

TOWNSHIP COMMITTEE WORKSHOP MEETING – March 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. Committee Calendars

Res #23 - 138 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 – March 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.

APPROVAL OF MINUTES

Motion offered by _____, seconded by _____, to approve the minutes of meetings of March 13, 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.

PUBLIC HEARING ON DISTRICT #1 DEFEATED FIRE BUDGET

Res #23- 139 A Resolution Of The Township Committee Of The Township Of Neptune Adopting The 2023 Budget For Neptune Fire District #1

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

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 23-09 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 _____

ORDINANCES FOR FIRST READING

Ordinance 23-15 An Ordinance To Amend Volume I, Chapter VII Of The Code Of The Township Of Neptune By Adding A Resident Only Handicapped Parking Zone On Abbott Ave. And Removing A Resident Only Handicapped Parking Zone On Central Ave.

Explanatory Statement: Statement: This ordinance authorizes a resident only handicapped parking zone in front of 84 Abbott Ave. and removes a resident only handicapped parking zone at 39 Central Ave.

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

Ordinance 23-16 An Ordinance To Of The Township Of Neptune To Amend And Supplement Chapter 4 Business And Licensing Regulations By Amending Section 19 “Special Events And Temporary Displays”

Explanatory Statement: Statement: This ordinance changes the title of permit to “Temporary Display” and amends the timeline for issuance of permit, requirements of permit and repeals §4-19-.8 “Repealer, Severability; when effective”.

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

Ordinance 23-17 An Ordinance To Of The Township Of Neptune To Amend And Supplement Chapter 13 Streets And Sidewalks By Amending Section 3 “Obstruction Of Streets Or Sidewalks”

Explanatory Statement: Statement: This ordinance amends Chapter 13 to reflect a change in issuing authority for Street Obstructions and includes requirements for the application.

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

Ordinance 23-18 An Ordinance To Of The Township Of Neptune To Amend And Supplement Chapter 4 Business And Licensing Regulations By Adding Sections 35 “Special Events”

Explanatory Statement: Statement: This ordinance amends and supplements chapter 4, to add definitions, fees, regulations and requirements for Special Events in Neptune Township.

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

Ordinance 23-19 An Ordinance To Of The Township Of Neptune To Amend And Supplement Chapter 16 Sewers By Amending Section 2 “Sewer Rental Charges”

Explanatory Statement: Statement: This ordinance amends chapter 2 to include language regarding rooming house rooms, decrease the fee for additional rooms in rooming houses and update the format to remove outdated fee schedules.

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

The Clerk announces the public hearing on ordinances listed will be held on April 10, 2023.

CONSENT AGENDA

- Res #23- 140** A Resolution Of The Township Committee Of The Township Of Neptune Accepting Resignations
- Res #23- 141** Resolution Authorizing Execution Of The Side Bar Agreement With Neptune Township Department/Division Head Association And Employees With Individual Employment Contracts
- Res #23- 142** Resolution Authorizing Execution Of The Side Bar Agreement With AFSCME Local #2792
- Res #23- 143** Resolution Authorizing Execution Of The Side Bar Agreement With AFSCME Local #1844
- Res #23- 144** Resolution Authorizing the Township of Neptune Through the Neptune Township Police Department, to Participate in the Defense Logistics Agency, Law Enforcement Support Enforcement Support Office, 1033 Program to Enable the Neptune Township Police Department to Request and Acquire Excess Department of Defense Equipment.

- Res #23- 145** Resolution Rescinding Township Of Neptune Resolution # 18-170 – 4/23/18
- Res#23- 146** Authorizing The Purchase Of Dock Boxes From West Marine Pro In An Amount Not To Exceed \$26,103.00
- Res#23- 147** Authorizing The Purchase Of Finger Docks From American Muscle Docks And Fabrication In An Amount Not To Exceed \$43,642.00
- Res#23- 148** Authorizing The Township Committee Of The Township Of Neptune To Execute Change Order #1 For \$85,070.00 With Lucas Brothers Inc.. For Sixth Avenue Sewer Main Replacement For A New Contract Total Of \$1,542,527.00
- Res#23- 149** Authorize the Payment of Bills
- Res#23- 150** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Reclassification

CONSENT AGENDA

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

SEPARATED RESOLUTIONS

- Res #23- 151** Release A Performance Bond Filed By Neptune Estates/ Victoria Estates LLC For Site Improvements For Phase 1a Block 3301 Lots 32, 33 And 54, Phase 1b Block 3301 Lots 34, 35, 36, 27, 38, 50, 51, 52, & 53, Phase 2 Block 3301 Lots 39-49 And Block 3302 Lots 1-4

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

- Res #23- 152** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Public Works

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

- Res #23- 153** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Reclassification- Amendment to Resolution 23-137

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

- Res #23- 154** Introduction of Municipal Budget 2023

Offered by: _____ Seconed 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
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
	YAY NAY ABSTAIN ABSENT	Dated:
	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
	YAY NAY ABSTAIN ABSENT	Dated:
	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
ORDINANCE NO. 23-15

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE
TOWNSHIP OF NEPTUNE BY ADDING A RESIDENT ONLY HANDICAPPED PARKING
ZONE ON ABBOTT AVE. AND REMOVING A RESIDENT ONLY HANDICAPPED
PARKING ZONE ON CENTRAL AVE.

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 7-21.7 – Resident Handicapped On-Street Parking, is hereby amended
by adding the following:

Table with 3 columns: Name of Street, No. Of Spaces, Location. Row 1: Abbott Ave., 1, Southside of Abbott Ave., beginning 74 feet west of the southwest intersection of Abbott Ave. and New York Ave.

