. The Mayor, the Chief Financial Officer, the Administrator, and any other official/officer of the Township are each hereby authorized and directed to execute, deliver and perform any agreement necessary to undertake the improvements or purposes set forth herein and to effectuate any transaction contemplated hereby.

SECTION 13. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

ADOPTED ON FIRST READING
DATED: February 27, 2023

GABRIELLA SIBONI,
Clerk of the Township of Neptune

ADOPTED ON SECOND READING
DATED: March 13, 2023

GABRIELLA SIBONI,
Clerk of the Township of Neptune

APPROVED AFTER SECOND READING

DATED: _____, 2023

KEITH CAFFERTY, Mayor

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

PUBLIC NOTICE

NOTICE OF INTRODUCED/PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a regular meeting of the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey, on February 27, 2023. It will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, New Jersey, on March 13, 2023 at 7:00 p.m. Information regarding remote access to the meeting may be found on the Township's website at www.neptunetownship.org. During the week prior to and up to and including the date of such meeting, copies of the full bond ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF AN ELECTRIC POWERED GARBAGE TRUCK AND THE ACQUISITION AND INSTALLATION OF ELECTRIC CHARGING STATIONS AT THE DEPARTMENT OF PUBLIC WORKS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purpose(s): The bond ordinance provides for the financing of the acquisition of an electric powered garbage truck and the acquisition and installation of electric charging stations at the Department of Public Works within the Township.

Appropriation: \$300,000

Bonds/Notes Authorized: \$285,000

Grant: None

Down Payment: \$15,000

Section 20 Costs: \$25,000

Useful Life: 7 years

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

PUBLIC NOTICE

NOTICE OF FINAL ADOPTION OF BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey on March 13, 2023 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost and during regular business hours at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF AN ELECTRIC POWERED GARBAGE TRUCK AND THE ACQUISITION AND INSTALLATION OF ELECTRIC CHARGING STATIONS AT THE DEPARTMENT OF PUBLIC WORKS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purpose(s): The bond ordinance provides for the financing of the acquisition of an electric powered garbage truck and the acquisition and installation of electric charging stations at the Department of Public Works within the Township.

Appropriation: \$300,000

**Bonds/Notes
Authorized:** \$285,000

Grant: None

Down Payment: \$15,000

Section 20 Costs: \$25,000

Useful Life: 7 years

**GABRIELLA SIBONI,
Clerk of the Township of Neptune**

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

CERTIFICATE OF INTRODUCTION OF BOND ORDINANCE

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a regular meeting of the Township Committee of the Township duly called and held on February 27, 2023 at 7:00 p.m. at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township as of this __ day of _____, 2023.

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

CERTIFICATE OF FINAL ADOPTION OF BOND ORDINANCE

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a regular meeting of the Township Committee of the Township duly called and held on March 13, 2023, at 7:00 p.m. at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township as of this __ day of _____, 2023.

(SEAL)

**GABRIELLA SIBONI,
Clerk of the Township of Neptune**

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

CLERK'S CERTIFICATE REGARDING BOND ORDINANCE ADOPTION PROCESS

I, GABRIELLA SIBONI, DO HEREBY CERTIFY that I am the Clerk of the Township of Neptune, in the County of Monmouth (the "Township"), a municipal corporation organized and existing under the laws of the State of New Jersey, and that as such I am duly authorized to execute and deliver this certificate on behalf of the Township. In such capacity, I have the responsibility to maintain the minutes of the meetings of the governing body of the Township and the records relative to all resolutions and ordinances of the Township. The representations made herein are based upon the records of the Township. I DO HEREBY FURTHER CERTIFY THAT:

1. Attached hereto is the bond ordinance introduced on February 27, 2023 and finally adopted on March 13, 2023.

2. After introduction, the bond ordinance was published as required by law on _____, 2023 in the _____ (name of the newspaper).

3. Following the passage of the bond ordinance on first reading, and at least seven (7) days prior to the final adoption thereof, I caused to be posted in the principal municipal building of the Township at the place where public notices are customarily posted, a copy of said bond ordinance or a summary thereof and a notice that copies of the bond ordinance would be made available to the members of the general public of the Township who requested copies, up to and including the time of further consideration of the bond ordinance by the governing body. Copies of the bond ordinance were made available to all who requested same.

