

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

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

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

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

Mayor Williams announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 6, 2022, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda is posted on the Township web site ([www.neptunetownship.org](http://www.neptunetownship.org)) and the meeting is being streamed live via townhallstreams.com.

**ITEMS FOR DISCUSSION IN OPEN SESSION**

Res # 128 Authorize An Executive Session As Authorized By The Open Public Meetings Act.

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

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

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

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

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

Silent Prayer and Flag Salute

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

Mayor Williams announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 6, 2022, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, ordinances, and resolutions are posted on the Township web site ([www.neptunetownship.org](http://www.neptunetownship.org)) and the meeting is being streamed live via townhallstreams.com.

**APPROVAL OF MINUTES**

Motion offered by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve the minutes of meeting of February 14, 2022.

**PRESENTATION**

Proclamation of Recognition to Concerned Black Nurses of Central New Jersey (CBNCNJ) specifically acknowledging the work of Barbara Sunnerville, Sandra Pritchard, Edith Reid, Gail Williams, Teretha Jones and Gloria Bivens

Proclamation of Recognition to Southpaw Gym specifically acknowledging Victor Lashley and Stephanie Lashley

Proclamation of Recognition to Kconscious Youth Development specifically acknowledging Mychal Mills and Rodney Salomon.

**COMMENTS FROM THE DAIS**

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

**REPORT OF THE BUSINESS ADMINISTRATOR**

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

**PUBLIC COMMENTS ON RESOLUTIONS**

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

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

**PUBLIC HEARING AND FINAL ADOPTION ORDINANCES:**

**ORDINANCE NO. 22-05** Ordinance Amending Land Development Ordinance, Volume II, Article IV, Section 415.20, Entitled, “Small Wireless Facilities And Wireless Poles In The Public Right-Of-Way

*Explanatory Statement: This ordinance addresses the impact of the FCC regulations regarding Small wireless facilities by adopting local policy concerning small cell equipment and wireless poles, conserving the limited physical capacity of the Public Right-of-Way held in public trust by Township and County, assure compliance by carriers of all laws and regulations, and will establish guidelines for the placement of small cell facilities and poles in the Public Right-of-Way.*

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

**Ordinance No. 22-07** 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 \$600,000 Therefor (Including \$448,600 NJDOT Transportation Trust Fund Grant) And Authorizing The Issuance Of \$151,400 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: \$600,000, Bonds/Notes Authorized: \$151,400, Grant: \$448,600 NJDOT Transportation Trust Grant Fund, Section 20 Costs: \$90,000, Useful life: 15 years.*

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

**Ordinance No. 22-08** An Ordinance to amend Volume I, Chapter IV of the Code of the Township of Neptune by amending Section 17 “Taxicabs”

*Explanatory Statement: This ordinance amends the Taxicab portion of Business and licensing to reflect changes made to definitions in the ordinance, licensing authority changed to mercantile registration officer, fees associated with Taxicabs, application process and penalties.*

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

**Ordinance No. 22-09** An Ordinance To Further Amend And Supplement The Land Development Ordinance Of The Township Of Neptune By Defining And Regulating Cannabis Class Uses

*Explanatory Statement: This ordinance amends the Land Development Ordinance of the Township of Neptune and sets forth the requirements for Cannabis Class Uses in the Township.*

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

**Ordinance No. 22-10** An Ordinance To Further Amend And Supplement Chapter 4 Business And Licensing Regulations Of The Township Of Neptune By Defining And Regulating Cannabis Mercantile Registration

*Explanatory Statement: This ordinance amends the Mercantile licensing of the Township of Neptune to include licenses for Cannabis Classes and sets forth the fees, amount of licenses, requirements and penalties.*

Motion to amend page 2 to §4-5.3 Fees a(vi) from “Class 5” to “Class 6”

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

To adopt ordinance as amended

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

**Ordinance No. 22-11** An Ordinance To Further Amend And Supplement Article Vii Administrative Policies And Procedures Of The Township Of Neptune By Defining And Regulating Cannabis Taxation And Collection.

*Explanatory Statement: This ordinance establishes the rate of tax to be imposed at a uniform rate not to exceed 2% of the receipt of sales from each sale by a cannabis cultivator; two percent (2%) of the receipts from each sale by a cannabis manufacturer; one (1%) of the receipts from each sale by a cannabis wholesaler; and two (2%) of the receipts from each sale by a cannabis retailer, which shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the cannabis establishment. This ordinance also establishes the method of collection.*

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

**Ordinance No. 22-12** An Ordinance To Amend Chapter VII Of The Code Of The Township Of Neptune By Amending Section 7.3, Entitled “Temporary Parking Prohibition For Snowplowing And Removal”

*Explanatory Statement: The purpose of this ordinance is to change the parking prohibition during a snow emergency on Broadway in Ocean Grove.*

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

**ORDINANCES FOR FIRST READING**

**Ordinance No. 22-13** An Ordinance Creating And Setting The Salary Range For New Job Titles And Amending The Salary Ranges For All Other Existing Job Titles Of The Township Of Neptune And Repealing All Parts Of Previous Ordinances Inconsistent Herewith

*Explanatory Statement: The purpose of this ordinance is to amend the salary ordinance specifically to add Mercantile Clerk and remove Taxi License Coordinator and set the salary range for same.*

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

**Ordinance No. 22-14** Bond Ordinance Providing For The Sixth Avenue Area Sanitary Sewer Replacement Project, By And In The Township Of Neptune, In The County Of Monmouth, State Of New Jersey; Appropriating \$1,000,000 Therefor And Authorizing The Issuance Of \$950,000 Bonds Or Notes Of The Township To Finance Part Of The Cost Thereof

*Explanatory Statement: The bond ordinance provides for the financing of the Sixth Avenue Area Sanitary Sewer Replacement Project, including, but not limited to, the replacement of existing sanitary sewer mains and lines and all other related restoration work and improvements related thereto. Appropriation: \$1,000,000, Bonds/ Notes Authorized: \$950,000, Grant: none Section 20 Costs: \$170,000, Useful life: 40 years.*

The Clerk announces that the Public Hearings on Ordinances will be held at the next Township Committee meeting on March 14, 2022.

**CONSENT AGENDA**

- Res # 129** A Resolution Of The Township Committee Of The Township Of Neptune Appointing Members To The Environmental/ Shade Tree Commission
- Res # 130** Accept The Resignation Of Brian Downing As A Per Diem Emergency Medical Technician In The Emergency Services
- Res # 131** Authorize The Payment Of Bills
- Res # 132** Accept The Resignation Of Fred Charles Kern As A Crossing Guard In The Police Department
- Res # 133** Resolution Authorizing Right-Of-Entry Agreement Between Neptune Township And The New Jersey Department Of Transportation
- Res # 134** Resolution Authorizing Jurisdictional Agreement #4895 Between Neptune Township And The State Of New Jersey
- Res # 135** Authorize Agreement With Custom Concrete Coatings For Epoxy Floor Surfacing At Neptune First Aid And Shark River Hills First Aid In The Amount Of \$27,000.00
- Res # 136** Resolution Authorizing The Purchase Of Refuse And Recycling Carts For Department Of Public Works From Schaeffer SubCo Llc Under Houston Galveston Area Cooperative- HGACbuy Co-Op, Contract # RC01-21 In An Amount Not To Exceed \$23,000
- Res # 137** Resolution Authorizing Agreement For Monthly Compliance Inspections And Annual Tank Monitoring Certifications With Independence Constructors Under New Jersey State Contract # 42270 For \$17,600
- Res # 138** Authorize The Execution Of An Agreement With Jobs4blue To Administer Special Duty Assignments For Township Police Officers
- Res # 139** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing An Eagle Scout Project On Township Property
- Res # 140** Establish Fee For Before/After Care In Conjunction With The Summer Recreation Program
- Res # 141** Establish Fee Schedule For Recreation Field Use
- Res # 142** Authorize The Transfer Of 2021 Budget Appropriation Reserves #1

**CONSENT AGENDA**

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

**SEPARATED RESOLUTIONS**

**Res # 143** A Resolution Of The Township Committee Of The Township Of Neptune  
Authorizing Certain Personnel Actions- Department of Public Works

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

**Res # 144** Authorizing Amendment To Resolution #22-127 Authorizing Emergency  
Appropriations Contract For Services Pursuant To N.J.S.A. 40A:11-6

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

**Res # 145** Resolution Of The Township Committee Of The Township Of Neptune  
Awarding Abhzeen Design The Various Capital Improvements Contract In An  
Amount Not To Exceed \$361,540.00 For Base Bid And \$13,750 For Alternate,  
Total \$375,290.00

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

**PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS**

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

**ADJOURNMENT**

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

ORDINANCE #22-05

**ORDINANCE AMENDING LAND DEVELOPMENT ORDINANCE, VOLUME II, ARTICLE IV, SECTION 415.20, ENTITLED, “SMALL WIRELESS FACILITIES AND WIRELESS POLES IN THE PUBLIC RIGHT-OF-WAY**

WHEREAS, Neptune Township’s Land Development Ordinance has recognized existing Wireless Telecommunication Facilities and the need to regulate the same under Section 415.19, but has not addressed the issue of Small Wireless Facilities in the Public Right-of-Way; and

WHEREAS, in September, 2018, the Federal Communications Commission (“FCC”) adopted regulations that have a significant impact on local decision making with respect to applications for Small Wireless Facilities requiring amendments to the local ordinances concerning regulation of such facilities.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Neptune in the County of Monmouth in the State of New Jersey that the Land Development Ordinance, Volume II Article IV, shall be amended to add Section 415.20, entitled, “Small Wireless Facilities and Wireless Poles in the Public Right-of-Way” as follows:

§415.20 – Small Wireless Facilities and Wireless Poles in the Public Right-of-Way.

A. Purpose.

1. The purpose and intent of this Section is to:
  - (a) Establish a local policy concerning small cell equipment and wireless poles.
  - (b) Conserve the limited physical capacity of the Public Right-of-Way held in public trust by the Township and the County.
  - (c) Assure that any and all telecommunications carriers providing telecommunications services in the Township through small cell equipment and wireless poles comply with the laws, rules and regulations of the Township.
  - (d) Assure that the Township can continue to fairly and responsibly protect the public health, safety and welfare.
  - (e) Enable the Township to discharge its public trust consistent with rapidly evolving Federal and State regulatory policies, industry competition and technological development.
2. This section shall supplement §415.19, “Wireless Telecommunications Facility,” by establishing guidelines for placement of small cell facilities and wireless poles in the Public Right-of-Way. This Section is intended to be in addition to, and not in lieu of, any other ordinances, statutes, rules and regulations applicable to small cell facilities and wireless poles. Nothing herein shall abrogate any Federal, State, or Local Regulation applicable to small cell facilities and wireless poles, including without limitation to the provisions of §415 regarding land use in the Township of Neptune.

B. Definitions.

1. As used in this Section, the following terms shall have the meaning as follows:

- (a) **Alternative Power Facility.** An existing or proposed structure that is compatible with the natural setting and surrounding structures and that camouflages or conceals the presence of the antennas and can be used to house or mount a personal wireless telecommunications service antenna. Examples include man-made trees, clock towers, bell steeples, light poles, silos, existing utility poles, existing utility transmission towers and other similar alternative designed structures.
- (b) **Anticipated Municipal Expenses.** The cost of processing an application to place small cell equipment or wireless poles in the Public Right-of-Way, including but not limited to, all professional fees such as engineer and attorney costs.
- (c) **Applicant.** The person or entity seeking an application for a permit to place small cell equipment or wireless poles within the Public Right-of-Way.
- (d) **Co-location.** With regard to installation, mounting or modification.
  - (1) Mounting or installing an antenna facility on a preexisting structure, and/or;
  - (2) Modifying a structure for the purpose of mounting or installing an antenna facility on that structure.
- (e) **Existing Pole.** A wireless pole, or pole owned by an incumbent local exchange carrier, competitive local exchange carrier, electric distribution company or other company that is in lawful existence within the Public Right-of-Way. It shall not include an antenna, monopole or preexisting towers and preexisting antennas, for which a building permit has been properly issued prior to the effective date of this Section, including permitted towers or antennas that have been approved, but have not yet been constructed so long as such approval is current and not expired.
- (f) **FCC or Federal Communications Commission.** The Federal Administrative Agency, or lawful successor authorized to regulate and oversee telecommunication carriers, services and providers on a national level.
- (g) **Grantee.** The person or entity for which a license, as defined in this Section is granted by the Township and the lawful successor, transferee or assignee of such person, entity or corporation.
- (h) **Historic District.** An area that is zoned or otherwise designated as a historic zoning district under Municipal, State or Federal Law and for which the Township maintains and enforces the uniform and non-discriminatory basis with regard to all users of the Public Right-of-Way pursuant to this ordinance.
- (i) **License Agreement.** A contract by which the Grantee is allowed to use the Township's Public Right-of-Way for the purpose of carrying on the business in which it is generally engaged, including furnishing service to members of the public.
- (j) **Municipal Facilities.** Any property, both real and personal, including physical installations in the Public Right-of-Way that is owned by the Township of Neptune.
- (k) **Personal Wireless Service.** A type of "commercial mobile radio service" (as that term is defined in 47 CFR 20.3) as listed at 47 CFR 20.9(a)(11) and as defined at 47 CFR



24.5, and provided by the use of “personal wireless service facilities” (as such phrase is defined in Section 704 of the Federal Telecommunications Act of 1996 , Pub. L. No. 104-104, 110 State 56 (1996), partially codified at 47 U.S.C. 332(c)(7)(C)(ii).

- (l) Professional Survey. A raised seal stamped survey completed by a duly licensed surveyor.
- (m) Public Right-of-Way. The surface of, and the space above, any public street, road, lane, path, public way or place, sidewalk, alley, boulevard, parkway, drive and the like, held by the Township or County as an easement or in fee simple ownership, or any other area that is determined by the Township or County to be a right-of-way in which the Township may allow the installation of small cell equipment and wireless poles or other telecommunications facilities.
- (n) Small Cell Equipment and Small Cell Facility. Any of the following that are attached, mounted or installed on an existing pole or wireless pole in the public rights-of-way and used to provide personal communications services:
  - (1) Wireless Facilities and transmission media, including femtocells, picocells and microcells;
  - (2) Outside distributed antenna systems (“ODAS”);
  - (3) A personal wireless service facility as defined by the Federal Telecommunications Act of 1996, as amended as of August 6, 2014; or
  - (4) A wireless service facility that meets both of the following qualifications:
    - (a) Each antenna is located inside an enclosure of no more than three cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than three cubic feet; and
    - (b) Primary equipment enclosures are not larger than 17 cubic feet in volume. The following associated equipment may be located outside of the primary equipment enclosure and, if so located, is not included in the calculation of equipment volume: electric meter, concealment, telecommunications demarcation box, ground-based enclosures, back-up power systems, grounding equipment, power transfer switch and cutoff switch.
- (o) Small Cell Network. A collection on interrelated small cell facilities designed to deliver wireless service.
- (p) Telecommunications. The transmission by wire, radio, optical or any electromagnetic system, between or among points specified by the user, of information of the user’s choosing, without change in the form or content of the information as sent and received.
- (q) Telecommunications Carrier. Any provider of telecommunications services.