SECTION 2

Volume I, Chapter VII, Section 7-21.7 – Resident Handicapped On-Street Parking, is hereby amended
by removing the following:

Table with 3 columns: Name of Street, No. Of Spaces, Location. Row 1: Central Ave., 1, West side of Central Avenue beginning 42 feet south of the southwest intersection of Central Avenue and Pitman Avenue

SECTION 3

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:

Dr. Michael Brantley

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

Gabriella Siboni, RMC
Township Clerk

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

Dr. Michael Brantley
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. 23-16**

**AN ORDINANCE TO OF THE TOWNSHIP OF NEPTUNE TO AMEND AND
SUPPLEMENT CHAPTER 4 BUSINESS AND LICENSING REGULATIONS BY
AMENDING SECTION 19 “SPECIAL EVENTS AND TEMPORARY DISPLAYS”**

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

SECTION 1.

§4-19 SPECIAL EVENTS AND TEMPORARY DISPLAYS.

§4-19.1 Issuance of Permit.

On application to the Zoning Officer, or his or her designee, the Township Zoning Officer may permit, at his or her discretion, a ~~special event~~ **Temporary Display**, outdoor display and/or sale in parking lots, sidewalks or other premises adjacent to an applicant's commercial premises subject to the conditions contained herein.

§ 4-19.2 ~~Special Events~~ Temporary Displays Defined.

~~Special events~~ Temporary Displays shall include outdoor displays and/or sales of a commercial nature other than those sales covered by Section 4-20 and 4-21 of the Neptune Township Code.

§ 4-19.3 Conditions for Issuance of Permits.

A permit for an outdoor ~~special event~~, **Temporary** display and/or sale shall only be given if the applicant satisfies all of the following criteria:

- a. A ~~special event~~ **temporary display** shall not extend beyond two (2) weeks and there shall be no more than two (2) permits for such activities issued per calendar year ~~with each permitted activity not occurring closer than thirty (30) days from the end of the last permitted activity.~~
- b. No food or foodstuffs shall be displayed or offered for sale except by a merchant whose normal business includes the sale of such items; said merchant must also maintain a valid permit for the food or foodstuffs displayed if the same area of the type which otherwise require a permit; said merchant shall also provide a trash receptacle of at least twenty-five (25) gallons capacity within five (5) feet of his/her display area.
- c. The outdoor display and sale shall be restricted to areas zoned for commercial business and shall otherwise be in accord with all zoning regulations pertaining thereto.
- d. The outdoor display sale shall not block pedestrian or motor vehicle traffic. Specifically, it shall not impede the flow of pedestrian traffic, including the handicapped, and said display shall in no way threaten the safety of the public. This includes, but is not limited to, ensuring that motorists are not visually or physically obstructed in an unsafe manner.
- e. All signage and special effects must be limited to placement on the actual site of the ~~special event~~, outdoor sale or display with detailed description set forth on the application concerning the number of signs, size and types. Said signage and special effects cannot adversely affect the health, safety or welfare of the public and are further subject to the Temporary Sign Ordinance found in the Land Development Ordinance of Neptune Township, Article IV, Section 416.05 and related ordinances.
- f. The applicant shall demonstrate that the outdoor display and the sale serves the public purpose of furthering the commercial and mercantile growth and stability and/or aesthetics of the Township at large.

- g. The permit shall not adversely affect the public welfare.
- h. The applicant must complete a form prepared by the Township showing the applicant's name and location to be used for sale and display and a list of the goods or services to be displayed and offered for sale, with a diagram or narrative explaining exactly where the ~~special event~~ **Temporary Display** is to take place, the size and diameter of the event, the use of tents, signs and other advertising devices and the exact location of all displays. The application must be reviewed and approved for fire safety by the Fire Official of the Bureau of Fire Prevention, pedestrian and traffic safety by the Police Department and in the discretion of the Zoning Officer, any other official due to the unique nature of the ~~special event~~ **Temporary Display**. The Township can restrict any aspect of the ~~special event~~ **Temporary Display** if in its opinion any aspect of the event affects the safety, health and welfare of the public.
- i. **The applicant is responsible for procuring any permits, inspections or license that may be required from municipal, county, state or federal regulations for any related matter to their temporary display permit.**

§ 4-19.4 **Permit Fee and Display.**

The applicant shall pay a fee of one hundred (\$100.00) dollars for each permit for ~~special event~~ **Temporary Display** and shall display the permit at the site of the ~~special event~~ **Temporary Display** in a conspicuous location that can be seen by the public.

§ 4-19.5 **Waiver.**

Permits for outdoor displays, sales and ~~special events~~ **Temporary Display** are not required for Township-endorsed festivities or activities.

§ 4-19.6 **Enforcement.**

This section shall be enforced by the Zoning Officer or his or her designee.

§ 4-19.7 ~~Special Events~~ **Temporary Display and Food Vendors.**

If the ~~special event~~ **Temporary Display** includes the sale of food by vendors, the coordinator of the ~~special event~~ **Temporary Display** shall indicate such on the Township application form. The Zoning Officer, or his designee, will notify the County Board of Health that foodstuffs are being sold at the ~~special event~~ **Temporary Display**. The coordinator of the ~~special event~~ **Temporary Display** shall be responsible for contacting the County Board of Health with a list of food vendors and any other information that the County Board of Health may require. There will be no additional fee collected by the Township for food vendors.