4. After final passage, the bond ordinance was duly approved by the Mayor on _____, 2023 and was duly published as required by law on _____, 2023 in the _____ (name of the newspaper). No protest signed by any person against making any improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the bond ordinance has been presented to the governing body or to me or filed in my office within twenty (20) days after said publication or at any other time after the final passage thereof.

5. The bond ordinance has not been amended, added to, altered or repealed and said bond ordinance is now in full force and effect.

6. A certified copy of the bond ordinance and a copy of the amended capital budget form has been filed with the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs, as applicable.

7. The official seal of the Township is the seal, an impression of which is affixed opposite my signature on this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township as of this ___ day of _____, 2023.

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

CERTIFICATE OF SUPPLEMENTAL DEBT STATEMENT FOR BOND ORDINANCE

I, the undersigned, Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY, that the attached Supplemental Debt Statement was prepared, executed and sworn to by Michael J. Bascom, the Chief Financial Officer of the Township, as of February 27, 2023, that such Supplemental Debt Statement was filed in my office on or by February 27, 2023 and with the Director of the Division of Local Government Services on _____, 2023.

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

DOWN PAYMENT CERTIFICATE CONCERNING BOND ORDINANCE

I, the undersigned Chief Financial Officer of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY that prior to final adoption of the bond ordinance entitled,

“BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF AN ELECTRIC POWERED GARBAGE TRUCK AND THE ACQUISITION AND INSTALLATION OF ELECTRIC CHARGING STATIONS AT THE DEPARTMENT OF PUBLIC WORKS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF”,

there was available as a down payment for the improvements or purposes authorized by said bond ordinance \$15,000, which was available from the General Capital Improvement Fund by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

IN WITNESS WHEREOF, I have hereunto set my hand as of this ___ day of _____, 2023.

MICHAEL J. BASCOM,
Chief Financial Officer

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

BOND ORDINANCE NUMBER _____

BOND ORDINANCE AMENDING AND RESTATING IN ITS ENTIRETY BOND ORDINANCE NUMBER 21-32 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON JUNE 28, 2021 TO INCREASE THE TOTAL APPROPRIATION THEREIN FROM \$600,000 TO \$900,000, TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES OF THE TOWNSHIP FROM \$570,000 TO \$855,000, AND TO AMEND AND RESTATE OTHER PROVISIONS THEREIN

WHEREAS, the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey (the “Township”) heretofore finally adopted Bond Ordinance Number 21-32 on June 28, 2021, entitled “BOND ORDINANCE PROVIDING FOR PHASE II (SEWER UTILITY) OF THE PUBLIC WORKS FACILITY IMPROVEMENT PROGRAM, INCLUDING THE CONSTRUCTION AND RECONSTRUCTION OF MUNICIPAL FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$570,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF” (the “Original Ordinance”); and

WHEREAS, the Township Committee of the Township desires to amend and restate the Original Ordinance in its entirety in order to (i) increase the total appropriation therein by \$300,000, from \$600,000 to \$900,000, (ii) increase the authorization therein of bonds or notes of the Township by \$285,000, from \$570,000 to \$855,000, (iii) increase the down payment therein by \$15,000, from \$30,000 to \$45,000, and (iv) amend and restate other provisions therein.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The recitals set forth in the preambles to this bond ordinance are fully incorporated by this reference as if set forth in full herein.

Section 2. The bond ordinance of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), heretofore finally adopted by the Township Committee on June 28, 2021, numbered 21-32 and entitled, "BOND ORDINANCE PROVIDING FOR PHASE II (SEWER UTILITY) OF THE PUBLIC WORKS FACILITY IMPROVEMENT PROGRAM, INCLUDING THE CONSTRUCTION AND RECONSTRUCTION OF MUNICIPAL FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$570,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF" (the "Original Ordinance"), is hereby amended and restated in its entirety as set forth below:

"BOND ORDINANCE PROVIDING FOR PHASE II (SEWER UTILITY) OF THE PUBLIC WORKS FACILITY IMPROVEMENT PROGRAM, INCLUDING THE CONSTRUCTION AND RECONSTRUCTION OF MUNICIPAL FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$900,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$855,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the sum of \$900,000, said sum being inclusive of a down payment in the amount of \$45,000 (the "Down Payment") for said improvements as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), which Down Payment is now available from the Sewer Utility Capital Improvement Fund by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$900,000 appropriation not provided for by application hereunder of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$855,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$855,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are for Phase II of the Public Works Facility improvement program, including, but not limited to, the construction and reconstruction, as applicable, of various municipal facilities within the Township, such construction and reconstruction to include, but not be limited to, the construction of garages, storage buildings, drainage, roadways, driveways, recycling and training facilities, parking lots, and all other related improvements, including, but not limited to, as applicable, engineering and design work, site work, consulting, preparation of plans and specifications, construction planning, surveying, permits, bid documents, construction inspection and contract administration, equipment rental and all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans and specifications therefor on file in the Office of the Township Engineer and available for public inspection and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$855,000.