- (r) Telecommunications Facility. Any structure or device used for the purpose of providing, supporting, enabling, or otherwise facilitating telecommunications, including, but not limited to, small cell equipment and wireless poles and defined herein.
- (s) Township. Township of Neptune.
- (t) Township Committee. The Township Committee of the Township of Neptune.
- (u) Township Engineer. The person appointed to be Township Engineer for the Township of Neptune pursuant to N.J.S.A. 40:9-140.
- (w) Wireless Pole. A column or post lawfully located in the Public Right-of-Way used solely to support small cell equipment and/or provide personal wireless service.
- (x) Zone, Nonresidential. The zones designated in Article III, §300 of the Land Development Ordinance of the Township of Neptune as Zones B-1; B-2; B-3; C-1; C-2; C-3; C-4; C-5; C-6; C-7; L1; C; HD-B-1; HD-R.
- (y) Zone, Residential. Any zones permitting single-family, two-family or multifamily residences, assisted-living residences, nursing homes and/or residential health care facilities.

C. Applicability.

1. Any telecommunications carrier wishing to place small cell equipment, and/or wireless poles in the Public Right-of-Way must first enter into a License Agreement with the Township of Neptune. The placement of specific small cell equipment onto existing poles or the erection of wireless poles shall require the approval of a License Agreement by the Township Committee based on recommendations by the Township Engineer and Township Attorney.
2. If the Township's Land Use and Development Ordinances require site plan approval, or the approval of any variances from the Township Planning and Zoning Board, the applicant shall be required to secure any approvals and/or variances following the grant of a License under this Section. A Planning and Zoning Board Application for the construction, installation, or location for telecommunications facilities shall not be deemed complete until a License under this Section is granted by the Township.
3. Co-location. The shared use of existing freestanding or roof-mounted facilities shall be preferred to the construction of new facilities in order to minimize adverse visual impacts associated with the proliferation of towers.
  - (a) No application to construct a new freestanding or roof-mounted personal wireless telecommunications service facility shall be approved unless the applicant demonstrates to the reasonable satisfaction of the Township that no existing personal wireless telecommunications service facility within a reasonable distance, regardless of municipal boundaries, can accommodate the applicant's needs. Evidence submitted to demonstrate that no existing personal wireless telecommunications service facility can accommodate the applicant's proposed facility shall consist of one or more of the following.

- [1] No existing facilities are located within the geographic area required to meet the applicant's coverage demands.
  - [2] Existing facilities or structures are not of sufficient height to meet the applicant's coverage demands and cannot be extended to such height.
  - [3] Existing facilities or structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment.
  - [4] Existing facilities or structures do not have adequate space on which proposed equipment can be placed so it can function effectively and reasonably.
  - [5] The applicant's proposed antenna would cause electromagnetic interference with the antennas on the existing facility, or the antennas on the existing facility would cause interference with the applicant's proposed antenna.
  - [6] The applicant demonstrates that there are other compelling limiting factors, including but not limited to economic factors, that render existing facilities or structures unsuitable.
- (b) No telecommunications carrier or operator shall unreasonably exclude a telecommunications competitor from using the same facility or location. Upon request by the Township, the owner or operator shall provide evidence and a written statement to explain why co-location is not possible at a particular facility or site.
  - (c) If a telecommunications competitor attempts to co-locate a personal wireless telecommunications service facility on an existing or approved facility or location, and the parties cannot reach an agreement, the Township may require a third-party technical study to be completed at the applicant's expense to determine the feasibility of co-location.
  - (d) Applications for new freestanding personal wireless telecommunications facilities shall provide evidence that the facility can accommodate co-location of additional carriers.
  - (e) A telecommunications carrier who is issued a License pursuant to this Section who wishes to add, supplement, or modify the Telecommunications Facility for which the License was previously granted shall be required to obtain a new License in accordance with the procedures established by this Section, except that no new License shall be required if the additional, supplement or modification does not materially change the overall size, dimensions or appearance of the Telecommunications Facility.
  - (f) Any person who desires a License pursuant to this Section shall file an application with the Township Administrator. The application shall include the following information.
    - [1] The identity of the License Applicant, including all affiliates of the applicant.

- [2] A description of the telecommunications services that are or will be offered or provided.
  - [3] A description of the Telecommunications Facility(ies).
  - [4] A description of the transmission medium that will be used by the License to offer or provide telecommunications services.
  - [5] Preliminary engineering plans, a survey, specifications, and a network map of the Telecommunications Facility to be located within the Township, all in sufficient detail to identify:
    - (a) The location and route requested for the applicant’s proposed Telecommunications Facility.
    - (b) The location of all antennas, cells and nodes for the applicant’s proposed Telecommunications Facility.
    - (c) The location of all overhead and underground public utility, telecommunications, cable, water, sewer drainage and other facilities in the public way along the proposed route.
4. The specific trees, structures, improvements, facilities and obstructions, if any, that the applicant proposes to temporarily or permanently remove, relocate or alter.
  5. Federal requirements. All personal wireless telecommunications facilities shall meet the current standards and regulations of the FAA, the FCC, and any other agency of the Federal Government with the authority to regulate personal wireless telecommunications service facilities. Failure to meet such revised standards and regulations shall constitute grounds for revocation of Township approvals and removal of the facility at the owner’s expense.
  6. Safety Standards. All personal wireless telecommunications facilities shall conform to the requirements of the International Building Code and National Electrical Code, as applicable.
  7. Third Party Review.
    - (a) Telecommunications carriers use various methodologies and analysis tools, including geographically based computer software, to determine the specific technical parameters of facilities, such as expected coverage area, antenna configuration and topographic constraints that affect signal paths. In certain instances there may be a need for expert review by a third party of the technical data submitted by the provider. The Township may require such a technical review to be paid for by the applicant for a telecommunications facility. The selection of a third-party expert may be by mutual agreement between the applicant and the Township or at the discretion of the Township, with a provision for the applicant and interested parties to comment on the proposed expert and review its qualifications. The expert review is intended to be a site-specific review of technical aspects of the facilities and not a subjective review of the site selection. The expert review of the technical submission shall address the following:
      - [1] The accuracy and completeness of the submission.

- [2] The applicability of analysis techniques and methodologies.
  - [3] The validity of conclusions reached.
  - [4] Financial statements prepared in accordance with generally accepted accounting principles demonstrating the applicant's financial ability to construct, operate, maintain, relocate and remove the telecommunications facilities.
  - [5] Information to establish the applicant's technical qualifications, experience and expertise regarding the telecommunications facilities and telecommunications services described in the application.
  - [6] Information to establish that the applicant has obtained all other governmental approvals and permits to construct and operate the telecommunications facilities and to offer or provide the telecommunications services.
  - [7] Information to establish that the telecommunications facility meets the current standards and regulations of any agency of the federal government with the authority to regulate telecommunications facilities.
  - [8] Information to establish that the proposed telecommunications facility conforms to the requirements of the International Building Code and National Electrical Code, as applicable.
  - [9] Any specific technical issues designated by the Township.
- (b) Based on the results of the third-party review, the Township may require changes to the application for the facility that comply with the recommendation of the expert.

D. License Agreement.

- 1. A License Agreement entered into pursuant to this Section shall include the following provisions:
  - (a) The term shall not exceed 25 years.
  - (b) The following conditions shall apply to the issuance of site-specific licenses for:
    - [1] Small Cell Equipment.
      - [i] The proposed installation must not be in excess of the height of the existing pole, before the installation, plus six feet.
      - [ii] The proposed installation shall be constructed, finished, painted and otherwise camouflaged, in conformance with best available stealth technology methods, so as to blend in compatibility with its background and so as to minimize its visual impact on surrounding properties.

- [iii] The proposal must include an Engineer's Certification verifying the structural integrity of the pole.
  - [iv] The placement of equipment cabinets along with any small cell equipment installation must conform to the following requirements:
    - [A] For sites located within nonresident zones, no pole-mounted small cell equipment may project beyond the side of the pole more than 30 inches.
    - [B] Except for in a Flood Zone, no ground-mounted small cell equipment may exceed seven feet in height, occupy more than 36 square feet of ground area, be located more than 15 feet from the existing pole, may comply with required sight triangles, sight distance and breakaway design in accordance with local ordinance and the American Association of State Highway and Transportation Officials (AASHTO). However, the applicant may seek relief from this requirement from the Zoning Board of Adjustment pursuant to N.J.S.A. 40:55D-70(d)(1).
  - [v] No small cell equipment shall be placed within 500 feet of an existing small cell equipment installation. This shall not preclude the co-location of two such facilities on the same pole, or within the same vault.
  - [vi] The cumulative size of a small cell equipment installation for any one site shall not exceed seventeen (17) cubic feet.
- (c) Wireless Poles.
- [1] Wireless poles are not permitted in residential zones that, as of the date of adoption of this ordinance, do not have wooden utility poles of any kind already installed. However, the applicant may seek relief from this requirement from the Zoning Board of Adjustment pursuant to N.J.S.A. 40:55D-70(d)(1).
  - [2] Wireless poles shall be the same type (i.e. wooden, steel) as the existing utility poles located on either side of it and shall not be higher than 115% of the average height of the existing utility poles within 500 feet, but in no event higher than 60 feet in height, and no antenna or attachment shall extend more than six feet above said utility pole. If there are no existing utility poles in the Public Right-of-Way within 500 feet of the proposed utility pole, the carrier shall submit a plan for a proposed stealth structure for review and approval of the Township Engineer.
  - [3] Wireless poles are not permitted in areas with underground utilities. However, the applicant may seek relief from this requirement from the appropriate authorities.

- [4] The proposed wireless pole shall be constructed, finished, painted and otherwise camouflaged, in conformance with best available stealth technology methods, so as to blend in compatibly with its background and so as to minimize its visual impact on surrounding properties.
- [5] No wireless pole may be spaced less than 500 linear feet from another existing pole or proposed wireless pole that is capable of supporting small cell equipment. However, this requirement may be administratively waived for wireless poles that are proposed to be placed within nonresidential zones where the proposal is determined to be aesthetically consistent with the surrounding streetscape.
- [6] If the wireless pole or facility is located in the Historic District it is subject to §415.20K below.
- [7] The wireless pole cannot exceed 60 Feet. However, the applicant may seek relief from this requirement from the Zoning Board of Adjustment.
- [8] The wireless pole cannot be placed in such a way that it encroaches upon or blocks sight triangles as required by §4—33.2 of the Neptune Code of Ordinances.
- [9] The applicant must demonstrate that the proposed small cell equipment cannot be co-located.

E. Application Process.

1. Location. Small cell facilities that cannot be co-located are permitted in Township right-of way, upon facilities in these rights-of-way and on public easements owned by the Township under the following priorities:
  - (a) First, on a Township-owned utility pole, which shall be removed and replaced with a pole designed to contain all antennas and equipment within the pole to conceal any ground-based support equipment and ownership of which pole is conveyed to the Township.
  - (b) Second, a Township-owned utility pole with attachment of the small cell facilities in a configuration approved by the Township.
  - (c) Third, on a third-party owned utility pole (with the consent of the owner thereof), with attachment of the small cell facilities in a configuration approved by the Township.
  - (d) Fourth, on a traffic signal pole or mast arm in a configuration approved by the Township or County, or in the case of a Department of Transportation Facility, approved by the DOT.

- (e) Fifth, on a freestanding or ground-mounted facility which meets the definition of and requirements for an alternative tower facility in a location and configuration approved by the Township.
  - 2. Survey. Every applicant must provide the Township with a current professional survey, signed and sealed by a licensed PLS in the State of New Jersey and completed within 6 months of application, demonstrating that the area on which it proposes to place small cell equipment and/or a wireless pole is located within the Public Right-of-Way. The applicant must also provide easting and northing coordinates in state plane for inclusion in a GIS inventory.
    - (a) Small Cell Equipment. The Township Engineer shall review all applications and make a recommendation to the Township Committee as to whether a License should be issued.
    - (b) Wireless Poles. The Township Engineer shall review all applications and make a recommendation to the Township Committee as to whether a License is in compliance with the terms of this §415.20 and the License Agreement and may therefore be issued.
  - 3. Any denial of a License must be in writing and provide the facts upon which such a denial is based.
  - 4. An accompanied by a payment of a fee of \$500.00 for up to five (5) small wireless facilities with an additional \$100.00 for each small wireless facility beyond five (5). An application for a License under this Section for the installation of a new structure shall be accompanied by a payment of a fee of \$1,000.00 for up to five small wireless facilities with an additional \$100.00 for each small wireless facility beyond five (5).
  - 5. Pursuant to N.J.S.A. 54:30A-124, the Township shall recover reasonable fees for actual services incurred in the review of all applicants under this Section. The applicant shall make a deposit of \$2,000.00 toward anticipated municipal expenses which shall be placed in an escrow account. If said escrow account contains insufficient funds to enable the Township to perform its review, the Chief Financial Officer shall provide the applicant a notice of insufficient balance. In order for review to continue, the applicant shall, within 30 days, post a deposit to the account in an amount to be mutually agreed upon.
  - 6. An applicant, upon receiving a License for the placement of small cell equipment or a wireless pole in the Public Right-of-Way, may proceed in requesting all other necessary street opening permits and building permits and, upon receiving the same, may proceed with construction. Applicants must comply with all other State and Federal Laws, Rules and Regulations along with any other applicable local ordinances.
  - 7. Certificate of Incorporation. An applicant, in order to be granted the rights and privileges of the use of the Public Right-of-Way must produce evidence of an original Certificate of Incorporation and/or a Certificate of Good Standing from the Secretary of State of New Jersey.
- F. Application Review/Time Frames.
- 1. Installation of new small cell facilities.