§ 4-19.8 ~~Repealer, Severability, When Effective.~~

- a. ~~Repealer. In the event that any clause, section or paragraph of this section is deemed to be invalid for any reason, then it is hereby declared to be the intent of the Governing Body that the balance of the section shall remain in full force and effect, the Governing Body hereby declaring that it would have adopted the remainder of the section even without the offending provision.~~
- b. ~~Severability. Any and all ordinances inconsistent with the provisions of this section shall be and the same are hereby repealed to the extent of any such inconsistencies.~~
- c. ~~Effective Date. This section shall become effective upon proper passage in accordance with the law.~~

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

Gabriella Siboni
Township Clerk

Keith Cafferty
Mayor

**TOWNSHIP OF NEPTUNE
ORDINANCE NO. 23-17**

**AN ORDINANCE TO OF THE TOWNSHIP OF NEPTUNE TO AMEND AND
SUPPLEMENT CHAPTER 13 STREETS AND SIDEWALKS BY AMENDING SECTION 3
“OBSTRUCTION OF STREETS OR SIDEWALKS”**

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

SECTION 1.

§13-3 Obstruction of Streets or Sidewalks

§13-3.1 Permit Required

- a. It shall be unlawful for any person, firm or corporation to display, exhibit, deposit or maintain or cause to be displayed, exhibited, deposited or maintained in or on any of the streets, avenues, highways or sidewalks of the Township any goods, wares, merchandise, building materials, encroachments, encumbrances or obstructions of any kind or character without first obtaining from the Township ~~Committee~~ **Clerk**, or its duly authorized agent, a permit so to do.
- b. **An application for a permit must be submitted to the Township Clerk at least two (2) weeks prior to the planned event.**
- c. **The application will include, but is not limited to description of the event, diagram of the requested closures or obstructions, vendor information, date and time of requested obstruction, and any information deemed necessary by the Township.**
- d. **Applicant may be subject to fees deemed necessary by the Township to accommodate the event. The fees shall be established by resolution of and approval of the Township Committee.**

§ 13-3.2 Penalty for Violations.

Any person or persons, firm or corporation who shall violate any of the provisions of this section shall be liable, upon conviction, to the penalty stated in Chapter 1, Section 1-5.

§ 13-3.3 Portable Basketball Hoops/Structures.

Portable basketball hoops/structures shall be permitted on the roads, streets, avenues and roadways of the Township under the following conditions:

- a. A basketball hoop/structure shall be permitted on a road, street, avenue and roadway only if immediately adjacent to the real property owned, rented or leased by the owner of the basketball hoop/structure.
- b. A basketball hoop/structure shall not be permitted on any road, street, avenue and roadway between the period from dusk to 9:00 a.m.
- c. At least one (1) side or point of the base of said hoop/structure must be in contact with the curblin.
- d. When not in use, a basketball hoop/structure must be removed from the road, street, avenue or roadway and placed on private property (private property does not include the sidewalk area or any pedestrian walkways).
- e. When roads are snow covered, basketball hoops/structures are not permitted on any road, street, avenue or roadway at any time.
- f. When a basketball hoop/structure is in use, any and all individuals participating in its use or otherwise playing ball on a road, street, avenue or roadway shall yield to vehicular traffic by immediately moving to the curblin upon sighting the approach of a vehicle.

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	YAY NAY ABSTAIN ABSENT	Adopted on First Reading Dated:
	Dr. Michael Brantley		
	Robert Lane, Jr.		
	Nicholas Williams		
	Tassie D. York		
	Keith Cafferty		
			_____ 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. 23-18**

**AN ORDINANCE TO OF THE TOWNSHIP OF NEPTUNE TO AMEND AND
SUPPLEMENT CHAPTER 4 BUSINESS AND LICENSING REGULATIONS BY ADDING
SECTIONS 35 “SPECIAL EVENTS”**

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

SECTION 1.

§4-35 Special Events

§4-35.1 Definitions

Carnival or Festival shall mean a planned public or social occasion held on a premises not typically used for stated purposes or a one-time or infrequently occurring event outside normal programs or activities of the sponsoring or organizing body.

Mass Assembly shall mean a company of persons gathered together at any location at any single time for any purpose with a real or anticipated attendance of 500 or more people; will be applied to a special event application with anticipated attendance of 500 or more people.

Parade or Run shall mean a public procession, especially one celebrating a special day or event that may include marching bands and floats. Any event that traverses the municipality.

Public Building shall mean any building or structure owned and maintained by the Township of Neptune

Public Property Shall mean any land, park, or parcel that is owned and maintained by the Township of Neptune

Review Committee shall mean a committee assembled at the discretion of the Township Clerk based on the type, nature, size, location, and details of the proposed event.

Special Event shall mean any planned occasion to occur in a location, manner or size that is not typically used for the stated purposes.

§4-35.2 Permit Required

It shall be unlawful for any person, business, or entity to engage in any operation in the Township as defined in this section without first obtaining a permit thereof in compliance with the provisions of this section and adhering to the regulations set forth in this section.

§4-35.3 Application for Permit

All applicants must complete an application form as prescribed by the Township Clerk, which may request the following information:

- a. Applicant information to include, but not be limited to: Name, address, e-mail, and phone number of applicant.
- b. Event information to include, but not be limited to: Location, date, time, number of attendees, nature of event and anticipated number of attendees.

- c. Safety information to include, but not be limited to: Incident action plan, weather condition plan, fire safety precautions, law enforcement or security measures, emergency medical services, and emergency vehicle access plans.
- d. Health information to include, but not be limited to: Potable water access, bathroom access, and method of disposing solid waste.
- e. Insurance to name the Township additionally insured in an amount to be determined after review of application.