(c) The estimated cost of said improvements or purposes is \$900,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Down Payment in the amount of \$45,000 available for such improvements or purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Monmouth, make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. In the

event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth, shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes which the Township may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is twenty (20) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$855,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or

notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all tax-exempt bonds and notes issued under this bond ordinance.

SECTION 11. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township, which are authorized herein, and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. The Mayor, the Chief Financial Officer, the Administrator, and any other official/officer of the Township are each hereby authorized and directed to execute, deliver and perform any agreement necessary to undertake the improvements or purposes set forth herein and to effectuate any transaction contemplated hereby.

SECTION 13. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.”

Section 3. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

ADOPTED ON FIRST READING
DATED: February 27, 2023

GABRIELLA SIBONI,
Clerk of the Township of Neptune

ADOPTED ON SECOND READING
DATED: March 13, 2023

GABRIELLA SIBONI,
Clerk of the Township of Neptune

APPROVED AFTER SECOND READING
DATED: _____, 2023

KEITH CAFFERTY, Mayor

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

PUBLIC NOTICE

NOTICE OF INTRODUCED/PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a regular meeting of the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey, on February 27, 2023. It will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, New Jersey, on March 13, 2023 at 7:00 p.m. Information regarding remote access to the meeting may be found on the Township’s website at www.neptunetownship.org. During the week prior to and up to and including the date of such meeting, copies of the full bond ordinance will be available at no cost and during regular business hours at the Clerk’s office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

- Title:** BOND ORDINANCE AMENDING AND RESTATING IN ITS ENTIRETY BOND ORDINANCE NUMBER 21-32 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON JUNE 28, 2021 TO INCREASE THE TOTAL APPROPRIATION THEREIN FROM \$600,000 TO \$900,000, TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES OF THE TOWNSHIP FROM \$570,000 TO \$855,000, AND TO AMEND AND RESTATE OTHER PROVISIONS THEREIN
- Purpose(s):** Amend and restate in its entirety Bond Ordinance Number 21-32 (the “Original Ordinance”, which provides for Phase II of the Public Works Facility improvement program, including, but not limited to, the construction and reconstruction, as applicable, of various municipal facilities within the Township, such construction and reconstruction to include, but not be limited to, the construction of garages, storage buildings, drainage, roadways, driveways, recycling and training facilities, parking lots, and all other related improvements) to (i) increase the total appropriation therein by \$300,000, from \$600,000 to \$900,000, (ii) increase the authorization therein of bonds or notes of the Township by \$285,000, from \$570,000 to \$855,000, (iii) increase the down payment therein by \$15,000, from \$30,000 to \$45,000, and (iv) amend and restate other provisions therein
- Appropriation:** \$900,000 (increased from \$600,000 in the Original Ordinance)
- Bonds/Notes Authorized:** \$855,000 (increased from \$570,000 in the Original Ordinance)
- Grant:** None (unchanged from Original Ordinance)
- Down Payment:** \$45,000 (increased from \$30,000 in the Original Ordinance)
- Section 20 Costs:** \$100,000 (unchanged from Original Ordinance)
- Useful Life:** 20 years (unchanged from Original Ordinance)

GABRIELLA SIBONI,

Clerk of the Township of Neptune

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

PUBLIC NOTICE

NOTICE OF FINAL ADOPTION OF BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey on March 13, 2023 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost and during regular business hours at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE AMENDING AND RESTATING IN ITS ENTIRETY BOND ORDINANCE NUMBER 21-32 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON JUNE 28, 2021 TO INCREASE THE TOTAL APPROPRIATION THEREIN FROM \$600,000 TO \$900,000, TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES OF THE TOWNSHIP FROM \$570,000 TO \$855,000, AND TO AMEND AND RESTATE OTHER PROVISIONS THEREIN