- (a) Absent an agreement to the contrary between the Township and the applicant that is confirmed by email or other writing, the Township shall grant or deny applications for small cell facility within the right-of-way not later than ninety (90) days after the date of filing by an applicant of a complete application.
  - 2. Co-location of small cell facilities.
    - (a) Absent an agreement to the contrary between the Township and the applicant that is confirmed by email or other writing, the Township shall grant or deny applications to co-locate or to replace or modify any portion of a small wireless facility on or associated with an existing wireless support structure not later than sixty (60) days after the date of filing by an applicant of a complete application.
  - 3. Removal of small cell facilities.
    - (a) The Township shall act on request to remove Wireless Support Structures associated with small wireless facilities from the right-of-way typical to the review time frames for the general right-of-way authorization required for this activity, and subject to Paragraph L of this Ordinance.
  - 4. Eligible Facilities Request.
    - (a) The Township shall act on an Eligible Facilities Request in accordance with 47 C.F.R. §1.40001 not later than sixty (60) days after the date of filing by an applicant of a complete application.
  - 5. Applications to deploy small wireless facilities at multiple locations or a mix of preexisting and new structures must be acted upon within ninety (90) days after the date of filing by an applicant of a complete application.
  - 6. Completeness. Within ten (10) business days after receiving an application the Township will determine and notify the applicant whether the application is complete; or if an application is incomplete, the Township shall specifically identify the missing information.
- G. Assignment or Transfers of Small Cell Facility Licenses. Ownership or control of a License issued pursuant to this Section may not, directly or indirectly, be transferred, assigned or disposed of by sale, lease, merger, consolidation or other act of the Grantee, by operation of law or otherwise, without the prior consent of the Township of Neptune as expressed by resolution.
  - H. General Indemnification of Township in Connection with Telecommunications Facilities. Each License Grantee shall indemnify and hold the Township and its officers, employees, agents and representatives harmless from and against any and all damages, losses and expenses, including reasonable attorneys' fees and costs of suit or defense, arising out of, resulting from or alleged to arise out of or result from the negligent, careless or wrongful acts, omissions, failures to act or misconduct of the Grantee or its affiliates, officers, employees, agents, contractors or subcontractors in the construction, operation, maintenance, repair or removal of its telecommunications facilities, and in providing or offering telecommunications services over the facilities, whether such acts or omissions are authorized, allowed or prohibited by this Section or by a License Agreement made or entered into pursuant to this Section.
  - I. Revocation or Termination of License.

1. The Township may revoke a License granted under this Section for the following reasons:
  - (a) Construction or operation without a License.
  - (b) Construction or operation at an unauthorized location.
  - (c) Unauthorized substantial transfer of control of the Grantee.
  - (d) Unauthorized assignment of a License.
  - (e) Unauthorized sale, assignment or transfer of Grantees assets, or a substantial interest therein.
  - (f) Misrepresentation or lack of candor by or on behalf of a Grantee in any application to the Township.
  - (g) Abandonment of the Telecommunications Facility. A telecommunications facility shall be deemed “abandoned” if it is either disconnected from power service or unused for greater than six (6) months. Abandoned telecommunications facilities shall be removed by the Owner/Grantee. Should the Owner/Grantee fail to remove the telecommunications facility, the Township may do so at its option, and the costs thereof shall be a charge against the Owner/Grantee.
  - (h) Insolvency or bankruptcy of the Grantee.
  - (i) Material violation of the Township’s Revised General Ordinances.
2. In the event that the Township believes that grounds exist for the revocation of a License, it shall give the Grantee written notice of the apparent violation or noncompliance, providing a statement of the nature and general facts of the violation or noncompliance, and providing the Grantee a reasonable period of time, not exceeding thirty (30) days to furnish evidence:
  - (a) That corrective action has been or is being actively and expeditiously pursued to remedy the violation or noncompliance.
  - (b) That rebuts the alleged violation or noncompliance.
  - (c) That it would be in the public interest to impose some penalty or sanction less than revocation.

J. Notification Required.

1. Any telecommunications carrier who desires to change existing use, construct, install, operate, maintain or otherwise locate a telecommunications facility in the Township shall provide notice to property owners certified by the Township Administrator to be within 200 feet of the proposed telecommunications facility.
2. Notice shall be given to the property owner by:

- (a) Serving a copy thereof on the property owner as shown on the current certified tax list, or his or her agent in charge of the property; or
  - (b) Mailing a copy thereof by certified mail and regular mail to the property owner at the address as show on the said current certified tax list, and service by mailing shall be deemed complete upon deposit with the United States Postal Service.
3. Notice pursuant to this Section shall state the identity of the telecommunications carrier; a description of the telecommunications services that are or will be offered or provided; a description of the location(s) of any telecommunications facilities; and a description of the telecommunications facilities to be installed and the location of the telecommunications facilities. The notice shall also advise that a copy of the applicant's application is on file with the Township Administrator and may be reviewed by the public.
  4. Such other and further information as may be required by the Township Administrator,
  5. In the case of an application that seeks to construct, install, operate, maintain or otherwise locate a telecommunications facility or equipment on any property owned or controlled by the County, including but not limited to a County right-of-way, the applicant shall also provide notice to and obtain a permit from the County authorizing the placement of such telecommunications facility on any such property or right-of-way.
  6. This Section shall be in addition to and not in lieu of any notice provisions set forth in Statute, Rule or Regulation.

K. Historic District.

1. All applications for installation of any equipment governed by this Ordinance that is in the historic district must comply with all Federal, State and Local Laws regulating the historic districts, but as long as such installation is in the Public Right-of-Way, it is not subject to review and issuance of a Certificate of Appropriateness by the Historic Preservation Commission. Nevertheless, this Section may not be construed to limit the Township's authority to enforce Historic Preservation Zoning Regulations consistent with the preservation of local zoning authority under 47 U.S.C. §332(c)(7), the requirements for facility modifications under 47 U.S.C. §1455(a) or the National Historic Preservation Act of 1966 (54 U.S.C. §300101 *et seq.*) and the regulations adopted to implement those laws.
  - (a) As a condition for approval of a new small wireless facility or new wireless support structure in the historic district with placement in the Public Right-of-Way, the Township in its review of the application may use a consultant to address design and aesthetic standards that should be followed to minimize the negative impact to the aesthetics in the historic district. The standard for review for aesthetic purposes is that any aesthetic requirements be reasonable; that is, technically feasible and reasonably directed to avoid or remedy the intangible public harm of unsightly or out of character deployments. Aesthetic requirements shall be consistent with that applied to similar infrastructure deployments and are no more burdensome than those which apply to other types of infrastructure deployments.

L. Removal, Relocation or Modification of a Communications Facility in the Right-of-Way.

1. Notice. Within 90 days following written notice from the Township, a Grantee shall, at its own cost and expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any Telecommunications Facility with the Public Right-of-Way whenever the Township has determined that such removal, relocation, change or alteration, is reasonably necessary for the construction, repair, maintenance or installation of any Township improvement in or upon the operations of the Township in or upon the Public Right-of-Way, or pursuant to any redevelopment plan made pursuant to the Municipal Land Use Law contained in N.J.S.A. 40:55D, or any Township resolution that approves any redevelopment plan for work that is performed by a private company other than the Township. The Township shall apply the same standards to all utilities in the Public Right-of-Way.
2. Emergency Removal or Relocation of Facilities. The Township retains the right and privilege to cut power to or move any Telecommunications Facility located with the Public Right-of-Way of the Township, as the Township may determine to be necessary, appropriate or useful in response to any public welfare emergency or safety emergency. If circumstances permit, the Township shall notify the Grantee an opportunity to move its own facilities prior to cutting power to or removing the Telecommunications Facility, and in all cases shall notify the Grantee after cutting power to or removing the Telecommunications Facility as promptly as reasonably possible.
3. Structural Reconditioning, Repair and Replacement. From time to time the Township may paint, recondition or otherwise improve or repair the Township poles in a substantial way (“Reconditioning Work”). The Grantee shall reasonably cooperate with the Township to carry out Reconditioning Work activities in a manner that minimizes interference with the Grantee’s approved use of the facility.
  - (a) Prior to commencing Reconditioning Work, the Township will use reasonable efforts to provide the Grantee with at least 60 days prior written notice. Upon receiving that notice, it shall be the Grantee’s sole responsibility to provide adequate measures to cover, remove or otherwise protect the Grantee’s Telecommunications Facility from the consequences of the Reconditioning Work, including but not limited to paint and debris fallout. The Township reserves the right to require the Grantee to removal all of the Grantee’s Telecommunications Facility from the Township’s Poles and surrounding premises during Reconditioning Work, provided the requirement to remove the same is contained in the written notice required by this Subsection. All costs associated with the protection measures, including temporary removal, shall be the sole responsibility of the Grantee. The Township will provide the Grantee with a date by which its equipment must be protected or removed. The Grantee may request a modification of the Township’s procedures for carrying out Reconditioning Work in order to reduce the interference with Grantee’s operation of its Telecommunications Facility. If the Township agrees to the modification, the Grantee shall be responsible for all reasonable incremental costs related to the modification.
  - (b) If the Township Poles need to be replaced (“Replacement Work”), the Township shall provide the Grantee with at least 60 days written notice to remove its Telecommunications Facilities. The Township shall also promptly notify the Grantee when the Township’s Poles have been replaced and the Grantee may reinstall its equipment. During the Redevelopment Work, the Grantee may maintain a temporary Telecommunications Facility on the property, or after approval by the Township, in any land owned or controlled by the Township in the vicinity of the property. If the property will not accommodate the Grantee’s temporary Telecommunications Facility, or if the parties cannot agree on a temporary location, the Grantee, at its sole option, shall have the right to suspend the

applicable permit, until the replacement Pole is installed, upon 30 days written notice to the Township.

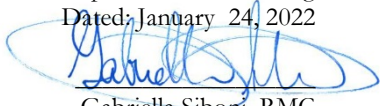
(c) If the Township Poles need to be repaired due to storm or other damage (“Repair Work”), the Township shall notify the Grantee to remove its Telecommunications Facilities as soon as possible. In the event of an emergency, the Township shall contact the Grantee by telephone at its emergency contact of record upon or prior to removing the Grantee’s equipment. Once the Township’s Poles have been replaced or repaired, the Township will promptly notify the Grantee that it can reinstall its equipment. During the Township’s Repair Work, the Grantee may maintain a temporary Telecommunications Facility on the property, or after approval by the Township, on any land owned or controlled by the Township in the vicinity of the property. All costs associated with any removal or protection of the Telecommunications Facilities shall be the sole responsibility of the Grantee, except to the extent caused by third parties or the Township.

4. Abandonment. Personal wireless telecommunications facilities which are abandoned by nonuse, disconnection of power service, equipment removal or loss of lease for greater than six months shall be removed by the facility owner. Should the owner fail to remove the facilities after 90 days written notice, the Township may do so at its option, and the costs thereof shall be a charge against the owner and recovered by certification of the same to the Township’s Tax Collector for collection as taxes. If an owner wishes to begin utilizing abandoned equipment again, it must submit a new application pursuant to §415-20.
5. Violation of Ordinance or License Agreement. Should the Township determine that the Grantee is in violation of this Ordinance or License Agreement, it shall provide the Grantee with 30 days’ notice to cure. Should the Grantee fail to cure within 30 days of receipt of said Notice to Cure or any extended time agreed upon by the parties, the Township may terminate the License Agreement pursuant to Paragraph I of this Ordinance. Any termination shall require the Grantee to remove all Telecommunications Facilities from the subject site within 90 days of written Notice of Termination, and removal of said equipment at the Grantee’s sole cost and expense. Should the Owner/Grantee fail to remove the facilities, the Township, at its own option, may remove said facilities and the cost shall be charged against the Owner/Grantee and recovered by certification of the same to the Township’s Tax Collector for collection as taxes.

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


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

<b>Motion/ Second</b>	<b>Roll Call To Adopt On First Reading</b>			
	YAY	NAY	ABSTAIN	ABSENT
	Dr. Michael Brantley	X		
Second	Keith Cafferty	X		
Motion	Robert Lane, Jr.	X		
	Tassie D. York	X		
	Nicholas Williams	X		

Adopted on First Reading  
 Dated: January 24, 2022  
  
 Gabriella Siboni, RMC  
 Township Clerk

<b>Motion/ Second</b>	<b>Motion to Amend Ordinance to Change Twenty (20) Cubic feet to Seventeen (17) Cubic feet on Page 8 Section [vi]</b>	YAY	NAY	ABSTAIN	ABSENT
	Dr. Michael Brantley				X
Second	Keith Cafferty	X			
Motion	Robert Lane, Jr.	X			
	Tassie D. York				X
	Nicholas Williams	X			

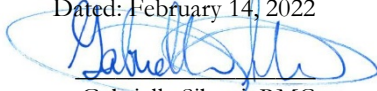
Amended  
Dated: February 14, 2022



Gabriella Siboni, RMC  
Township Clerk

<b>Motion/ Second</b>	<b>Motion to Table to February 28, 2022 Committee Meeting</b>	YAY	NAY	ABSTAIN	ABSENT
	Dr. Michael Brantley				X
Motion	Keith Cafferty	X			
Second	Robert Lane, Jr.	X			
	Tassie D. York				X
	Nicholas Williams	X			

Tabled to February 28, 2022  
Dated: February 14, 2022



Gabriella Siboni, RMC  
Township Clerk

<b>Motion/ Second</b>	<b>Roll Call To Adopt On Second and Final Reading</b>	YAY	NAY	ABSTAIN	ABSENT
	Dr. Michael Brantley				
	Keith Cafferty				
	Robert Lane, Jr.				
	Tassie D. York				
	Nicholas Williams				

Adopted on Second Reading  
Dated:

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Gabriella Siboni, RMC  
Township Clerk

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

**BOND ORDINANCE NUMBER 22-07**

**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 \$600,000  
THEREFOR (INCLUDING \$448,600 NJDOT TRANSPORTATION TRUST FUND GRANT) AND  
AUTHORIZING THE ISSUANCE OF \$151,400 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 \$600,000, including a \$448,600 Transportation Trust Fund Grant (the “Grant”) from the New Jersey Department of Transportation (the “NJDOT”). 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 \$600,000 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 \$151,400 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 \$151,400 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 \$151,400.

(c) The estimated cost of said improvements or purposes is \$600,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Grant in the amount of \$448,600 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 or otherwise authorized by the Local Bond Law. 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 \$151,400 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 \$90,000 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.** 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.