§4-35.4 Fees

- a. The Township Clerk shall receive from the applicant, along with the application, a fee for the review of the application and the determination thereof.

Event Type	Application Fee
Carnival or Festival	\$50.00
Parade or Run	\$250.00
Mass Assembly	Event application fee and additional fees assessed by review committee.

- b. Services rendered, requested, or required for any special event application will be subject to Special Event Fees that will be established annually by a resolution of the Township Committee.

§4-35.5 Use of Public Building or Public Land

Use or rental of Public Buildings or Public Land to individuals, organizations, or companies not associated with Neptune Township Municipal Government is prohibited for events, activities or meetings that are outside of the intended purposes.

§4-35.6 Revocation of license

The license may be revoked by the governing body of this municipality at any time if any of the conditions necessary for the issuance of or contained in the license are not complied with or if any condition previously met ceases to be complied with.

§4-35.7 Penalty

Any person violating or failing to comply with any of the provisions of this section shall, upon conviction, be liable to the penalty stated in Chapter 1, Section 1-5.

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

Gabriella Siboni
Township Clerk

Keith Cafferty
Mayor

**TOWNSHIP OF NEPTUNE
ORDINANCE NO. 23-19**

**AN ORDINANCE TO OF THE TOWNSHIP OF NEPTUNE TO AMEND AND SUPPLEMENT
CHAPTER 16 SEWERS BY AMENDING SECTION 2 “SEWER RENTAL CHARGES”**

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

SECTION 1.

§16-2 Sewer Rental Charges

§16-2.1 Schedule of Rates

SECTION 2.

Use	Rate— Effective 1/1/14	Rate— Effective 1/1/15	Rate— Effective 3/27/17	Rate
Single Family private dwelling with no rental rooms	\$450.00	\$460.00		\$460.00
Single Family private dwelling and garage apartment with no rental rooms or apartments	\$900.00	\$920.00		\$920.00
Single Family with Mother/Daughter unit with common Entry door	\$900.00	\$920.00		\$920.00
Two Family private dwelling with no rental rooms or apartments	\$900.00	\$920.00		\$920.00
Two Family private dwelling and garage apartment with no rental rooms or apartments	\$1,350.00	\$1,380.00		\$1,380.00
Multi-family (more than two) dwellings with no rental rooms or apartments - each family unit	\$450.00	\$460.00		\$460.00
Structures with apartment — each apartment	\$450.00	\$460.00		\$460.00
Hotels and Motels	\$450.00	\$460.00		\$460.00
Plus for each rental room	\$338.00	\$345.00		\$345.00
With bar — up to 100 occupancy	\$1,920.00	\$1,965.00		\$1,965.00
Each additional 100 or fraction thereof	\$450.00	\$460.00		\$460.00
Rooming House	\$450.00	\$460.00		\$460.00
Plus for each approved rental room	\$338.00	\$345.00		\$345.00
Rooming House with congregate bathrooms (up to 4 rental rooms)	\$450.00	\$460.00		\$460.00
Plus for each approved rental room in excess of four (4) rooms	\$225.00	\$230.00		\$230.00 \$172.50
Barber and Beauty Shop	\$450.00	\$460.00	\$460.00	\$460.00
Plus for each chair [Ord. No. 2017-10]	\$338.00	\$345.00	\$100.00	\$100.00

Use	Rate— Effective 1/1/14	Rate— Effective 1/1/15	Rate— Effective 3/27/17	Rate
Commercial Business				
One toilet	\$450.00	\$460.00		\$460.00
Each additional four (4) toilets or fractions thereof	\$450.00	\$460.00		\$460.00
Industrial (Exclusive of Industrial Wastes)				
One toilet	\$900.00	\$920.00		\$920.00
Each additional four (4) toilets or fractions thereof	\$450.00	\$460.00		\$460.00
Churches	\$450.00	\$460.00		\$460.00
Service Stations	\$900.00	\$920.00		\$920.00
Automotive Repair / No Fuel	\$900.00	\$920.00		\$920.00
Service Station with garage	\$1,350.00	\$1,380.00		\$1,380.00
Service Station and garages with wash rack	\$1,800.00	\$1,840.00		\$1,840.00
Bar — up to 100 occupancy	\$1,920.00	\$1,965.00		\$1,965.00
Each additional 100 or fraction thereof	\$450.00	\$460.00		\$460.00
Nursing Homes (including convalescent centers, etc.)	\$450.00	\$460.00		\$460.00
Plus for each hospital or nursing home bed	\$338.00	\$345.00		\$345.00
Restaurant /No Bar				
First 25 occupancy	\$900.00	\$920.00		\$920.00
Each additional 25 occupancy or fraction thereof	\$450.00	\$460.00		\$460.00
Restaurant with Bar				
Up to 100 occupancy	\$1,920.00	\$1,965.00		\$1,965.00
Each additional 100 or fraction thereof	\$450.00	\$460.00		\$460.00
Laundries	\$450.00	\$460.00		\$460.00
Plus \$7.00 per 1,000 gallons or fraction thereof based on 65% of water gallonage consumed				
Laundromats	\$450.00	\$460.00		\$460.00
Plus \$7.00 per 1,000 gallons or fraction thereof based on 65% of water gallonage consumed				
Hospitals (including extended care facilities)	\$450.00	\$460.00		\$460.00
Plus \$7.00 per 1,000 gallons or fraction thereof based on 65% of water gallonage consumed				
Soda Bottling Companies	\$450.00	\$460.00		\$460.00
Plus \$7.00 per 1,000 gallons or fraction thereof				
Schools (Public, Parochial, etc.)	\$450.00	\$460.00		\$460.00