Purpose(s): Amend and restate in its entirety Bond Ordinance Number 21-32 (the "Original Ordinance", which provides for Phase II of the Public Works Facility improvement program, including, but not limited to, the construction and reconstruction, as applicable, of various municipal facilities within the Township, such construction and reconstruction to include, but not be limited to, the construction of garages, storage buildings, drainage, roadways, driveways, recycling and training facilities, parking lots, and all other related improvements) to (i) increase the total appropriation therein by \$300,000, from \$600,000 to \$900,000, (ii) increase the authorization therein of bonds or notes of the Township by \$285,000, from \$570,000 to \$855,000, (iii) increase the down payment therein by \$15,000, from \$30,000 to \$45,000, and (iv) amend and restate other provisions therein

Appropriation: \$900,000 (increased from \$600,000 in the Original Ordinance)

Bonds/Notes Authorized: \$855,000 (increased from \$570,000 in the Original Ordinance)

Grant: None (unchanged from Original Ordinance)

Down Payment: \$45,000 (increased from \$30,000 in the Original Ordinance)

Section 20 Costs: \$100,000 (unchanged from Original Ordinance)

Useful Life: 20 years (unchanged from Original Ordinance)

**GABRIELLA SIBONI,
Clerk of the Township of Neptune**

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

CERTIFICATE OF INTRODUCTION OF BOND ORDINANCE

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a regular meeting of the Township Committee of the Township duly called and held on February 27, 2023 at 7:00 p.m. at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township as of this __ day of _____, 2023.

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

CERTIFICATE OF FINAL ADOPTION OF BOND ORDINANCE

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a regular meeting of the Township Committee of the Township duly called and held on March 13, 2023 at 7:00 p.m. at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township as of this __ day of _____, 2023.

(SEAL)

**GABRIELLA SIBONI,
Clerk of the Township of Neptune**

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

CLERK'S CERTIFICATE REGARDING BOND ORDINANCE ADOPTION PROCESS

I, GABRIELLA SIBONI, DO HEREBY CERTIFY that I am the Clerk of the Township of Neptune, in the County of Monmouth (the "Township"), a municipal corporation organized and existing under the laws of the State of New Jersey, and that as such I am duly authorized to execute and deliver this certificate on behalf of the Township. In such capacity, I have the responsibility to maintain the minutes of the meetings of the governing body of the Township and the records relative to all resolutions and ordinances of the Township. The representations made herein are based upon the records of the Township. I DO HEREBY FURTHER CERTIFY THAT:

1. Attached hereto is the bond ordinance introduced on February 27, 2023 and finally adopted on March 13, 2023.

2. After introduction, the bond ordinance was published as required by law on _____, 2023 in the _____ (name of the newspaper).

3. Following the passage of the bond ordinance on first reading, and at least seven (7) days prior to the final adoption thereof, I caused to be posted in the principal municipal building of the Township at the place where public notices are customarily posted, a copy of said bond ordinance or a summary thereof and a notice that copies of the bond ordinance would be made available to the members of the general public of the Township who requested copies, up to and including the time of further consideration of the bond ordinance by the governing body. Copies of the bond ordinance were made available to all who requested same.

4. After final passage, the bond ordinance was duly approved by the Mayor on _____, 2023 and was duly published as required by law on _____, 2023 in the _____ (name of the newspaper). No protest signed by any person against making any improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the bond ordinance has been presented to the governing body or to me or filed in my office within twenty (20) days after said publication or at any other time after the final passage thereof.

5. The bond ordinance has not been amended, added to, altered or repealed and said bond ordinance is now in full force and effect.

6. A certified copy of the bond ordinance and a copy of the amended capital budget form has been filed with the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs, as applicable.

7. The official seal of the Township is the seal, an impression of which is affixed opposite my signature on this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township as of this ___ day of _____, 2023.

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

CERTIFICATE OF SUPPLEMENTAL DEBT STATEMENT FOR BOND ORDINANCE

I, the undersigned, Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY, that the attached Supplemental Debt Statement was prepared, executed and sworn to by Michael J. Bascom, the Chief Financial Officer of the Township, as of February 27, 2023, that such Supplemental Debt Statement was filed in my office on or by February 27, 2023 and with the Director of the Division of Local Government Services on _____, 2023.