<b>Motion/</b>		<b>Roll Call To Adopt On First Reading</b>				Adopted on First Reading Dated: February 14, 2022
<b>Second</b>		YAY	NAY	ABSTAIN	ABSENT	
	Dr. Michael Brantley				X	<hr/> Gabriella Siboni, RMC Township Clerk
Motion	Keith Cafferty	X				
Second	Robert Lane, Jr.	X				
	Tassie D. York				X	
	Nicholas Williams	X				
<b>Motion/</b>		<b>Roll Call To Adopt On Second and Final Reading</b>				Adopted on Second Reading Dated: February 28, 2022
<b>Second</b>		YAY	NAY	ABSTAIN	ABSENT	
	Dr. Michael Brantley					<hr/> Gabriella Siboni, RMC Township Clerk
	Keith Cafferty					
	Robert Lane, Jr.					
	Tassie D. York					
	Nicholas Williams					

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Gabriella Siboni  
Township Clerk

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Nicholas Williams  
Mayor

**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
MONMOUTH COUNTY, 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 14, 2022. 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 February 28, 2022 at 7:00 p.m. Information regarding remote access to the meeting may be found on the Township's website at [www.neptunetownship.org](http://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 \$600,000 THEREFOR (INCLUDING \$448,600 NJDOT TRANSPORTATION TRUST FUND GRANT) AND AUTHORIZING THE ISSUANCE OF \$151,400 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:** \$600,000
- Bonds/Notes Authorized:** \$151,400
- Grant:** \$448,600 NJDOT Transportation Trust Fund Grant
- Section 20 Costs:** \$90,000
- Useful Life:** 15 years

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

**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
MONMOUTH COUNTY, 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 February 28, 2022 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 \$600,000 THEREFOR (INCLUDING \$448,600 NJDOT TRANSPORTATION TRUST FUND GRANT) AND AUTHORIZING THE ISSUANCE OF \$151,400 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:** \$600,000

**Bonds/Notes Authorized:** \$151,400

**Grant:** \$448,600 NJDOT Transportation Trust Fund Grant

**Section 20 Costs:** \$90,000

**Useful Life:** 15 years

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

**TOWNSHIP OF NEPTUNE  
MONMOUTH COUNTY, 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 duly called and held on February 14, 2022 at 7:00 p.m. at Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, and that the following was the roll call:

<b>Motion/ Second</b>	<b>Roll Call To Adopt On First Reading</b>				
		<b>YAY</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
	Dr. Michael Brantley				X
Motion	Keith Cafferty	X			
Second	Robert Lane, Jr.	X			
	Tassie D. York				X
	Nicholas Williams	X			

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 14<sup>th</sup> day of February, 2022.

(SEAL)

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

**TOWNSHIP OF NEPTUNE  
MONMOUTH COUNTY, 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 February 28, 2022, 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 28<sup>th</sup> day of February, 2022.

(SEAL)

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

**TOWNSHIP OF NEPTUNE  
MONMOUTH COUNTY, 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 14, 2022 and finally adopted on February 28, 2022.

2. After introduction, the bond ordinance was published as required by law on February \_\_, 2022 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 \_\_\_\_\_, 2022 and was duly published as required by law on March \_\_, 2022 in the Coaster (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 \_\_\_\_\_, 2022.

(SEAL)

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

**TOWNSHIP OF NEPTUNE  
MONMOUTH COUNTY, 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 14, 2022, that such Supplemental Debt Statement was filed in my office on or by February 14, 2022 and with the Director of the Division of Local Government Services on February 9, 2022.

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

State of New Jersey  
 Department of Community Affairs  
**Supplemental Debt Statement**

Local Government: Neptune Township Prepared As Of: 2/9/2022

Budget Year Ending December 31 (Month D-D) 2022 (Year)

Name: Michael Bascom Phone: 732-988-5200 ext 241  
 Title: Chief Financial Officer / Tax Collector Email: mbascom@neptunetownship.org  
 Address: 25 Neptune Boulevard  
Neptune, NJ 07753 CFO Cert #: \_\_\_\_\_

Michael Bascom, Being duly sworn, deposes and says: Deponent is the Chief Financial Officer of Neptune Township here and in the statement hereinafter mentioned called the local unit. The Supplemental Debt Statement annexed hereto and hereby made a part hereof is a true statement of the debt condition of the local unit as of the date therein stated and is computed as provided by the Local Bond Law of New Jersey.

	Decrease	Increase	
Net Debt as per Annual Debt Statement	(Since December 31, last past)		Net Debt
Bonds and Notes for School Purposes	\$	\$	\$0.00
Bonds and Notes for Self-Liquidating Purposes	\$	\$	\$0.00
Other Bonds and Notes	\$28,825,721.84	\$30,927.07	\$28,794,794.77
2 Net Debt at the time of this statement is .....			\$28,794,794.77

The amounts and purposes separately itemized of the obligations about to be authorized, and any deductions which may be made on account of each such item are: (see Note "C" below)

Bond Ordinance	Purposes	Amount	Deduction	Net
	Neptune Blvd Roadway Reconstruction Project	\$151,400.00	\$	\$151,400.00
		\$151,400.00	\$0.00	\$151,400.00

4 The net debt of the local unit determined by the addition of the net debt amounts stated in items 2 and 3 above is: \$28,946,194.77

5 Equalized valuation basis (the average of the equalized valuations of real estate, including improvements and the assessed valuation of class II railroad property of the local unit for the last 3 preceding years) as stated in the Annual Debt Statement or the revision thereof last filed.

	<u>Year</u>		
(1)	2019	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	\$4,197,218,006.00
(2)	2020	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	\$4,404,017,272.00
(3)	2021	Equalized Valuation Real Property with Improvements plus assessed valuation of Class II RR Property	\$4,661,869,349.00

6 Equalized Valuation Basis – Average of (1), (2) and (3)..... \$4,421,034,875.67

7 Net Debt (Line 4 Above) expressed as a percentage of such equalized valuation basis (Line 6 above) is: 0.655%

Notes

- A If authorization of bonds or notes is permitted by an exception to the debt limit, specify the particular paragraph of N.J.S.A. 40A:2-7 or other section of law providing such exception.
- B This form is also to be used in the bonding of separate (not Type I) school districts as required by N.J.S.A. 18A:24-16, and filed before the school district election. In such case pages 3 and 4 should be completed to set forth the computation supporting any deduction in line 3 above.
- C Only the account of bonds or notes about to be authorized should be entered. The amount of the "down payment" provided in the bond ordinance should not be included nor shown as a deduction.

**COMPUTATION AS TO INDEBTEDNESS FOR IMPROVEMENT OR EXTENSION OF AN  
EXISTING MUNICIPAL PUBLIC UTILITY, N.J.S.A. 40A:2-7(h); NJSA 40A:2-47(a)**

1. Annual Debt Statement, excess in revenues of utility
2. Less Interest and principal computed as provided in N.J.S.A. 40A:2-47(a) for all obligations authorized but not issued to the extent not already charged to income in the annual debt statement.
3. Excess revenue prior to authorizing proposed obligations = (column 1 minus column 2)
4. Interest and principal calculated for proposed obligations N.J.S.A. 40A:2-47(a)
  - (a) Interest for one year at 4 1/2%
  - (b) First installment of serial bonds legally issuable
  - (c) Total charges (Items (a) and (b))

	1	2	3	4(a)	4(b)	4(c)
Municipal Public Utility	ADS Excess in Revenues of Utility	Less Interest and Principal	Excess Revenue	Interest for One Year	1 <sup>st</sup> Installment of Serial Bonds Legally Issuable	Total Charges

Note: If line 3 equals or exceeds line 4, obligations may be authorized under the provisions of N.J.S.A. 40A:2-7(h) as limited by N.J.S.A. 40A:2-47(a).

**COMPUTATION OF SCHOOL INDEBTEDNESS AND DEDUCTIONS  
UNDER PROVISIONS OF N.J.S.A. 18A: 24-17**

**N.J.S.A. 18A:24-19 (Lines 1 to 7)**

1	Average of equalized valuations (page 1, line 3)	\$4,421,034,875.67
2	Gross School District Debt outstanding and authorized but not issued (not including proposed issue)	\$
3	Less: Sinking funds held for payment of School Debt, by Sinking Fund Commission	\$
4	Net debt for school purposes (line 2, minus line 3)	\$0.00
5	Debt deduction for school purposes' % (as per line below)	\$
	(a) 2½% Kindergarten or Grade 1 through Grade 6	
	(b) 3 % Kindergarten or Grade 1 through Grade 8	
	(c) 3½% Kindergarten or Grade 1 through Grade 9	
	(d) 4 % Kindergarten or Grade 1 through Grade 12	
6	Available debt deduction (excess, if any, of line 5 over line 4)	\$0.00
7	School Bonds about to be authorized	\$
	<b>Note: Omit lines 8 to 13, if line 6 equals or exceeds line 7, or if shown on line 17</b>	

**N.J.S.A. 18A:24-22 (Lines 8 to 13)**

8	Excess of line 7 over line 6	\$0.00
9	Municipal Debt Limit (3½% of line 1 above)	\$154,736,220.65
10	Net Debt	\$28,794,794.77
11	Available Municipal Borrowing Margin (excess, if any, of line 9 over line 10)	\$125,941,425.88
12	Use of Municipal Borrowing Margin (line 8 not exceeding line 11)	\$0.00
13	Remaining Municipal Borrowing Margin after authorization of proposed School Bonds (line 11 minus line 12)	\$125,941,425.88
	<b>Note: Omit lines 14 to 16, if line 11 equals or exceeds line 8, or if shown on line 17</b>	

**N.J.S.A. 18A:24-24 (lines 14 to 16)**

14	Amount of line 7	\$
15	Amount of Deduction:	
	(a) Amount of line 6	\$0.00
	(b) Amount of line 11	\$125,941,425.88
	<b>Total</b>	\$125,941,425.88
16	Excess of line 14 over line 15	\$0.00

**Computation of Regional School Indebtedness**

Municipality	1		3	4	5
	Average Equalized Valuations 40A:2-43				
	Amount	Percentage	Apportionment of Previous Bonds Issued or Authorized	Amount Apportionment of Proposed Bond Issue	Total Apportionment of Previous Bonds Issued or Authorized plus Apportionment Proposed Bond Issue (Column 3 plus 4)
Totals			%		
			%		

**SPECIAL DEBT STATEMENT**  
**BORROWING POWER AVAILABLE UNDER N.J.S.A. 40A:2-7(f)**

1	Amount of accumulated debt incurring capacity under RS 40:1-16(d) as shown on the latest Annual Debt Statement.		\$
2	Obligations heretofore authorized in excess of debt limitation and pursuant to:		
	(a) N.J.S.A. 40A:2-7(d)	\$	
	(b) N.J.S.A. 40A:2-7(f)	\$	
	(c) N.J.S.A. 40A:2-7(g)	\$	
	<b>Total</b>		<b>\$0.00</b>
3	Available debt incurring capacity (N.J.S.A. 40A:2-7(f))		\$
4	Obligations about to be authorized pursuant to N.J.S.A. 40A :2-7(f) (If item 3 equals or exceeds item 4, obligations may be authorized)		\$

**BORROWING POWER AVAILABLE UNDER N.J.S.A. 40A:2-7(g)**

1	Total appropriations made in local unit budget for current fiscal year for payment of obligations of local unit included in Annual Debt Statement or revision thereof last filed as of preceding December 31, 2021		\$
2	Less the amount of such obligations which constitute utility and assessment obligations:		\$
3	Excess of item 1 over item 2:		\$0.00
4	Amount raised in the tax levy of the current fiscal year by the local unit for the payment of bonds or notes of any school district		\$
5	Amount equal to 2/3 of the sum of item 3 and item 4		\$0.00
6	(a) Amount of obligations heretofore authorized under N.J.S.A. 40A:2-7(g) in current fiscal year	\$	
	(b) Amount of authorizations included in 6(a) which were heretofore repealed	\$	
	(c) Excess of item 6(a) over item 6(b)		\$0.00
7	Excess of item 5 over item 6(c)		\$0.00
8	Obligations about to be authorized		\$
9	Borrowing capacity still remaining after proposed authorization		\$0.00

(item 7 less item 8) (If item 7 equals or exceeds item 8, obligations may be authorized)

**TOWNSHIP OF NEPTUNE  
ORDINANCE NO. 22-08**

**AN ORDINANCE TO OF THE TOWNSHIP OF NEPTUNE TO AMEND AND  
SUPPLEMENT CHAPTER 4 BUSINESS AND LICENSING REGULATIONS BY AMENDING  
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**

**§4-17.1 Definitions**

**DECAL**

Shall mean the device issued by the Township of Neptune which shall be placed on every taxicab, identifying the vehicle as a taxicab licensed to operate in the Township of Neptune.

**DRIVER**

Shall mean a person who drives a vehicle for hire and who is required to be licensed by the Township of Neptune to drive said vehicle.

**MEDALLION**

Shall mean the official number issued by the Township of Neptune to each taxicab.

**OPERATOR**

Shall mean taxicab owner, person operating the taxicab business or lease holder.

**OWNER**

Shall mean a person, corporation or firm that is the owners of the taxi medallion

**PUBLIC TAXICAB STAND**

Shall mean a section of a public street or public place set apart for the exclusive use of a limited number of taxicabs when such section is distinctly marked as such by a metal sign attached to a stanchion on the curb or other conspicuous place or by clearly visible marks upon the surface of the street or public place.

**TAXICAB**

Shall mean a vehicle used in the business of transporting passengers for hire within the Township of Neptune.

**MERCANTILE REGISTRATION OFFICER**

Shall mean the person designated to oversee licensing, enforcement and inspections.

**§4-17.2 Licensing and Enforcement**

- a. The licensing of taxicabs shall be by the Township of Neptune Mercantile Registration Officer or designee. All fees to be paid hereunder shall be paid to the Township Mercantile Registration Officer and made payable to the Township of Neptune.
  
- b. The regulating and inspection of taxicabs, the examination of applicants for license to own and operate taxicabs, the licensing of drivers and the enforcement of the provisions of this section shall be under the control of the Chief of Police and the Mercantile Registration Officer.

- c. The Chief of Police and Mercantile Registration Officer are authorized and empowered to establish reasonable rules and regulations for the inspection of taxicabs and requirements for construction and condition of fitness for the safe and adequate transportation of passengers and the general cleanliness of 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) 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. 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. The application is to include but not limited to the primary responsible person, company name, home address, phone number, Tax Id #, Entity Id#.
- c. Number. No taxicab license shall be granted unless the number of licenses used and outstanding shall be less than fifty (50).
- d. Fees. The fee for each taxi medallion owned shall be the sum of one hundred (\$100.00) dollars for each year beginning the first day of April 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.
- 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 to be affixed to the vehicle by a representative of the Township. This decal is to be affixed to the left rear window.
- 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.
- 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.
- 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 (\$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 fulfill the requirements for renewal prior to the expiration will not be permitted to operate.