Use	Rate— Effective 1/1/14	Rate— Effective 1/1/15	Rate— Effective 3/27/17	Rate
Plus \$8.30 per student based on average daily enrollment on November 30 of prior year. All charges based on each individual school building so occupied				
Automatic Car Wash	\$450.00	\$460.00		\$460.00
Plus \$7.00 per 1,000 gallons of water used or fraction thereof				
Car Wash with Recycling System	\$450.00	\$460.00		\$460.00
Plus \$3.50 per 1,000 gallons of water used or fraction thereof				
Utility	\$3,600.00	\$3,680.00		\$3,680.00
Plus \$12.00 per 1,000 gallons of metered flow into sewer system plus costs of calibration and reading of meter				
Buildings or facilities used by various non-profit, public, private and civic organizations, including but not limited to fire companies, first aid squads, veterans' organizations, Social clubs, lodges and fraternal organizations, etc. (Per annum)	\$450.00	\$460.00		\$460.00
Said organizations holding a liquor license an additional sum of:	\$900.00	\$920.00		\$920.00

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				
		YAY	NAY	ABSTAIN	ABSENT

Adopted on First Reading
Dated:

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

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

RESOLUTION 23-138

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; and,

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:

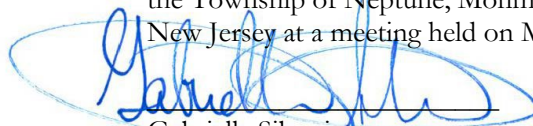
1. Employment and Personnel
 - o New Hires, Reclassification
2. Pending or Anticipated Litigation
 - o Litigation Update

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; and,

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 March 27, 2023



Gabriella Siboni
Township Clerk

TOWNSHIP OF NEPTUNE

RESOLUTION 23-139

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
ADOPTING THE 2023 BUDGET FOR NEPTUNE FIRE DISTRICT #1**

WHEREAS, the voters of Neptune Fire District #1 defeated the 2023 Fire District Budget at an election held on February 18, 2023; and,

WHEREAS, pursuant to N.J.S.A. 40A:14-78.5b, the Neptune Township Committee shall, within 30 days after the annual election, prepare and adopt by Resolution of the majority of the full membership of the Township Committee, the 2023 budget for Fire District #1; and,

WHEREAS, a public hearing on the defeated budget was held on March 27, 2023 pursuant to state statute; and,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby adopts 2023 Neptune Fire District #1 by making the following line item changes to the budget submitted to the voters by Neptune Fire District #1:

<u>Line Item</u>	<u>Original Amount</u>	<u>Amount of Reduction</u>	<u>Revised Amount</u>
Salary and Wages	\$256,200.00	\$(35,000.00)	\$221,200.00

BE IT FURTHER RESOLVED, That this results in the following changes in budget totals:

<u>Line Item</u>	<u>Original Amount</u>	<u>Amount of Reduction</u>	<u>Revised Amount</u>
Total Capital Appropriations	\$1,232,00.00	\$0.00	\$1,232,00.00
Amount to be Raised by Taxation	\$3,235,556.000	\$(35,000.00)	\$3,200,556.00
Total Appropriated Revenues	\$5,530,973.00	\$(35,000.00)	\$5,495,973.00
Total Budgeted Appropriations	\$5,530,973.00	\$(35,000.00)	\$5,495,973.00

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services and Neptune District #1 Board of Fire Commissioners.

Motion/ Second	Roll Call			
	YAY	NAY	ABSTAIN	ABSENT
Dr. Michael Brantley				
Robert Lane, Jr.				
Nicholas Williams				
Tassie D. York				
Keith Cafferty				

TOWNSHIP OF NEPTUNE

RESOLUTION 23-140

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

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

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

<u>NAME</u>	<u>DEPARTMENT</u>	<u>POSITION</u>	<u>DATE OF NOTIFICATION</u>	<u>EFFECTIVE DATE OF RESIGNATION</u>
Brooke Tartis	Police	Police Officer	March 10, 2023	April 8, 2023
Kenneth Fanholz	Public Works	CDL Class A Driver	N/A	March 21, 2023

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

TOWNSHIP OF NEPTUNE

RESOLUTION 23-141

**RESOLUTION AUTHORIZING EXECUTION OF THE SIDE BAR AGREEMENT WITH
NEPTUNE TOWNSHIP DEPARTMENT/DIVISION HEAD ASSOCIATION AND
EMPLOYEES WITH INDIVIDUAL EMPLOYMENT CONTRACTS**

WHEREAS, the Township of Neptune wishes to authorize the Side Bar Agreement with Neptune Township Department/Division Head Association and Employees with Individual Employment Contracts; and,

WHEREAS, the Township and Neptune Township Department/Division Head Association and employees with individual employment contracts have met to discuss the option of flexible scheduling in recognition of the need for work-life balance and the changing nature of the modern workplace and have memorialized those terms in this side bar agreement; and,

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

1. The Side Bar Agreement for Neptune Township Department/Division Head Association and Employees with Individual Employment Contracts is hereby approved.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, and Human Resources Director.

TOWNSHIP OF NEPTUNE

RESOLUTION 23-142

**RESOLUTION AUTHORIZING EXECUTION OF THE SIDE BAR AGREEMENT WITH
AFSCME LOCAL #2792**

WHEREAS, the Township of Neptune wishes to authorize the a Side Bar Agreement with AFSCME Local #2792; and,

WHEREAS, the Township of Neptune and AFSCME Local #2792 have met to discuss the option of flexible scheduling in recognition of the need for work-life balance and the changing nature of the modern workplace and have memorialized those terms in this side bar agreement; and,

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

1. The Side Bar Agreement for AFSCME Local #2792 is hereby approved.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, and Human Resources Director.