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

DOWN PAYMENT CERTIFICATE CONCERNING BOND ORDINANCE

I, the undersigned Chief Financial Officer of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY that prior to final adoption of the ordinance entitled,

“BOND ORDINANCE AMENDING AND RESTATING IN ITS ENTIRETY BOND ORDINANCE NUMBER 21-32 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON JUNE 28, 2021 TO INCREASE THE TOTAL APPROPRIATION THEREIN FROM \$600,000 TO \$900,000, TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES OF THE TOWNSHIP FROM \$570,000 TO \$855,000, AND TO AMEND AND RESTATE OTHER PROVISIONS THEREIN”,

there was available as a down payment for the improvements or purposes authorized by said bond ordinance \$45,000, which was available from the Sewer Utility Capital Improvement Fund by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

IN WITNESS WHEREOF, I have hereunto set my hand as of this __ day of _____, 2023.

MICHAEL J. BASCOM,
Chief Financial Officer

TOWNSHIP OF NEPTUNE

RESOLUTION 23-115

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE APPOINTING MEMBERS TO THE RECREATION COMMITTEE

WHEREAS, the following members are being appointed to the Recreation Committee:

Board	Position	Term	Appointment	Expiration	Name
Recreation Committee	Member	1 Year	2/27/2023	12/31/2023	Jessie Thompson

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following be and are hereby made and the composition of the board is as follows:

Board	Position	Term	Appointment	Expiration	Name
Recreation Committee	Member	1 Year	1/1/2023	12/31/2023	Michelle Moss
Recreation Committee	Member	1 Year	1/1/2023	12/31/2023	Joseph L. Mauro IV
Recreation Committee	Member	1 Year	1/1/2023	12/31/2023	Nadine Kleiberg
Recreation Committee	Member	1 Year	1/1/2023	12/31/2023	Bridget James
Recreation Committee	Member	1 Year	1/1/2023	12/31/2023	Maureen Ruotolo
Recreation Committee	Member	1 Year	1/1/2023	12/31/2023	Matt Olds
Recreation Committee	Member	1 Year	1/1/2023	12/31/2023	Rob Podlaski
Recreation Committee	Member	1 Year	1/1/2023	12/31/2023	Bryan Acciani
Recreation Committee	Member	1 Year	1/1/2023	12/31/2023	George Jones
Recreation Committee	Member	1 Year	1/1/2023	12/31/2023	Patricia Sneddon
Recreation Committee	Member	1 Year	2/13/2023	12/31/2023	Kathleen Gamba
Recreation Committee	Member	1 Year	2/27/2023	12/31/2023	Jessie Thompson
Recreation Committee	Committee Liaison	1 Year	1/1/2023	12/31/2023	Tassie York
Recreation Committee	Committee Liaison	1 Year	1/1/2023	12/31/2023	Keith Cafferty

TOWNSHIP OF NEPTUNE

RESOLUTION 23-116

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

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

WHEREAS, 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; 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>DEPT. POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Kaitlyn Rochelle	Camp Director	\$25.00/ hour	2/1/2022

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 February 27, 2023.

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

Account Number

Michael Bascom, Chief Financial Officer

Date

TOWNSHIP OF NEPTUNE

RESOLUTION #23-117

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
GRANTING LEAVE OF ABSENCE TO TERESA RICHARD**

WHEREAS, Teresa Richard, a Kitchen Aide in the Senior Center, has requested an unpaid leave of absence from February 16, 2023, and returning March 15, 2023; and,

WHEREAS, the Human Resources Director has approved the request; and,

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Leave of Absence noted above is hereby granted; and,

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

**TOWNSHIP OF NEPTUNE
RESOLUTION 23-118
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
AWARDING AGATE CONSTRUCTION COMPANY THE FLETCHER LAKE BULKHEAD
CONTRACT IN AN AMOUNT NOT TO EXCEED \$1,003,910.00**

WHEREAS, the Township of Neptune advertised a notice to bidders on December 27, 2022 requesting bid submissions for Fletcher Lake Bulkhead Project Contract; and,

WHEREAS, on January 12, 2023, the Township of Neptune received bids as follows:

<u>Company</u>	<u>Address</u>	<u>Base Bid</u>	<u>Base Bid + Alt</u>	<u>Base Bid + Alt 2</u>
Agate Construction Co.	2819 Fire Road Egg Harbor, NJ 08234	\$967,950.00	\$1,003,910.00	\$1,048,310.00
Walters Marine Construction, Inc	414 Woodbine- Ocean View Rd. Ocean View, NJ 08230	\$1,168,800.00	\$1,283.700	\$1,317,000.00
Albert Marine Construction	65 Pennsylvania Ave. Waretown, NJ 08758	\$1,190,400.00	\$1,340,400.00	\$1,460,400.00
Fernandes Construction, Inc.	25 Stonegate Dr. Monroe, NJ 08831	\$1,292,955.00	\$1,350,058.00	\$1,380,268.00
Marbro, Inc.	127 Pine Street Montclair, NJ 07042	\$1,965,617.00	\$2,086,117.00	\$2,137,117.00
Bird Construction	105 Harbor Inn Road Bayville, NJ 08721	\$1,898,020.00	\$2,049,170.00	\$2,127,170.00

WHEREAS, the Township Engineer has recommended to the Township Committee that the contract be awarded to Agate Construction Co. for the base bid and Alternate Number 1; and,

WHEREAS, the Township Attorney reviewed the proposed submitted by Agate Construction Co. and found the same to be legally sufficient; 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 Township Engineer and hereby awards the contract for the Fletcher Lake Bulkhead to Agate Construction Co. in a form of contract acceptable to the Township Attorney.
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 February 27, 2023.

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 Fletcher Lake Bulkhead Contract in the Amount of \$1,003,910.00

Account Name

Account Number

Michael Bascom, Chief Financial Officer

Date

TOWNSHIP OF NEPTUNE

RESOLUTION #23-125

AUTHORIZING 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:

FEBRUARY 27, 2023 BILL LIST

Current Fund	\$8,337,619.71
Grant Fund	\$29,840.20
Trust Other	\$17,237.67
General Capital	\$280,776.62
Sewer Operating Fund	\$217,485.43
Sewer Capital Fund	\$1,606.25
Marina Operating Fund	\$8,297.47

Bill List Total **\$8,892,863.35**

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

TOWNSHIP OF NEPTUNE

RESOLUTION 23-120

RELEASE A PERFORMANCE BOND FILED BY TYREE ORGANIZATION LTD FOR SITE IMPROVEMENTS AT BLOCK 272 LOTS 1.01-6.01

WHEREAS, on May 8, 1997, Tyree Organization Ltd filed Performance Bond No. B2756680, in the amount of \$7,517.00, guaranteeing site improvements at Block 272 Lots 1.01-6.01; and,

WHEREAS, due to the age of the project, it has been determined that a maintenance bond is not required; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee and inspection fee escrow deposited with the Township be and is hereby authorized to be refunded; and,

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

TOWNSHIP OF NEPTUNE

RESOLUTION 23-121

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE TO
TERMINATE EMPLOYEE IN CODE AND CONSTRUCTION**

BE IT RESOLVED, by the Township Committee of the Township of Neptune that Vincenzo Caroppo, Customer Service Representative, be and is hereby terminated effective February 23, 2023, and;

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

TOWNSHIP OF NEPTUNE

RESOLUTION 23-122

AUTHORIZE THE EXECUTION OF A SHARED SERVICE AGREEMENT WITH THE COUNTY OF MONMOUTH TO PROVIDE EMERGENCY DISPATCH SERVICES TO THE TOWNSHIP

WHEREAS, the Township of Neptune, mindful of its duty and responsibility to protect and maintain the public health, safety and welfare of its inhabitants, has determined that its best interests would be served by joining the County of Monmouth Emergency Telecommunications System to provide emergency dispatch services for all Township emergency agencies; and,

WHEREAS, the Township of Neptune and the County of Monmouth desire to enter into a Shared Service Agreement pursuant to N.J.S.A. 40:8A-1 et seq. for the Township and County to cooperatively participate in this project; and,

WHEREAS, the County shall provide all calls to the Township by call relay, transfer, or direct emergency dispatch in accordance with the Township's participation plan; and,

WHEREAS, the County will provide direct emergency dispatch services for police, fire, emergency management and emergency medical services for the Township; and,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Shared Service Agreement with the County of Monmouth, a copy of which is on file in the Office of the Municipal Clerk, providing for the County to provide emergency dispatch services to the Township commencing January 1, 2023 and continuing for a period of three years at an annual fee to the Township of \$442,208.00 in 2023 with a 2% increase in 2024 and a 2% increase in 2025; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Chief of Police, and the Monmouth County Sheriff's Department.