#### **§4-17.5 Insurance**

- a. Required. No license for the operation of a taxicab shall be issued until the applicant shall have complied with the provisions of N.J.S.A. 48:16-1 et seq. and the acts amendatory thereof and supplemental thereto. All taxicabs in the Township of Neptune shall carry a minimum of one hundred thousand (\$100,000.00) dollars insurance. A permanent Certificate of Insurance shall also be placed on file with the Township Clerk and Mercantile Registration Office.
- b. Temporary Certificate of Insurance. In the event a temporary Certificate of Insurance is provided for which the total annual premium has not been paid, the applicant shall be required to submit additional Certificates upon expiration of the temporary Certificate. If an additional certificate is not received by the Mercantile Registration Office by the expiration date of the temporary certificate, there shall be a charge of a fifty (\$50.00) dollars for administrative fee to the Township of Neptune each time a temporary certificate is filed with the Township as required hereinabove.

- c. Revocation of License. In the event that the insurance provided for in paragraph (a) is canceled or revoked for any reason whatsoever, the operator's license shall forthwith be revoked by the Mercantile Registration Officer, or his duly designated deputy, subject to a hearing before the Township Committee, if requested by the licensee in writing to the Mercantile Registration Officer, to contest the cancellation and/or revocation.

#### **§4-17.6 Supervision**

- a. Record of Vehicle. The Mercantile Registration Officer shall keep a register of the name of each person owning or operating a vehicle or vehicles licensed under this section.
- b. Right of Inspection.
  - 1. Before any vehicle is used as a taxicab, it shall have a valid inspection sticker indicating that the vehicle has passed inspection as required under Title 39 of the Statutes of the State of New Jersey.
  - 2. The Police Department shall maintain constant vigilance over all taxicabs to see that they are kept clean and in a condition of safety for the transportation of passengers and to this end shall have the right at any and all times to inspect any and all licensed vehicles.

#### **§4-17.7 Taxicab Stands**

Public taxicab stands shall be designated by the Township Mercantile Registration Officer subject to the approval of the Township Committee.

#### **§4-17.8 Rates**

A schedule of rates shall be maintained on file in the Office of the Municipal Clerk and the Mercantile Registration Office.

#### **§4-17.9 Regulation of Operators**

- a. Waiting for Employment. No taxicab while waiting for employment by passengers shall stand on any public street or space other than upon a taxicab stand designated or established in accordance with this section, nor shall any taxicab driver seek employment by repeatedly and persistently driving his taxicab to and from in a short space before or otherwise interfering with proper and orderly access or egress from any theater, hall, hotel, public resort, railway station or other place of public gathering, and no driver shall solicit passengers for a taxicab.
- b. Lost Property. Every driver of a taxicab who shall discover any property lost or left in said taxicab must report in writing to the cab stand with brief particulars and description of the property within twenty-four (24) hours after their finding thereof unless sooner claimed or delivered to the owner.
- c. Soliciting Hotel Business. Any licensed driver or operator of a taxicab in the Township shall not enter into any agreement or arrangement with the proprietor of any hotel, motel or boarding house in the Township, or with any person connected with such hotel, motel or boarding house, whereby such licensed driver or operator received any fee, commission or money consideration in return for soliciting patronage from any hotel, motel or boarding house or for inducing persons to patronize same. A licensed driver shall not receive any fee, commission or money consideration for securing patronage from any hotel, motel or boarding house.
- d. Signs. Each licensed taxicab shall have the following items displayed, with prior approval from the Taxi Coordinator:
  - 1. A permanent, illuminated taxicab sign plainly marked as a taxicab or taxi and clearly visible. Said illuminated taxicab sign shall be in operation when said taxicab is commercially employed.

2. The taxicab number plainly marked and clearly visible. The taxicab number shall match the medallion number.
  3. The name, trade name or corporate name of the owner clearly displayed.
- e. Place of Business. Every taxicab operator shall operate his business from an established place or designated taxi stand.
- f. Display of License and Rates. Every taxicab shall conveniently display a valid license for the vehicle, a valid license for the driver with a front view photograph, and the valid insurance card issued in compliance with the Revised Statutes of the State of New Jersey, Section 48:16-1 et seq. and the maximum rate schedule of fares on file at the Township of Neptune.

**§4-17.10 Advertising**

- a. Holders. All advertising carried by taxicabs shall be placed in standard holders presently acceptable and used throughout the taxicab industry and affixed in such a manner so as not to violate any motor vehicle regulations of the State of New Jersey.
- b. Professional Preparation Required. All signs shall be professionally prepared, neat and attractive.
- c. Prohibited Advertising. Advertising in the following categories shall not be permitted:
  1. Promotion of rival resort communities and their activities;
  2. Highway shopping centers and amusement centers whose promotion would tend to affect the economic development of the Township.
- d. Questions Regarding Suitability. Questions arising as to the suitability of the advertising material should be first directed to the Township Mercantile Registration Officer for approval.
- e. Additional Regulations. The provisions of this section are in addition to the provisions entitled "Business Licenses."

**§4-17.11 Revocation and Suspension of License**

A license to operate a taxicab may be revoked or suspended at any time after hearing by the Township Committee, if the vehicle is not in a clean and safe condition for the transportation of passengers, and kept in conformity with the terms of this section or any of the rules and regulations adopted by the Township Committee.

**§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) dollars nor more than two thousand (\$2,000.00) dollars, a term of imprisonment not to exceed 90 days or a period of community service not to exceed 90 days or any combination.

**SECTION 2.**

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

**SECTION 3.**

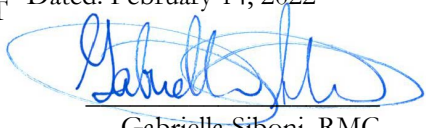
All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

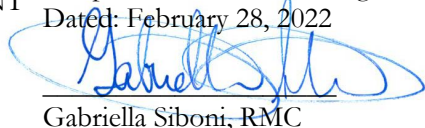
**SECTION 4.**

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

**SECTION 5.**

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

Motion/ Second	Roll Call To Adopt On First Reading					Adopted on First Reading Dated: February 14, 2022
		YAY	NAY	ABSTAIN	ABSENT	
	Dr. Michael Brantley				X	 Gabriella Siboni, RMC Township Clerk
Second	Keith Cafferty	X				
Motion	Robert Lane, Jr.	X				
	Tassie D. York				X	
	Nicholas Williams	X				

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

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Gabriella Siboni  
Township Clerk

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Nicholas Williams  
Mayor

**TOWNSHIP OF NEPTUNE  
ORDINANCE NO. 22-09**

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

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

**SECTION 1.**

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

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

- A Hours of Operation. Cannabis Class uses are permitted the following hours of operation:
  - 1 Monday thru Saturday: 9 AM to 10 PM;
  - 2 Sunday: Closed
  
- B Location. The permitted location of such uses shall be in accordance with the current NJ State requirements in addition to the following:
  - 1 Located within the C-1 and LI Zoning Districts;
  - 2 Located a minimum 1,000 feet radius from a school or daycare.
  
- C Permitted Classes of Licenses (as defined by the State of NJ). The following classes or combination of are permitted:
  - 1 Class 1 – Cannabis Cultivator
  - 2 Class 2 – Cannabis Manufacturer
  - 3 Class 3 – Cannabis Wholesaler
  - 4 Class 4 – Cannabis Distributor
  - 5 Class 5 – Cannabis Retailer
  - 6 Class 6 – Cannabis Delivery Service
  
- D Quantity. The maximum permitted number of Class 5- Cannabis Retailer licenses in Neptune Township will be three (3). There is no limit on the number of licenses issued by the Township Committee for Class 1- Cannabis Cultivator, Class 2- Cannabis Manufacturer, Class 3- Cannabis Wholesaler, Class 4- Cannabis Distributor, Class 6- Cannabis Delivery Service.
  
- E Penalties. Refer to Land Development Ordinance section 1105.

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

**SECTION 2.**

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

**SECTION 3.**

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

**SECTION 4.**

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

**SECTION 5.**

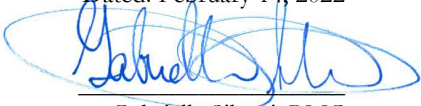
All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

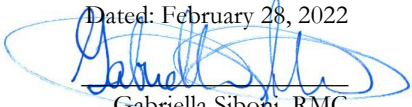
**SECTION 6.**

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

**SECTION 7.**

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

		<b>Roll Call To Adopt On First Reading</b>				Adopted on First Reading Dated: February 14, 2022	
<b>Motion/ Second</b>		YAY	NAY	ABSTAIN	ABSENT	 Gabriella Siboni, RMC Township Clerk	
	Dr. Michael Brantley				X		
Motion	Keith Cafferty	X					
Second	Robert Lane, Jr.	X					
	Tassie D. York				X		
	Nicholas Williams	X					

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

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

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

**TOWNSHIP OF NEPTUNE  
ORDINANCE NO. 22-10**

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT CHAPTER 4 BUSINESS AND LICENSING REGULATIONS OF THE TOWNSHIP OF NEPTUNE BY DEFINING AND REGULATING CANNABIS MERCANTILE REGISTRATION**

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

SECTION 1.

CHAPTER 4 BUSINESS AND LICENSING REGULATIONS- is hereby amended to add the following:

**§ 4-5 CANNABIS MERCANTILE REGISTRATION**

**§ 4-5.1 DEFINITIONS**

(Refer to the Neptune Township Land Development Ordinance section 201 for definitions pertaining to the Cannabis related uses)

**§ 4-5.2 REGISTRATION**

- a. No cannabis business may lawfully operate in Neptune Township without the issuance of a State permit or license and full regulatory oversight of the cannabis business by the Cannabis Regulatory Commission or other state licensing authority, as well as oversight and issuance of a Cannabis Mercantile Registration by Neptune Township in accordance with the provisions of this Chapter.
- b. All cannabis businesses shall be subject to Conditional Use and Site Plan approval in accordance with the Neptune Township Land Development Ordinance and the Municipal Land Use Law.
- c. A registration to operate shall be reviewed and approved by an Evaluation Committee comprised of township officials and member(s) of the governing body
- d. Each local registration shall be effective from January 1 until December 31 and shall be annually renewed upon the submission of a renewal application and renewal fee provided all conditions and requirements of applicable State law and Local ordinance are met.
- e. Any conditions of land use approval may be incorporated as conditions of the local registration.
- f. All cannabis businesses shall provide a Local Hire Plan.

**§ 4-5.3 FEES**

**a. Initial Application**

- i. Initial Application fee for all classes shall be a nonrefundable and nontransferable fee of \$1,000.00
- ii. The initial registration fee for approved applications for a:
  - i. Class 1 - Cannabis Cultivator shall be \$10,000 (Ten Thousand Dollars, USD)



- ii. Class 2 - Cannabis Manufacturer shall be \$10,000 (Ten Thousand Dollars, USD)
- iii. Class 3 - Cannabis Wholesaler shall be \$10,000 (Ten Thousand Dollars, USD)
- iv. Class 4 - Cannabis Distributor shall be \$10,000 (Ten Thousand Dollars, USD)
- v. Class 5 - Cannabis Retailer shall be \$10,000 (Ten Thousand Dollars, USD)
- vi. Class 6- Cannabis Delivery Service shall be \$10,000 (Ten Thousand Dollars, USD)
- iii. A single cannabis business that seeks to obtain multiple cannabis class registrations shall remit application and registration fees for each class type.

**b. Renewal Application**

- i. Renewal Application fee for approved application for each cannabis class registration shall be set by resolution of the Township Committee.
- ii. The annual renewal registration fee for approved application for each cannabis class registration shall be set by resolution of the Township Committee.
- iii. A single cannabis business that maintains a variety of the cannabis class registrations shall remit annual application and registration fees for each class type.

**§ 4-5.4 HOURS OF OPERATION**

(Refer to the Neptune Township Land Development Ordinance section 415.21-A for the permitted hours of operation)

**§ 4-5.5 REVOCATION OF CANNABIS MERCANTILE REGISTRATION**

Any cannabis mercantile registration shall be deemed null and void at the discretion of the Chief Law Enforcement Officer of the Township or any authorized Township representative for violation of any Township Ordinance, unless but not limited to a Dormant License as determined by the Committee and or any violation of any New Jersey State regulation shall be a basis for non-renewal.

**§ 4-5.6 PENALTY**

Any person, firm, corporation or other business entity violating any of the provisions of this chapter shall, upon conviction, be punished by a fine not to exceed five hundred (\$500.00) dollars or by imprisonment in the County jail for a period not to exceed ninety (90) days, or both. Each violation of any of the provisions of this chapter shall be considered a separate offense, and each day the violation continues to persist shall also be considered a separate and distinct offense.

**SECTION 2.**

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

**SECTION 3.**

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

**SECTION 4.**

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

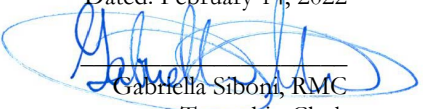
**SECTION 5.**

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

**Motion/ Roll Call To Adopt On First Reading**

<b>Second</b>		YAY	NAY	ABSTAIN	ABSENT
	Dr. Michael Brantley				X
Motion	Keith Cafferty	X			
Second	Robert Lane, Jr.	X			
	Tassie D. York				X
	Nicholas Williams	X			

Adopted on First Reading  
Dated: February 14, 2022

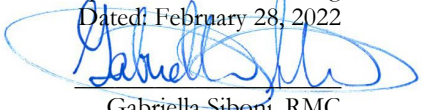


Gabriella Siboni, RMC  
Township Clerk

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

<b>Second</b>		YAY	NAY	ABSTAIN	ABSENT
	Dr. Michael Brantley	X			
Second	Keith Cafferty	X			
	Robert Lane, Jr.	X			
Motion	Tassie D. York	X			
	Nicholas Williams	X			

Adopted on Second Reading  
Dated: February 28, 2022



Gabriella Siboni, RMC  
Township Clerk

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Gabriella Siboni  
Township Clerk

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Nicholas Williams  
Mayor

**TOWNSHIP OF NEPTUNE  
ORDINANCE NO. 22-11**

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT CHAPTER 2 "ADMINISTRATION"  
ARTICLE VII "ADMINISTRATIVE POLICIES AND PROCEDURES" OF THE TOWNSHIP OF  
NEPTUNE BY DEFINING AND REGULATING CANNABIS TAXATION AND COLLECTION.**

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

**SECTION 1.**

**§2-67 CANNABIS TAXATION**

1. It is the purpose of this Section to implement the provisions of P.L., 2021,c,16 which authorizes the governing body of a municipality to adopt an ordinance imposing a tax at a uniform percentage rate not to exceed (2%) of the receipt from each sale by a cannabis cultivator; two percent (2%) of the receipts from each sale by a cannabis manufacturer; one (1%) of the receipts from each sale by a cannabis wholesaler; and two (2%) of the receipts from each sale by a cannabis retailer, which shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the cannabis establishment.
2. Unless otherwise defined herein, as used herein, the Township adopts by reference the terms and definitions established in Chapter 24 of this Code and Section 40 of N.J.S.A 24:61-33.
3. There is hereby established a local cannabis transfer tax in the Township of Neptune which shall be fixed at a uniform percentage rate of two percent (2%) of receipts from each sale by a cannabis cultivator and two percent (2%) of the receipts from each sale by a cannabis manufacturer, one (1%) of the receipts from each sale by a cannabis wholesaler; and two (2%) of the receipts from each sale by a cannabis retailer.
4. Any transaction for which the transfer or user tax is imposed, or could be imposed, pursuant to this section, other than those which generate receipts from retail sales by cannabis retailers, shall be exempt from the tax imposed under the "Sales and Use Tax Act," P.L.1966,c30 (C.54:32B-1 et seq.).
5. The cannabis transfer tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon property or cannabis establishment.