TOWNSHIP OF NEPTUNE

RESOLUTION 23-143

**RESOLUTION AUTHORIZING EXECUTION OF THE SIDE BAR AGREEMENT WITH
AFSCME LOCAL #1844**

WHEREAS, the Township of Neptune wishes to authorize the Side Bar Agreement with AFSCME Local #1844; and,

WHEREAS, the Township and AFSCME Local #1844 have met to discuss the option of flexible scheduling in recognition of the need for work-life balance and the changing nature of the modern workplace and have memorialized those terms in this side bar agreement; and,

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

1. The Side Bar Agreement for AFSCME Local #1844 is hereby approved.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, and Human Resources Director.

TOWNSHIP OF NEPTUNE

RESOLUTION 23-144

RESOLUTION AUTHORIZING THE TOWNSHIP OF NEPTUNE THROUGH THE NEPTUNE TOWNSHIP POLICE DEPARTMENT, TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE NEPTUNE TOWNSHIP POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT.

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and,

WHEREAS, rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and,

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response and resiliency; and,

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling and upkeep of the property and for specialized training on the operation of any acquired property; and,

WHEREAS, N.J.S.A. 40A:5-30.2 requires the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through the 1033 program; and,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune County of Monmouth, State of New Jersey, that the Neptune Township Police Department is hereby authorized to enroll in the 1033 program for the period of March 27, 2023, to December 31, 2023; and,

BE IT FURTHER RESOLVED, that the Neptune Township Police Department is hereby authorized to acquire items on non-controlled property designated "DEMIL A", which may include: office supplies, office furniture, computers, electronic equipment, generators, field packs, nonmilitary vehicles, off-road vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, excavation equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, respirators, binoculars, and any other supplies and equipment of a nonmilitary nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Neptune Township Police Department, without restriction; and,

BE IT FURTHER RESOLVED, that the Neptune Township Police Department is hereby authorized to acquire "DEMIL B through Q" property, listed in the unredacted portion of the DEMIL inventory sheet if it shall become available in the period of time for which this resolution authorizes; and,

BE IT FURTHER RESOLVED, that the Chief of Police for the Neptune Township Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and,

BE IT FURTHER RESOLVED, that the Neptune Township Police Department shall provide a quarterly accounting of all property obtained through the 1033 program which shall be available to the public upon request; and,

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately and shall be valid to authorized requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 program during the period of time for which this resolution authorizes; and,

NOW THEREFORE BE IT BE RESOLOVED, that this authorizing resolution will expire on December 31, 2023, and continued participation in this program will require annual authorization by the governing body.

ITEM NAME	DEMIL CODE							
	A	B	C	D	E	F	G	Q
FACESHIELD,RIOT CONTROL								3
FACESHIELD,RIOT CONTROL	1							
GOGGLES,PROTECTION,RIOT CONTROL	5							
HATBOX,RIOT CROWD	2							
KIT,MECHANICAL BREA	2							
KIT,RIOT PROTECTION	1							
LIGHT ARMORED VEHICLE			17	26				
No Item Name Available			1					
NON-BALLISTIC BODY SHIELD	1							1
ONLY COMPLETE COMBAT/ASSAULT/TACTICAL WHEELED VEHICLES				1				
PROTECTIVE SHIELD,T	1							1
RAM,BATTERING	1							
RAM,DOOR,MINI	1							
RIOT CONTROL SHIELD	1							
SECURITY VEHICLE			1					

ITEM NAME	DEMIL CODE							
	A	B	C	D	E	F	G	Q
ARMORED SECURITY VEHICLE			1	1				
AUTOMOBILE, SEDAN			1					
AUTOMOBILE, WAGON			1					
BODY SHIELD		1						1
BREACH SYSTEM				1				
BREACHING RAM	1							
BREACHING SYSTEM	1							
CAR, ARMORED				1				
CARRIER, AMBULANCE			1					
CARRIER, CARGO			3					
CARRIER, COMMAND POST			1					
CUTTER HEAD, HYDRAULIC BREACHING AND EXTRACATION TOOL	1							
DOOR OPENER, HYDRAULIC BREACHING AND EXTRACATION TOOL	1							
DRONES			1					
FACESHIELD, MILITARY, RIOT CONTROL	1							

ITEM NAME	DEMIL CODE							
	A	B	C	D	E	F	G	Q
SHIELD,PERSONAL PROTECTIVE				1				3
SHIELD,SELF-PROTECTION								6
SHOP EQUIPMENT,CONTACT MAINTENANCE	1		2					
SHOP SET,CONTACT MAINTENANCE, TRUCK MOUNTED (ENGINEER)	1							
SIGHT,THERMAL				1				
SLEDGE HAMMER	1							
TOOL,BREAKER,HINGE	1							
TRUCK TRACTOR			4			5		7
TRUCK,AMBULANCE			9					
TRUCK,ARMORED			3					
TRUCK,BOLSTER						2		1
TRUCK,CARGO		3	28			17		30
TRUCK,CARRYALL			22					1
TRUCK,COMMAND RECONNAISSANCE			2					
TRUCK,DUMP			2			6		7
TRUCK,MAINTENANCE						3		
TRUCK,PANEL			2					
TRUCK,STAKE								2
TRUCK,UTILITY			84					4
TRUCK,VAN		1				14		1
TRUCK,WRECKER		1	2			3		2
UNMANNED VEHICLE			1					
UP ARMORED NTVS			1					
UTILITY VEHICLE,OFF ROAD		1	2	1	1	1	1	1