TOWNSHIP OF NEPTUNE

RESOLUTION 23-123

AUTHORIZING CERTAIN PERSONNEL ACTIONS- TOURISM REPRESENTATIVES

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; 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>POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Linda Herbison-Lopez	Publicity and Tourism	Tourism Representatives	\$17.48	4/15/2023 to 10/15/2023
Carol Bernard	Publicity and Tourism	Tourism Representatives	\$17.48	4/15/2023 to 10/15/2023
Danielle Daly	Publicity and Tourism	Tourism Representatives	\$17.48	4/15/2023 to 10/15/2023
Jackie Lyon	Publicity and Tourism	Tourism Representatives	\$17.48	4/15/2023 to 10/15/2023

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 February 27, 2023.

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

Account Number

Michael Bascom, Chief Financial Officer

Date

TOWNSHIP OF NEPTUNE

RESOLUTION 23-124

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
CO-SPONSORING THE CELEBRATION OF 95 YEARS OF THE SHARK RIVER HILLS FIRE
DEPARTMENT**

WHEREAS, Shark River Hills Fire Company is celebrating 95 Years servicing Neptune Township;
and,

WHEREAS, it is desirous of the Township to host the celebration of this celebration at the Shark River Volunteer Park on South Riverside Drive on May 20th (Rain Date May 21) from 1:00PM to 5:00PM;
and,

WHEREAS, to assist with the event, the Township of Neptune will provide:

- Barricades and signage for road closures on portions of Melrose Ave., Highland Ave. and South Riverside, specifics to be determined and approved by the Police Department.
- Access and use of the Shark River Volunteer Park

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

1. Permission for the event detailed above be granted and the host(s) are notified of requirements to comply with all rules and regulations regarding the activities intended to occur.
2. All licenses, permits and inspections that may be necessary to host such an event must be procured by the event organizer. This includes, but is not limited to games of chance, permits associated with Alcoholic Beverage Control, health inspection, fire inspection and mercantile registrations.
3. Fees associated with the labor required by the Township will be waived.

TOWNSHIP OF NEPTUNE

RESOLUTION NO. 23-125

**AUTHORIZING DISCHARGE OF MORTGAGE HELD BY NEPTUNE TOWNSHIP ON PROPERTY
LOCATED AT 1508 HECK AVENUE, NEPTUNE TOWNSHIP, NEW JERSEY, OWNED BY
TRF DP RIDGE AVENUE, LLC**

WHEREAS, the Township of Neptune is the owner and holder of a certain mortgage note totaling \$400,000.00, secured by a certain mortgage for such sum made by TRF DP Ridge Avenue, LLC to the Township dated February 19, 2009 and recorded April 8, 2009 in the Monmouth County Clerk's Office in Mortgage Book OR-8766, Page 4660, subject to a Mortgage Modification Agreement recorded February 17, 2012 in the Monmouth County Clerk's Office in Book OR-8933, Page 1860 and subject to an additional Mortgage Modification Agreement recorded May 11, 2016 in the Monmouth County Clerk's Office in Book OR-9165, PAGE 7938 on property located at 1508 Heck Avenue, Neptune Township, New Jersey; and

WHEREAS, the Township has been advised that the said mortgage has been paid off in full, and therefore should be subject to discharge.

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 mortgage held by Neptune Township with TRF DP Ridge Avenue, LLC entered into on February 19, 2009 and recorded April 8, 2009 in the Monmouth County Clerk's Office in Mortgage Book OR-8766, Page 4660, subject to a Mortgage Modification Agreement recorded February 17, 2012 in the Monmouth County Clerk's Office in Book OR-8933, Page 1860 and subject to an additional Mortgage Modification Agreement recorded May 11, 2016 in the Monmouth County Clerk's Office in Book OR-9165, Page 7938 on property located at 1508 Heck Avenue, Neptune Township, which required release of the 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 23-**

**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>DEPT</u>	<u>PREVIOUS POSITION</u>	<u>RECLASSIFICATION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
	Public Works		Foreman	\$69,500.00	1/1/2023
	Public Works		Supervisor	\$92,522.00	1/1/2023

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 February 27, 2023.

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

Michael Bascom, Chief Financial Officer

Date