**SECTION 2.**

**§2-67.1. COLLECTION**

1. The transfer tax or user tax imposed by this article shall be collected or paid, and remitted to Neptune Township by the cannabis establishment from the cannabis establishment purchasing or receiving the cannabis or cannabis item. The transfer Tax or user Tax shall be stated, charged, and shown separately on any sales slip, invoice, receipt, or other statement or memorandum of the price paid or payable, or equivalent value of the transfer, for the cannabis or cannabis item.
2. Every cannabis establishment required to collect a transfer tax or user tax imposed by ordinance pursuant to this section shall be personally liable for the transfer tax or user tax imposed, collected, or required to be collected under this section. Any cannabis establishment shall have the same right with respect to collecting tax or user tax from another cannabis establishment as if the transferor user tax was part of the purchase price of the cannabis or cannabis item and payable at the same time; provided, however, that the Chief Financial Officer of Neptune Township shall be joined as a party in any action or proceeding brought to collect the transfer tax.
3. No cannabis establishment required to collect a transfer tax or user tax imposed by this section shall advertise or hold out to any person or to the public in general, in any manner directly or indirectly that the transfer tax or user tax will not be separately charged and stated to another cannabis

establishment, or that the transfer tax or user tax will be refunded to the cannabis establishment.

4. All revenues collected from the transfer tax or user tax imposed by ordinance pursuant to this section shall be remitted to Neptune Township Chief Financial Officer on a quarterly basis payable for the prior three month's activities and due at the same time as quarterly dates for the collection of property taxes. The revenues due on February 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of October, November and December. The revenues due on May 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of January, February and March. The revenues due on 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of April, May and June. The revenues due on November 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of July, August and September. There shall be a ten (10) day grace period for the payment of said transfer tax and/or user tax which will coincide with the ten (10) day grace period typically permitted for property tax payments. There shall be no extension of the cannabis transfer tax / user tax grace period without a resolution of the governing body authorizing a specific extension.
5. All payments to Neptune Township shall be accompanied by certain supporting data and made in a manner prescribed by the Chief Financial Officer.
6. The Chief Financial Officer shall collect and administer the Local Cannabis Transfer Tax and User Tax imposed by this ordinance. The Township shall enforce the payment of delinquent Local Cannabis Transfer Tax and User Tax in the same manner and at the same interest rates as provided for municipal real property taxes.
7. In the event that the Local Cannabis Transfer Tax and User Tax imposed by this section is not paid as and when due by a cannabis business, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the cannabis business in the same manner as all other unpaid municipal taxes, fees, or other charges. The lien shall be superior and paramount to the interest in the parcel of any owner, lessee, tenant, mortgagee, or other person, except the lien of municipal taxes, and shall be on a parity with and deemed equal to the municipal lien on the parcel for unpaid property taxes due and owing in the same year. In the event of a delinquency, the Chief Financial Officer shall file with the Tax Collector a statement showing the amount and due date of the unpaid balance and identifying the lot and block number of the parcel of real property that comprises the delinquent cannabis business. The lien shall be enforced as a municipal lien in the same manner as all other municipal liens are enforced.

#### **SECTION 5.**

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 6.**

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

#### **SECTION 7.**

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.

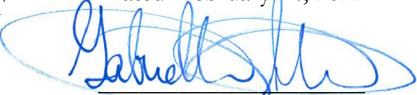
#### **SECTION 8.**

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

Adopted on First Reading  
Dated: February 14, 2022




Gabriella Siboni, RMC  
Township Clerk

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

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

Adopted on Second Reading  
Dated: February 28, 2022



Gabriella Siboni, RMC  
Township Clerk

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Gabriella Siboni  
Township Clerk

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Nicholas Williams  
Mayor

**ORDINANCE NO. 22-12**

**AN ORDINANCE TO AMEND CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY AMENDING SECTION 7.3, ENTITLED “TEMPORARY PARKING PROHIBITION FOR SNOWPLOWING AND REMOVAL”**

WHEREAS, it has been determined that a conflict exists with regard to snow removal parking on an emergency basis with regard to Broadway.

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the Township Committee hereby amends Chapter VII, Section 7-7.3(c) as follows:

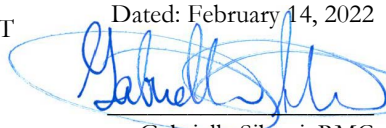
7-7.3 Parking Prohibition for Snowplowing and Removal.

(c) Snow Emergency shall remain in full effect until cancelled by the Emergency Management Coordinator or designee. Such cancellation to be communicated to the public through various media outlets.

<b>Name of Street</b>	<b>Time</b>	<b>Location</b>
Broadway	a. Both	Between Central Ave. and Ocean Ave.
	b. South	Between Lawrence Ave. and Central Ave.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon final adoption of the Ordinance and publication of notice of adoption as required by law; and,

BE IT FURTHER ORDAINED, that all Ordinances or parts of Ordinances that are inconsistent herewith are repealed, but only to the extent of such inconsistency.

<b>Motion/ Second</b>	<b>Roll Call To Adopt On First Reading</b>				
	YAY	NAY	ABSTAIN	ABSENT	Adopted on First Reading Dated: February 14, 2022
Dr. Michael Brantley				X	 Gabriella Siboni, RMC Township Clerk
Second Motion	X				
Keith Cafferty	X				
Robert Lane, Jr.	X				
Tassie D. York				X	
Nicholas Williams	X				

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

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

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

**TOWNSHIP OF NEPTUNE  
ORDINANCE NO. 22-13**

**AN ORDINANCE CREATING AND SETTING THE SALARY RANGE FOR NEW JOB  
TITLES AND AMENDING THE SALARY RANGES FOR ALL OTHER EXISTING JOB  
TITLES OF THE TOWNSHIP OF NEPTUNE AND REPEALING ALL PARTS OF PREVIOUS  
ORDINANCES INCONSISTENT HEREWITH**

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

SECTION 1. The salary ranges for all existing job titles in the Township of Neptune are hereby amended and established as follows:

<u>Title</u>	<u>Minimum Salary</u>	<u>Maximum Salary</u>
Accountant	\$ 35,000.00	\$ 70,000.00
Administrative Assistant	\$ 37,000.00	\$ 75,000.00
Affirmative Action Officer (Public Agency Compliance Officer)	\$ 1,000.00	\$ 3,000.00
Assessing Clerk	\$ 27,300.00	\$ 42,000.00
Assessing/Land Use Inspector	\$ 34,000.00	\$ 48,000.00
Assessment Search Officer	\$ 1,500.00	\$ 6,000.00
Assessor	\$ 80,000.00	\$ 145,000.00
Assistant Assessor	\$ 36,000.00	\$ 70,000.00
Assistant Business Administrator	\$ 90,000.00	\$ 160,000.00
Assistant CFO	\$ 15,000.00	\$ 100,000.00
Assistant Construction Official	\$ 65,000.00	\$ 85,000.00
Assistant EMS Manager	\$ 55,000.00	\$ 85,000.00
Assistant Engineer	\$ 55,500.00	\$ 85,000.00
Assistant Mercantile License Officer	\$ 2,500.00	\$ 5,000.00
Assistant Purchasing Agent	\$ 40,000.00	\$ 75,000.00
Assistant Zoning Officer	\$ 3,000.00	\$ 7,000.00
Asst. Economic Development Coordinator	\$ 3,500.00	\$ 7,500.00
Asst. Public Works Director	\$ 3,500.00	\$ 95,000.00
Bi-Lingual Translator	\$ 300.00	\$ 750.00
Black Seal License	\$ 500.00	\$ 1,000.00
Bookkeeper	\$ 30,000.00	\$ 65,000.00
Building Inspector	\$ 40,000.00	\$ 90,000.00
Building Sub-Code Official	\$ 45,000.00	\$ 115,000.00
Business Administrator	\$ 90,000.00	\$ 170,000.00
Captain of Police	\$ 130,000.00	\$ 162,000.00
Chief Financial Officer	\$ 90,000.00	\$ 170,000.00
Chief of Police	\$ 150,000.00	\$ 190,000.00
Citizens Board Administrator	\$ 39,000.00	\$ 73,000.00
Code Enforcement Supervisor	\$ 60,000.00	\$ 85,000.00
Code/Construction Inspector	\$ 32,000.00	\$ 80,000.00
Community Programs Coordinator	\$ 32,500.00	\$ 65,000.00
Construction Official	\$ 80,000.00	\$ 145,000.00
Custodian	\$ 31,200.00	\$ 70,000.00
Customer Service Representative	\$ 27,300.00	\$ 50,000.00
Departmental Secretary	\$ 34,500.00	\$ 90,000.00
Deputy Chief of Police	\$ 150,000.00	\$ 175,000.00
Deputy Court Administrator	\$ 33,500.00	\$ 70,000.00
Deputy Emergency Management Coordinator	\$ 4,000.00	\$ 9,000.00
Deputy Municipal Clerk	\$ 50,000.00	\$ 95,000.00
Deputy Registrar of Vital Statistics	\$ 29,000.00	\$ 50,000.00

Deputy Senior Center Director	\$	43,000.00	\$	72,000.00
Deputy Sewer Collector	\$	5,000.00	\$	20,000.00
Deputy Tax Assessor	\$	50,000.00	\$	90,000.00
Deputy Tax Collector	\$	50,000.00	\$	90,000.00
Detective	\$	2,500.00	\$	3,000.00
Director of Code and Construction	\$	10,000.00	\$	85,000.00
Director of Engineering and Planning	\$	80,000.00	\$	160,000.00
Driver	\$	31,200.00	\$	75,000.00
Economic Development Administrative Assistant	\$	2,000.00	\$	6,000.00
Economic Development Coordinator	\$	5,000.00	\$	35,000.00
Economic Development Secretary	\$	3,500.00	\$	6,000.00
Elections Clerk	\$	6,000.00	\$	12,000.00
Electrical Inspector	\$	30,000.00	\$	75,000.00
Electrical Sub-Code Official	\$	54,000.00	\$	105,000.00
Emergency Management Coordinator	\$	4,000.00	\$	12,000.00
Emergency Management Secretary	\$	2,000.00	\$	8,000.00
Emergency Medical Services Manager	\$	60,000.00	\$	95,000.00
Emergency Medical Technician	\$	37,000.00	\$	60,000.00
Emergency Medical Technician Supervisor	\$	43,000.00	\$	68,000.00
Engineer	\$	50,000.00	\$	80,000.00
Engineer Technician	\$	40,000.00	\$	75,000.00
Environmental / Shade Tree Secretary	\$	2,000.00	\$	4,000.00
Finance Dept. Secretary	\$	3,500.00	\$	70,000.00
Foreman	\$	65,000.00	\$	85,000.00
Grant Coordinator	\$	35,000.00	\$	60,000.00
Harbor Master	\$	40,000.00	\$	60,000.00
Health Benefits Opt-Out	\$	2,500.00	\$	4,000.00
Heavy Equipment Operator	\$	3,500.00	\$	80,000.00
Historic Preservation Comm. Secretary	\$	2,500.00	\$	15,000.00
Human Resources Director	\$	65,000.00	\$	125,000.00
Human Resources Specialist	\$	58,000.00	\$	70,000.00
Jailer	\$	34,500.00	\$	55,000.00
Land Use Administrator	\$	4,000.00	\$	15,000.00
Lead Communications Operator	\$	32,500.00	\$	85,000.00
Lieutenant of Police	\$	130,000.00	\$	150,000.00
M.I.S. Specialist	\$	46,500.00	\$	75,000.00
Matron	\$	500.00	\$	1,500.00
Mayor	\$	8,000.00	\$	12,500.00
Medical Director	\$	2,000.00	\$	5,000.00
Mercantile License Officer	\$	2,000.00	\$	10,000.00
<b>Mercantile Clerk</b>	<b>\$</b>	<b>1,000.00</b>	<b>\$</b>	<b>1,000.00</b>
MIS Director	\$	75,000.00	\$	110,000.00
Municipal Alliance Coordinator	\$	4,000.00	\$	17,500.00
Municipal Clerk	\$	70,000.00	\$	150,000.00
Municipal Court Administrator	\$	50,000.00	\$	95,000.00
Municipal Court Judge	\$	50,000.00	\$	75,000.00
Municipal Prosecutor	\$	30,000.00	\$	55,000.00
Outreach Coordinator	\$	32,500.00	\$	55,000.00
Outreach Worker	\$	31,500.00	\$	50,000.00
Paramedic	\$	42,000.00	\$	67,000.00
Parks Inspector	\$	1,000.00	\$	2,500.00
Patrolman	\$	40,000.00	\$	130,000.00
Pesticide License	\$	500.00	\$	1,500.00
Plumbing Sub-Code Official	\$	54,000.00	\$	105,000.00
Police Director	\$	25,000.00	\$	100,000.00
Police Information System Manager	\$	46,300.00	\$	95,000.00