TOWNSHIP OF NEPTUNE

RESOLUTION 23-145

**RESOLUTION RESCINDING TOWNSHIP OF NEPTUNE RESOLUTION # 18-170 –
4/23/18**

WHEREAS, on April 23, 2018 the Township Committee for the Township of Neptune passed Resolution #18-170 – 4/23/18 discharging the Director of the Neptune Township Senior Center; and

WHEREAS, Brian Butch, commenced a lawsuit against the Township of Neptune, various committee members and employees of Neptune Township in the County of Monmouth Docket No. MON-L-583-19 (“the Butch Lawsuit”); and

WHEREAS, on March 7, 2023 the parties reached an agreement to settle the Butch Lawsuit; and

WHEREAS, the terms of the settlement included a rescission of Resolution #18-170 – 4/23/18 in its totality.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the Township hereby rescinds Resolution #18-170 – 4/23/18.

BE IT FURTHER RESOLVED that the employment of Brian Butch with the Township of Neptune is hereby terminated effective April 23, 2018.

TOWNSHIP OF NEPTUNE

RESOLUTION 23-146

AUTHORIZING THE PURCHASE OF DOCK BOXES FROM WEST MARINE PRO IN AN AMOUNT NOT TO EXCEED \$26,103.00

WHEREAS, the Qualified Purchasing Agent solicited quotes for DOck Boxes for the Municipal Marina; and,

WHEREAS, the cost of said item is less than the bid threshold but exceeds \$17,500.00 and therefore must be awarded by Resolution of the governing body; and,

WHEREAS, said quotes were reviewed by the Qualified Purchasing Agent who has recommended that the low quote be accepted in accordance with the Open Public Contracts Law; and,

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

1. The purchase of Dock Boxes be awarded to West Marine Pro, located at 1 East Broward Boulevard Suite 200 Fort Lauderdale, FL 33301, in an amount not to exceed \$26,103.00 is hereby approved.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer and Qualified Purchasing Agent

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on March 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 expenditure noted above.

Account Name
2023 Budget Marina Capital Outlay

Account Number
09-201-55-512-020

Michael Bascom, Chief Financial Officer

Date

TOWNSHIP OF NEPTUNE

RESOLUTION 23-147

**AUTHORIZING THE PURCHASE OF FINGER DOCKS FROM AMERICAN MUSCLE DOCKS
AND FABRICATION IN AN AMOUNT NOT TO EXCEED \$43,642.00**

WHEREAS, the Qualified Purchasing Agent solicited quotes for Finger Docks for the Municipal Marina; and,

WHEREAS, the cost of said item is less than the bid threshold but exceeds \$17,500.00 and therefore must be awarded by Resolution of the governing body; and,

WHEREAS, said quotes were reviewed by the Qualified Purchasing Agent who has recommended that the low quote be accepted in accordance with the Open Public Contracts Law; and,

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

1. The purchase of Finger Docks be awarded to American Muscle Docks and Fabrication, located at 141 Sunset Avenue, Wellsburg, WV, 26070, in an amount not to exceed \$43,462.00 is hereby approved.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer and Qualified Purchasing Agent

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on March 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 expenditure noted above.

Account Name
2023 Budget Marina Capital Outlay

Account Number
09-201-55-512-020

Michael Bascom, Chief Financial Officer

Date

TOWNSHIP OF NEPTUNE

RESOLUTION 23-148

AUTHORIZING THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE TO EXECUTE CHANGE ORDER #1 FOR \$85,070.00 WITH LUCAS BROTHERS INC. FOR THE SIXTH AVENUE SEWER MAIN REPLACEMENT CONTRACT FOR A NEW CONTRACT TOTAL OF \$1,542,527.00

WHEREAS, on August 22, 2022, the Township Committee adopted Resolution #22-388 which awarded a Bid to Lucas Brothers, Inc. in the amount of \$1,457,457.00 in connection with Sixth Ave Sewer Main Replacement Contract, and;

WHEREAS, Change Order #1 reflects a total contract amount change of \$85,070.00, which reflects the following changes:

- Unknown field conditions at time of bid were evaluated by test pit during construction.
- Existing drainage structures at the specified located required full removal and replacement.
- Additional sewer main will be required to meet existing cross streets.

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

WHEREAS, Change Order #1 accounts for a change in the amount of \$85,070.00 and reflects an increase in the contract quantities which is a 5.8369% change in original contract price, and;

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

WHEREAS, the total new contract price shall be \$1,542,527.00 after Change Order #1 has been accepted and executed by the Township, and;

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

1. Change Order #1, which increases the contract amount by \$85,070.00 for the contract between the Township of Neptune and Lucas Brothers, Inc be executed thereby increasing the new total contract price for the project to \$1,542,527.00
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, Engineer, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on March 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 execution of the above noted change order.