Principal Assessing Clerk	\$	30,000.00	\$	50,000.00
Public Defender	\$	18,000.00	\$	30,000.00
Public Works Director	\$	90,000.00	\$	130,000.00
Public Works Supervisor	\$	80,000.00	\$	110,000.00
Purchasing Agent	\$	60,000.00	\$	100,000.00
Records Clerk	\$	27,300.00	\$	60,000.00
Recreation Coordinator (Recreation Dept)	\$	35,000.00	\$	65,000.00
Recreation Coordinator (Sr Ctr)	\$	35,000.00	\$	55,000.00
Recreation Director	\$	60,000.00	\$	105,000.00
Recycling Coordinator	\$	500.00	\$	3,000.00
Registrar of Vital Statistics	\$	45,000.00	\$	80,000.00
Rent Leveling Board Secretary	\$	2,500.00	\$	5,000.00
Secondary Sewer Operators License	\$	2,500.00	\$	7,500.00
Senior Center Bus Driver	\$	31,200.00	\$	50,000.00
Senior Center Director	\$	65,000.00	\$	100,000.00
Senior Kitchen Aid	\$	27,300.00	\$	45,000.00
Senior Programs Representative	\$	31,000.00	\$	50,000.00
Sergeant of Police	\$	115,000.00	\$	145,000.00
Sewer Collector	\$	10,000.00	\$	45,000.00
Sewer Operators License	\$	5,000.00	\$	10,000.00
Special Projects Coordinator	\$	35,000.00	\$	75,000.00
Superintendent of Buildings	\$	65,000.00	\$	95,000.00
Tax Collector	\$	75,000.00	\$	135,000.00
Tax Search Officer	\$	1,500.00	\$	5,000.00
<del>Taxi License Coordinator</del>	<del>\$</del>	<del>1,500.00</del>	<del>\$</del>	<del>5,000.00</del>
Technical Asst. to Construction Official	\$	5,000.00	\$	60,000.00
Township Committee Member	\$	6,000.00	\$	10,500.00
Transportation Coordinator	\$	27,500.00	\$	50,000.00
Violations Clerk	\$	27,300.00	\$	50,000.00
Zoning Compliance Officer	\$	5,000.00	\$	70,000.00

Hourly Rates:

Assistant Engineer	\$	20.00	\$	40.00
Bus/Van Driver	\$	15.00	\$	20.00
Carpenter	\$	18.00	\$	25.00
Code Enforcement Inspector	\$	15.70	\$	20.00
Construction Code Inspector	\$	25.00	\$	40.00
Court Security Officer	\$	15.00	\$	25.00
Crossing Guard	\$	15.00	\$	20.00
Custodian	\$	15.00	\$	25.00
Customer Service Representative	\$	15.00	\$	20.00
Emergency Medical Technician	\$	17.50	\$	25.00
Fire Sub-Code Official	\$	25.00	\$	50.00
Investigator	\$	20.00	\$	30.00
Jailer	\$	15.00	\$	25.00
Kitchen Aid	\$	15.00	\$	25.00
Litter Control Attendant	\$	15.00	\$	18.00
Marina Attendant	\$	15.00	\$	25.00
Municipal Intern	\$	10.00	\$	12.00
Property Maintenance Worker	\$	15.00	\$	30.00
Recreation Attendant	\$	12.00	\$	20.00
Senior Emergency Medical Technician	\$	24.00	\$	30.00
Special Law Enforcement Officer (Class I)	\$	15.00	\$	21.00
Special Law Enforcement Officer (Class II SRO)	\$	22.00	\$	40.00
Special Law Enforcement Officer (Class II)	\$	17.00	\$	30.00

Special Law Enforcement Officer (Class III)	\$	20.00	\$	30.00
Supervising Special Law Enforcement Officer	\$	22.00	\$	40.00
Temporary Skilled Worker	NJ Prevailing Wage		NJ Prevailing Wage	
Tourism Director	\$	15.00	\$	25.00
Tourism Representative	\$	15.00	\$	20.00
Violations Clerk	\$	15.00	\$	20.00
Yard Attendant	\$	15.00	\$	25.00

SECTION 2. This ordinance shall become effective January 1, 2021.

SECTION 3. The salary for each position named above shall be established within the aforesaid ranges by adoption of a contract with employees of AFSCME Local 1844, AFSCME Local 2792, the Neptune Township Management and Department Heads Association, P.B.A. Local #74, F.O.P. Local #19 or by individual contract for employees not represented by a bargaining unit.

SECTION 4. That all ordinances or parts of ordinances of the Township of Neptune, including Ordinance No. 16-46 in its entirety, in conflict or inconsistent with this ordinance are hereby repealed.

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

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

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Gabriella Siboni  
Township Clerk

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Nicholas Williams  
Mayor

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

**BOND ORDINANCE NUMBER 22-14**

**BOND ORDINANCE PROVIDING FOR THE SIXTH AVENUE AREA SANITARY SEWER REPLACEMENT PROJECT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$950,000 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 \$1,000,000, said amount being inclusive of a down payment in the amount of \$50,000 (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 \$1,000,000 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 \$950,000 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 \$950,000 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 Sixth Avenue Area Sanitary Sewer Replacement Project, including, but not limited to, the replacement of existing sanitary sewer mains and lines and all other related restoration work and 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, environmental testing and remediation, equipment rental and all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the Engineer's Estimate and the associated 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 \$950,000.

(c) The estimated cost of said improvements or purposes is \$1,000,000, 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 \$50,000 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 or otherwise authorized by the Local Bond Law. 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 forty (40) 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 \$950,000 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 \$170,000 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.** 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 28, 2022**

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

**ADOPTED ON SECOND READING**

**DATED: March 14, 2022**

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

**APPROVED AFTER SECOND READING**

**DATED: \_\_\_\_\_, 2022**

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**NICHOLAS WILLIAMS, Mayor**



**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
MONMOUTH COUNTY, 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 28, 2022. 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 14, 2022 at 7:00 p.m. Information regarding remote access to the meeting may be found on the Township's website at [www.neptunetownship.org](http://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 SIXTH AVENUE AREA SANITARY SEWER REPLACEMENT PROJECT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$950,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

**Purpose(s):** The bond ordinance provides for the financing of the Sixth Avenue Area Sanitary Sewer Replacement Project, including, but not limited to, the replacement of existing sanitary sewer mains and lines and all other related restoration work and improvements related thereto.

**Appropriation:** \$1,000,000

**Bonds/Notes Authorized:** \$950,000

**Grant:** None

**Section 20 Costs:** \$170,000

**Useful Life:** 40 years

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

**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
MONMOUTH COUNTY, 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 14, 2022 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 SIXTH AVENUE AREA SANITARY SEWER REPLACEMENT PROJECT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$950,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

**Purpose(s):** The bond ordinance provides for the financing of the Sixth Avenue Area Sanitary Sewer Replacement Project, including, but not limited to, the replacement of existing sanitary sewer mains and lines and all other related restoration work and improvements related thereto.

**Appropriation:** \$1,000,000

**Bonds/Notes Authorized:** \$950,000

**Grant:** None

**Section 20 Costs:** \$170,000

**Useful Life:** 40 years

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

**TOWNSHIP OF NEPTUNE  
MONMOUTH COUNTY, 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 duly called and held on February 28, 2022 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 \_\_\_\_\_, 2022.

(SEAL)

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

**TOWNSHIP OF NEPTUNE  
MONMOUTH COUNTY, 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 14, 2022, 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 \_\_\_\_\_, 2022.

(SEAL)

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

**TOWNSHIP OF NEPTUNE  
MONMOUTH COUNTY, 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 28, 2022 and finally adopted on March 14, 2022.

2. After introduction, the bond ordinance was published as required by law on March \_\_, 2022 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 March \_\_, 2022 and was duly published as required by law on March \_\_, 2022 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 \_\_\_\_\_, 2022.

(SEAL)

---

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

**TOWNSHIP OF NEPTUNE  
MONMOUTH COUNTY, 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 as of February 28, 2022, that such Supplemental Debt Statement was filed in my office on or by February 28, 2022 and with the Director of the Division of Local Government Services on \_\_\_\_\_, 2022.

---

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

**TOWNSHIP OF NEPTUNE  
MONMOUTH COUNTY, 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 SIXTH AVENUE AREA SANITARY SEWER REPLACEMENT PROJECT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$950,000 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 \$50,000, 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 March, 2022.

---

**MICHAEL J. BASCOM,  
Chief Financial Officer**



**TOWNSHIP OF NEPTUNE  
RESOLUTION 22-128**

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

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and,

**WHEREAS**, this public body is of the opinion that such circumstances presently exist,

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

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

**Description of matter:**

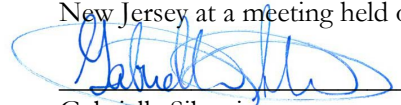
- 1. Personnel Hires
  - o Public Works, Clerk's Office

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

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

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

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

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

TOWNSHIP OF NEPTUNE

RESOLUTION 22-129

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE APPOINTING MEMBERS TO THE ENVIRONMENTAL/ SHADE TREE COMMISSION

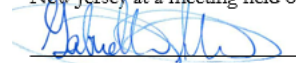
WHEREAS, the following members are being appointed to the Westley Lake Committee:

Board	Term		Position	Expiration	Name
Environmental/ Shade Tree Commission	3 Year	<i>Filling unexpired vacant term</i>	Member	12/31/2022	Diane Allen

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

Board	Term		Position	Expiration	Name
Environmental/ Shade Tree Commission	3 Year	<i>Filling unexpired vacant term</i>	Member	12/31/2022	Diane Allen
Environmental/ Shade Tree Commission	3 Year		Member	12/31/2022	Nadia Holzer
Environmental/ Shade Tree Commission	3 Year		Member	12/31/2023	Paul Bagdanov
Environmental/ Shade Tree Commission	3 Year		Member	12/31/2023	Joseph W. Halifko, III
Environmental/ Shade Tree Commission	3 Year		Member	12/31/2024	Gregory Sharin
Environmental/ Shade Tree Commission	3 Year		Member	12/31/2024	Richard Ambrosio
Environmental/ Shade Tree Commission	3 Year		Member	12/31/2024	William Heyniger
Environmental/ Shade Tree Commission	2 Year	<i>Unexpired term of Diane Allen</i>	Alternation #1	12/31/2022	Vacant
Environmental/ Shade Tree Commission	2 Year		Alternate #2	12/31/2023	Vacant

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

  
Gabriella Siboni  
Township Clerk

**TOWNSHIP OF NEPTUNE**

**RESOLUTION #22-130**

**ACCEPT THE RESIGNATION OF BRIAN DOWNING AS A PER DIEM EMERGENCY  
MEDICAL TECHNICIAN IN THE EMERGENCY SERVICES**

WHEREAS, the Emergency Services Manager has received a letter from Brian Downing resigning as a Per Diem Emergency Medical Technician in the Emergency Services effective February 28, 2022,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of noted above is hereby accepted; and,

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

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



Gabriella Siboni  
Township Clerk

**TOWNSHIP OF NEPTUNE**

**RESOLUTION #22-131**

**AUTHORIZE THE PAYMENT OF BILLS**

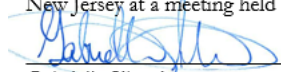
BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following bills be paid if properly certified:

**February 28, 2022 Bill List**

Current Fund	\$8,837,756.24
Grant Fund	\$9,592.11
Trust Other	\$51,657.18
General Capital Fund	\$30,105.10
Sewer Operating Fund	\$40,066.07
Marina Operating Fund	\$5,606.58
Library Trust	\$2,025.14
<b>Bill List Total</b>	<b>\$8,976,808.42</b>

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

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



Gabriella Siboni  
Township Clerk

**TOWNSHIP OF NEPTUNE**

**RESOLUTION #22-132**

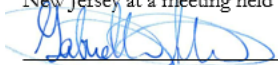
**ACCEPT THE RESIGNATION OF FRED CHARLES KERN AS A CROSSING GUARD IN THE  
POLICE DEPARTMENT**

WHEREAS, the Human Resources Director has received a letter from Fred Charles Kern resigning as a Crossing Guard in the Police Department effective February 23, 2022,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of noted above is hereby accepted; and,

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

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

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

**NEPTUNE TOWNSHIP  
RESOLUTION #22-133**

**RESOLUTION AUTHORIZING RIGHT-OF-ENTRY AGREEMENT BETWEEN NEPTUNE  
TOWNSHIP AND THE NEW JERSEY DEPARTMENT OF TRANSPORTATION**

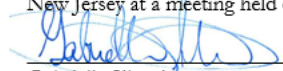
WHEREAS, the New Jersey Department of Transportation (NJDOT) is undertaking road improvements at Rt. 66, Jumping Brook Road, which requires construction of sidewalk and incidental grading within property owned by Neptune Township; and

WHEREAS, the aforesaid undertaking requires a Right-of-Entry Agreement by NJDOT, its officers, employees and contractors for purposes of entering into and onto property owned by Neptune Township. The aforesaid Right-of-Entry Agreement is attached hereto and made a part hereof as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, hereby authorizes a Right-of-Entry Agreement between the Township of Neptune and the NJDOT, a true copy of which is attached hereto and made a part hereof as Exhibit A, subject to all conditions in the aforesaid Agreement with regard to property owned by Neptune Township at Rt. 66, Jumping Brook Road, Neptune Township, New Jersey.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute the aforesaid Agreement, and forward the same to the NJDOT for further approval.

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

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

**TOWNSHIP OF NEPTUNE  
RESOLUTION #22-134**

**RESOLUTION AUTHORIZING JURISDICTIONAL AGREEMENT #4895 BETWEEN NEPTUNE  
TOWNSHIP AND THE STATE OF NEW JERSEY**

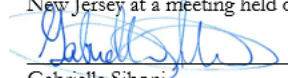
WHEREAS, the State of New Jersey is making improvements along Route 66 from West of Jumping Brook Road to East of Freehold Road involving dualizing Route 66 and construction a 2-lane roundabout to replace an existing signalized intersection; and

WHEREAS, Jurisdictional Agreement #4895 between Neptune Township and the State of New Jersey is necessary for the aforesaid project. The aforesaid Jurisdictional Agreement #4895 is attached hereto and made a part hereof as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, hereby authorizes Jurisdictional Agreement #4895 between the Township of Neptune and the State of New Jersey, a true copy of which is attached hereto and made a part hereof as Exhibit A, subject to all conditions in the aforesaid Agreement with regard to dualizing Rout 66 and the construction of a 2-lane roundabout to replace an existing signalized intersection along Route 66 from West of Jumping Brook Road to East of Freehold Road.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute the aforesaid Agreement, and forward the same to the State of New Jersey for further approval.

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



Gabriella Siboni  
Township Clerk

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-135**

**AUTHORIZE AGREEMENT WITH CUSTOM CONCRETE COATINGS FOR EPOXY FLOOR SURFACING AT NEPTUNE FIRST AID AND SHARK RIVER HILLS FIRST AID IN THE AMOUNT OF \$27,000.00**

WHEREAS, the Purchasing Agent solicited quotes for epoxy floor surfacing at Neptune First Aid and Shark River Hills First Aid; and,

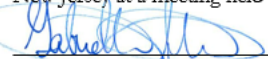
WHEREAS, the cost of said item is less than the bid threshold but exceeds \$17,500.00 and therefore must be awarded by Resolution of the governing body; and,

WHEREAS, said quotes were reviewed by the 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 Epoxy Floor Surfacing at Neptune First Aid and Shark River Hills First Aid is hereby authorized pursuant to their quote of \$27,000.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, Public Works Director, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., and Public Works Director.