Account Name

Michael Bascom, Chief Financial Officer

Date

TOWNSHIP OF NEPTUNE

RESOLUTION #23-149

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:

MARCH 27, 2023 BILL LIST

Current Fund	\$5,049,643.43
Trust Other	\$36,605.15
General Capital	\$49,391.50
Sewer Operating Fund	\$17,422.48
Sewer Capital Fund	\$1,765.82
Marina Operating Fund	\$5,528.12
Dog Trust	\$598.00
Library Trust	\$2,250.00
Bill List Total	\$5,163,204.50

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

**TOWNSHIP OF NEPTUNE
RESOLUTION 23-150**

**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>
Timothy Constantino	Emergency Medical Services	Full Time Emergency Medical Technician	Part Time Emergency Medical Technician	\$26.52/hr	April 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 March 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 execution of sublease agreement with the Chamber of Commerce

Account Name

Account Number

Michael Bascom, Chief Financial Officer

Date

TOWNSHIP OF NEPTUNE

RESOLUTION 23-151

APPROVING RELEASE OF PERFORMANCE BOND FILED BY NEPTUNE ESTATES/ VICTORIA ESTATES LLC FOR SITE IMPROVEMENTS FOR PHASE 1A BLOCK 3301 LOTS 32, 33 AND 54, PHASE 1B BLOCK 3301 LOTS 34, 35, 36, 27, 38, 50, 51, 52, & 53, PHASE 2 BLOCK 3301 LOTS 39-49 AND BLOCK 3302 LOTS 1-4

WHEREAS, Victoria Estates, LLC filed the following performance bonds, written by Guarantee Company of North America, guaranteeing site improvements at Neptune Estates, 3351 Highway 33 (Blocks 3301 & 3302):

Phase 1A – Bond No. 76141110 - \$72,036.00

Phase 1B – Bond No. 76141111 - \$150,012.00

Phase 2 – Bond No. 76183686 - \$801,252.00

WHEREAS, Resolutions 21-179 and 21-343 had previously authorized reductions in Performance Guarantees for Victoria Estates, LLC; and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of January 13, 2023, and said performance guarantee can be released; and,

WHEREAS, the conditions of the release of the performance guarantee as recommended by the Township Engineer are:

- **Phase 1A**
 - Posting a Maintenance bond as per NJSA 40:55D-53 in the amount of \$10,005.00
 - Payment of all engineering and engineering fees.
 - Retention of \$500.00 for required inspection of sitework during the maintenance bond period.
- **Phase 1B**
 - Posting a Maintenance bond as per NJSA 40:55D-53 in the amount of \$20,835.00
 - Payment of all engineering and engineering fees.
 - Retention of \$500.00 for required inspection of sitework during the maintenance bond period.
- **Phase 2**
 - Posting a Maintenance bond as per NJSA 40:55D-53 in the amount of \$111,285.00
 - Payment of all engineering and engineering fees.
 - Retention of \$1,500.00 for required inspection of sitework during the maintenance bond period.

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

1. Victoria Estates, LLC must file maintenance bonds as per NJSA 40:55D-53 in the amounts of:
 - a. \$10,005.00 for Phase 1A
 - b. \$20,835.00 for Phase 1B
 - c. \$111,285.00 for Phase 2
2. Victoria Estates, LLC is responsible for payment of all engineering and administrative fees.
3. The cash portion of the performance guarantee and inspection fee escrow deposited with the Township be and is hereby authorized to be refunded with \$2,500.00 retained for required inspection of the sitework during the maintenance bond period.

4.
 - a. Per the request of Victoria Estates LLC, remaining escrow accounts will be merged and billed for each portion separately.
5. A copy of this resolution be forwarded to the Developer and Township Engineer.

**TOWNSHIP OF NEPTUNE
RESOLUTION 23-152**

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

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

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

WHEREAS, the Township Administrator concurs with the findings of the Department Head and hereby recommends to the Township Committee that the following appointments be made; 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>
	Public Works	CDL Class A Driver		April 3, 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 March 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 execution of sublease agreement with the Chamber of Commerce

Account Name

Account Number

Michael Bascom, Chief Financial Officer

Date

**TOWNSHIP OF NEPTUNE
RESOLUTION 23-153**

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

WHEREAS, Resolution 23-137 “A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Reclassification” was adopted at the March 13, 2023 Township Committee meeting; and,

WHEREAS, changes to the effective date are necessary to note the effective date as March 14, 2023. This change reflects the salary for the balance of year 2023 until the employee anniversary date in 2024; and,

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>
Michael Neal	Public Works	Operator	Foreman	\$69,500.00	3/14/2023
Edgardo Santiago, Jr.	Public Works	Foreman	Supervisor	\$92,522.00	3/14/2023

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 March 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 execution of sublease agreement with the Chamber of Commerce

Account Name

Account Number

Michael Bascom, Chief Financial Officer

Date

**TOWNSHIP OF NEPTUNE
RESOLUTION #23-154**

INTRODUCE 2023 MUNICIPAL BUDGET

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2023; and,

BE IT FURTHER RESOLVED, that said Budget be published in The Coaster in the issue of March 30, 2023:

General Appropriations

Appropriations within "CAPS" for municipal Purposes	\$39,994,782.00
Appropriations excluded from "CAPS" for municipal purposes	\$ 9,353,234.94
Reserve for Uncollected Taxes based on estimated 97.45% of Tax collections	\$ 2,503,811.57

Total General Appropriations **\$51,851,828.51**

General Revenues

Anticipated revenues other than current property tax	\$16,712,083.51
Amount to be raised for taxes for support of Municipal budget	\$33,359,000.00
Minimum Library Tax	\$ 1,780,745.00

Total General Revenues **\$51,851,828.51**

Notice is hereby given that the Budget and Tax Resolution was approved by the Township Committee of the Township of Neptune, County of Monmouth, on March 27, 2023. A hearing on the Budget and Tax Resolution will be held at the Neptune Township Municipal Complex, Township Meeting Room, 2nd Floor, 25 Neptune Blvd., Neptune NJ on April 24, 2022 at 7:00 P.M. at which time and place objections to said Budget and Tax Resolution for the year 2023 may be presented by taxpayers or other interested persons.