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



Gabriella Siboni  
Township Clerk

**Certification of Funds**

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for Custom Concrete Coatings For Epoxy Floor Surfacing At Neptune First Aid And Shark River Hills First Aid In The Amount Of \$27,000.00

Account Name  
Ordinance 21-30

Account Number  
04-215-55-909-020

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

\_\_\_\_\_  
Date



**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-136**

**RESOLUTION AUTHORIZING THE PURCHASE OF REFUSE AND RECYCLING CARTS FOR DEPARTMENT OF PUBLIC WORKS FROM SCHAEFFER SUBCO LLC UNDER HOUSTON GALVESTON AREA COOPERATIVE- HGACBUY CO-OP, CONTRACT # RC01-21 IN AN AMOUNT NOT TO EXCEED \$23,000**

WHEREAS, the Township of Neptune wishes to purchase Refuse and Recycling Carts For Department Of Public Works From Schaeffer SubCo LLC. under Houston Galveston area cooperative- HGACBuy co-op, contract # RC01-21 in an amount not to exceed \$23,000; and

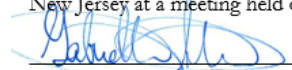
WHEREAS, Schaeffer SubCo LLC, having an address at 10301 Westlake Drive Charlotte, NC 28273, has been awarded under Houston Galveston Co-Op , Contract# RC01-21 for purposes of selling said equipment; and

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

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

1. The purchase of Refuse And Recycling Carts For Department Of Public Works From Schaeffer SubCo LLC Under Houston Galveston Area Cooperative- HGACBuy Co-Op, Contract # RC01-21 In An Amount Not To Exceed \$23,000 is hereby approved.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, Public Works Director, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., and Public Works Director.

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



Gabriella Siboni  
Township Clerk

**Certification of Funds**

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the purchase of Refuse And Recycling Carts For Department Of Public Works From Schaeffer SubCo LLC Under Houston Galveston Area Cooperative- HGACBuy Co-Op, Contract # RC01-21 In An Amount Not To Exceed \$23,000

<b>Account Name</b>	<b>Account Number</b>
Recycling Tonnage Grant	02-213-41-701-020
Clean Communities Grant	02-213-41-725-020

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

\_\_\_\_\_  
Date

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-137**

**RESOLUTION AUTHORIZING AGREEMENT FOR MONTHLY COMPLIANCE INSPECTIONS AND ANNUAL TANK MONITORING CERTIFICATIONS WITH INDEPENDENCE CONSTRUCTORS UNDER NEW JERSEY STATE CONTRACT # 42270 FOR \$17,600**

WHEREAS, the Township of Neptune wishes to authorize an agreement for monthly compliance inspections and annual tank monitoring certifications with Independence Constructors under New Jersey state contract # 42270 for \$17,600.00; and

WHEREAS, Independence Constructors, having an address at 1200 US 22 #2000 Bridgewater Township, NJ 08807, has been awarded under New Jersey State Contract #42270 for purposes of providing such services; and

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

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

1. The agreement for monthly compliance inspections and annual tank monitoring certifications with Independence Constructors under New Jersey state contract # 42270 for \$17,600.00 is hereby approved.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, Public Works Director, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., and Public Works Director.

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

  
Gabriella Siboni  
Township Clerk

**Certification of Funds**

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for an agreement for monthly compliance inspections and annual tank monitoring certifications with Independence Constructors under New Jersey state contract # 42270 for \$17,600.00

<b>Account Name</b>	<b>Account Number</b>
Gasoline OE Budget	01-201-31-460-020

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

\_\_\_\_\_  
Date

**NEPTUNE TOWNSHIP  
RESOLUTION 22-138**

**AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH JOBS4BLUE TO  
ADMINISTER SPECIAL DUTY ASSIGNMENTS FOR TOWNSHIP POLICE OFFICERS**

WHEREAS, the Township of Neptune has established a fee schedule for Special Duty Assignments for Police Officers; and,

WHEREAS, Jobs4Blue offers administrative services that includes engagement with contractors seeking police officer special assignments, account establishment, management of off-duty payment processing, invoicing customers, collection activities, and payments to the Township; and,

WHEREAS, Jobs4Blue will charge an administrative fee of 7% directly to the contractor for year 1 and 8% for years 2 and 3. Jobs4Blue will collect the fees and provide payments to the Township in accordance with the Schedule of Rates authorized by Township Resolution,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an Agreement with Jobs4Blue to administer the Township's Special Duty Assignments for Police Officers which shall be effective March 1, 2022 for a term of three years (February 28, 2025); and,

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

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



Gabriella Siboni  
Township Clerk

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-139**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
AUTHORIZING AN EAGLE SCOUT PROJECT ON TOWNSHIP PROPERTY**


WHEREAS, Thomas Xioachuan Delaney is a life Scout with Spring Lake Troop 31 ; and,

WHEREAS, Mr. Delaney has requested authorization to complete his Eagle Scout Project on the Township Property Shark River Memorial Park; and,

WHEREAS, Mr. Delaney is proposing the repaid of benches, repainting artillery pieces currently present at the park and removal and replacement of a dead tree; and,

Now, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Mr. Delaney be authorized to implement the proposed plan for Eagle Scout Project and that appropriate Township Officials be and are hereby authorized 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 February 28, 2022

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

**TOWNSHIP OF NEPTUNE  
RESOLUTION #140**

**ESTABLISH FEE FOR BEFORE/AFTER CARE IN CONJUNCTION WITH THE SUMMER  
RECREATION PROGRAM**

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following fee schedule is hereby adopted for before and after care in conjunction with 2022 Summer Recreation Program:

**Summer Recreation Program**

Before Care (8:00AM-9:00AM)	\$100.00
After Care (3:00PM-4:00PM)	\$100.00
Fee for picking up child late <i>(After ten minute grace period post program)</i>	\$1.00 per minute

There will be no partial dates of weekly plans. The fee covers all 28 days that the Program is in progress. A minimum of ten (10) registrations are necessary to implement before and after care

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

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



Gabriella Siboni  
Township Clerk

**TOWNSHIP OF NEPTUNE  
RESOLUTION #22-141**

**ESTABLISH FEE SCHEDULE FOR RECREATION FIELD USE**

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following fee schedule is hereby adopted for use of recreation fields for the year 2022; and,

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

**2022 NEPTUNE TOWNSHIP  
Field Use Fees  
(Fees are charged per field)**

Facility	Tier 1	Tier 2	Tier 3
	Resident Schools, Resident Not for-Profits, Neptune Township Departments	Resident Travel Teams, Resident Businesses, Non-Resident Schools, Non-Resident Not-for- Profits	Non-Resident Businesses, For-Profit Organizations & Commercial Entities, Non-Resident Travel Teams
Soccer / Football Field	\$10 per hour	\$15 per hour	\$25 per hour
Beverly Way Softball Field	\$10 per hour	\$15 per hour	\$25 per hour
Bert Willis Softball Field	\$10 per hour	\$15 per hour	\$25 per hour
Jumping Brook Field	\$10 per hour	\$25 per hour	\$40 per hour
Field Lights (in addition to field reserve fee)	\$10 / hour per field	\$15 / hour per field	\$15 / hour per field
Online Reservation Fee	Applicable Fee	Applicable Fee	Applicable Fee


Residency is based on more than 50% of participants living in Neptune Twp.

Travel trumps not-for-profit status.

As per Township contracts, Neptune Soccer Association, Neptune Baseball, and Neptune Flyers Youth Football & Cheer are exempt from field use fees, and have reduced light use fees.

Online Reservation Fee currently not in use.

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

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

**TOWNSHIP OF NEPTUNE  
RESOLUTION 22-142**

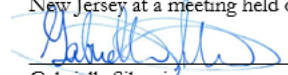
**AUTHORIZE THE TRANSFER OF 2021 BUDGET APPROPRIATION RESERVES #1**

**WHEREAS**, N.J.S.A. 40A-58 permits the transfer of previous year appropriations during the first three months of the fiscal year, and;

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey that the Chief Financial Officer be and is hereby authorized and directed to make the following Budget Appropriation transfer:

<u>Current Fund</u>	<u>To</u>	<u>From</u>
Legal Services OE	\$125,000.00	
Engineer Service S&W		\$30,000.00
Zoning Board of Adjustment OE	\$35,000.00	
Code Enforcement S&W		\$50,000.00
Police S&W		\$50,000.00
EMS S&W		\$30,000.00
Streets and Road S&W		\$30,000.00
Clerk S&W	\$90,000.00	
Electricity OE		\$30,000.00
Solid Waste Disposal OE		\$30,000.00
<b>Total Transfer</b>	<b>\$250,000.00</b>	<b>\$250,000.00</b>

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

  
 Gabriella Siboni  
 Township Clerk

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-143**

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

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

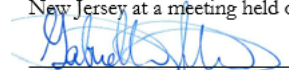
**WHEREAS**, the Township Administrator and the Department Heads involved have recommended the appointments of the following individuals; and

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

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

<u>NAME</u>	<u>DEPT. POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Joe Acerra	CDL Class A Driver	\$35,643.60	3/7/2022

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



Gabriella Siboni  
Township Clerk



**TOWNSHIP OF NEPTUNE  
RESOLUTION #22-144**

**AUTHORIZING AMENDMENT TO RESOLUTION #22-127 AUTHORIZING EMERGENCY  
APPROPRIATIONS CONTRACT FOR SERVICES PURSUANT TO N.J.S.A. 40A:11-6**

WHEREAS, the Municipal Engineer originally indicated to the Chief Financial Officer that an emergent situation had arisen requiring emergency repairs to the sanitary sewer utility located at State Hwy. Rt. 33, within the outside land of the westbound side between Wakefield Road and the exit from Jersey Shore University Medical Center, leading to adoption of Resolution #22-127 authorizing appropriations of \$98,500.00; but since said Resolution was adopted, the Township Engineer has indicated that the contractor has encountered unforeseeable subsurface conflicts and conditions, requiring additional overtime costs of \$12,125.17; and

WHEREAS, N.J.S.A. 40A:11-6 authorizes a municipality to contract for services without public advertising for bids and bidding notwithstanding the contract price exceeding the bid threshold, when an emergency affecting the public health, safety or welfare requires immediate performance of services, and N.J.S.A. 40A:4-46 further authorizes emergency appropriations and N.J.S.A. 40A:4-48 provides that emergency appropriation is further allowed if put together with all prior emergency appropriations made during the same year, and said appropriation does not exceed 3% of the total of current and utility operating appropriations made in the budget, in which case the governing body may, by Resolution, adopt the same by not less than 2/3 vote of its full membership; declaring that an emergency does exist requiring appropriate appropriation and setting forth the emergency in full; and

WHEREAS, the Chief Financial Officer had certified and had provided a statement, the same of which is available in the Clerk's Office of Neptune Township, that Resolution #22-127 did give rise to an emergency, and that no adequate provision was made in the 2022 temporary budget for the aforesaid purpose, and that N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for purposes mentioned above, and the Chief Financial Officer now certifies and provides a statement which will be in the Clerk's Office of Neptune Township that the aforesaid emergency continues with regard to the additional overtime incurred costs sought by the contractor on the same project.

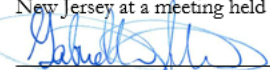
WHEREAS, the total amount of the emergency appropriation created and authorized by Resolution #22-127 was \$98,500.00, and quotes were sought from 3 contractors, namely Earl Asphalt Co., Lucas Construction and Lucas Brothers, Inc., and 3% of the total operating appropriations in the budget is \$1,440,000.00, and the additional cost of \$12,125.17 was an unforeseeable subsurface conflict and condition, and is still within the 3% of the total operating appropriations in the budget.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey (not less than 2/3 of the members thereof affirmatively concurring) and in accordance with the aforesaid State Statutes, that the governing body hereby authorizes the amendment to Resolution #22-127 to provide for an additional cost outlay to the subject contractor in the amount of \$12,125.17 above that which was previously authorized as \$98,500.00, as certified by the Chief Financial Officer and said certification is available in the Clerk's Office of Neptune Township.

BE IT FURTHER RESOLVED, that the aforesaid additional emergency appropriation shall be provided for in full in the 2022 budget.

BE IT FURTHER RESOLVED, that one certified copy of the within Resolution is to be filed with the Director of Local Government Services.

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



Gabriella Siboni  
Township Clerk

**Certification of Funds**

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for emergency contract with Lucas Brothers Inc. for Repair to Sanitary Sewer in an amount not to exceed \$110,625.17 (An increase of \$12,125.17 from resolution 21-127)

**Account Name**  
Ordinance 20-21 Gables Sewer Phase VI

**Account Number**  
08-215-55-591-020

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

\_\_\_\_\_  
Date

**TOWNSHIP OF NEPTUNE**

**RESOLUTION 22-145**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
AWARDING ABHZEEN DESIGN THE VARIOUS CAPITAL IMPROVEMENTS CONTRACT IN  
AN AMOUNT NOT TO EXCEED \$361,540.00 FOR BASE BID AND \$13,750 FOR ALTERNATE,  
TOTAL \$375,290.00**

WHEREAS, the Township of Neptune advertised a notice to bidders on January 27, 2022 requesting bid submissions for the Various Capital Improvements; and

WHEREAS, on February 17, 2022, the Township of Neptune received bids as follows:

<b>Company</b>	<b>Address</b>	<b>Base Bid</b>	<b>Alternate</b>	<b>Total Bid Amount</b>
Abhzeen Design	2152 Whitesville Rd Toms River, NJ 08755	\$361,540.00	\$13,750.00	\$375,540.00

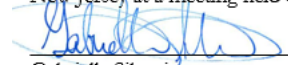
WHEREAS, the Township Engineer has recommended to the Township Committee that the contract be awarded to Abhzeen Design, and;

WHEREAS, the Township Attorney reviewed the proposed submitted by Abhzeen Design and found the same to be legally sufficient

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

1. The Township Committee hereby concurs with the recommendations of the Township Engineer and hereby awards the contract for various capital improvements to Abhzeen Design in a form of contract acceptable to the Township Attorney.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, Public Works Director, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., and Public Works Director.

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



Gabriella Siboni  
Township Clerk

**Certification of Funds**

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the Various Capital Improvements to Abhzeen Design in an amount not to exceed \$375,290.00

<b>Account Name</b>	<b>Account Number</b>
Ordinance 21-30	04-215-55-909-020
Ordinance 21-31	04-215-55-911-020

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

\_\_\_\_\_  
Date