

TOWNSHIP COMMITTEE WORKSHOP MEETING – January 22, 2024 – 6:00 P.M.

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

Township Committee	Present/ Absent	Professionals	Present/ Absent
Keith Cafferty	_____	Gina LaPlaca, Business Administrator	_____
Kevin McMillan	_____	Gabriella Siboni, Township Clerk	_____
Robert Lane, Jr.	_____	Gene Anthony, Township Attorney	_____
Nicholas Williams	_____		
Tassie D. York	_____		

Mayor York announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 5, 2024, 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).

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Special Events Ordinance
2. Food Truck Festival 2024
3. Neptune Day- Date Change to September 14
4. Committee Calendars

TOWNSHIP COMMITTEE MEETING – January 22, 2024 – 7:00 P.M.

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

Township Committee	Present/ Absent	Professionals	Present/ Absent
Keith Cafferty	_____	Gina LaPlaca, Business Administrator	_____
Kevin McMillan	_____	Gabriella Siboni, Township Clerk	_____
Robert Lane, Jr.	_____	Gene Anthony, Township Attorney	_____
Nicholas Williams	_____		
Tassie D. York	_____		

MOMENT OF SILENCE AND FLAG SALUTE

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

Mayor York announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 5, 2024, 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).

APPROVAL OF MINUTES

Motion offered by _____, seconded by _____, to approve the minutes of meetings of January 8, 2024.

COMMENTS FROM THE DAIS

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

REPORT OF THE BUSINESS ADMINISTRATOR

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

PUBLIC COMMENTS ON RESOLUTIONS

The Clerk will announce additional information regarding Separated Resolutions if necessary.

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.

PUBLIC HEARING

PRESENTATION

Green Acres Application for Division Street Park- Property Acquisition

Public Comment on Green Acres Application for Division Street Park- Property Acquisition

Res#24- 069 A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Submission Of Grant Application To The State Of New Jersey Department Of Environmental Protection Green Acres Enabling Resolution

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

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 24-01 An Ordinance To Of The Township Of Neptune To Amend And Supplement Chapter 13 Streets And Sidewalks By Amending Section 1 "Excavation Of Streets And Sidewalks"

Explanatory Statement: This ordinance amends the application information, increases application fees, designates administrative responsibilities and powers to department representatives regarding the excavating and repaving of streets and sidewalks.

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

ORDINANCES FOR FIRST READING

Ordinance 24-02 Ordinance To Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank (N.J.S.A. 40a: 4-45.14)

Explanatory Statement: This ordinance permits the introduction of the annual municipal budget with a maximum increase in total appropriations of 3.5%. This ordinance does not change or negate the 2% tax levy cap.

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

Ordinance 24-03 An Ordinance To Amend Volume I, Chapter Vii Of The Code Of The Township Of Neptune By Adding A Resident Only Handicapped Parking Zone On Heck Ave. And Ocean Pathway

Explanatory Statement: This ordinance adds a resident handicapped parking space at 30 Ocean Pathway and 131 Heck Ave.

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

CONSENT AGENDA

- Res#24- 070** A Resolution Of The Township Committee Of The Township Of Neptune Appointing Members To The Zoning Board Of Adjustment
- Res#24- 071** A Resolution Of The Township Committee Of The Township Of Neptune Appointing Members To The Ocean Grove Sewerage Authority
- Res#24- 072** A Resolution Of The Township Committee Of The Township Of Neptune Appointing Members To The Neptune Township Sewerage Authority
- Res#24- 073** A Resolution Of The Township Committee Of The Township Of Neptune Appointing Members To The Rent Leveling Board
- Res#24- 074** Authorizing Discharge Of Mortgage Held By Neptune Township On Property Located At 162 Myrtle Avenue, Neptune Township, New Jersey, Owned By Brenda F. Davis
- Res#24- 075** Authorizing Bid Opportunity For Vendor Leasing Of Billboard Located At N/S Route 33, W/O Fairview Avenue, Block 342, Lots 11, 12-18, And 24, Neptune Township, New Jersey, Now Identified As Block 2809, Lot 1
- Res#24- 076** A Resolution Of The Township Committee Of The Township Of Neptune Accepting Resignations
- Res#24- 077** Resolution Authorizing The Chief Financial Officer And Other Township Officials To Undertake Certain Actions In Connection With The Issuance Of A Not To Exceed \$712,500 Marina Utility Bond Anticipation Note
- Res#24- 078** Resolution Authorizing The Township Of Neptune To Accept A Subgrant Award Of The Federal Fiscal Year 2023 Of Hazardous Materials Emergency Preparedness Grant Program
- Res#24- 079** Resolution Authorizing Agreement For Purchase Of Playground Equipment For Bradley Park From Marturano Recreation, Inc. Under New Jersey State Co-Op #65mcesccps, Contract # ESCNJ 20/21-06 In An Amount Not To Exceed \$99,505.23
- Res#24- 080** Resolution Authorizing Agreement For Purchase Of Playground Resurfacing For Bradley Park From Rubber Recycle. Under New Jersey State Co-Op #65mcesccps, Contract # ESCNJ 20/21-02 In An Amount Not To Exceed \$63,254.00
- Res#24- 081** Resolution Authorizing Agreement For Monthly Compliance Inspections And Annual Tank Monitoring Certifications From Independence Constructors Under New Jersey State Contract #42270 In An Amount Not To Exceed \$24,000.00
- Res#24- 082** Authorizing The Township Committee Of The Township Of Neptune To Execute Change Order #1 For \$9,732.20 With Grainger. For “Energy Efficient Lighting Upgrades At Library” For A New Contract Total Of \$94,445.67
- Res#24- 083** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain

Personnel Actions- Recreation

- Res#24- 084** Resolution Authorizing Purchase Of Am1100 Enclosed Center Console Boat From Silver Ships Under 5:34-9.7 Use Of General Services Administration’s Federal Supply Schedules In An Amount Not To Exceed \$234,000.00
- Res#24- 085** Accept A Maintenance Guarantee And Release A Performance Bond Filed By Clean Air Company For The Contract “First Aid Building- Source Capture Exhaust Removal System”
- Res#24- 086** Accept A Maintenance Guarantee And Release A Performance Bond Filed By Agate Construction Co. For The Contract “Fletcher Lake Bulkhead”
- Res#24- 087** A Resolution Of The Township Committee Of The Township Of Neptune To Amend Professional Services Agreement To Provide Engineering Services Relating To Phase Ii Public Works Improvement Program Awarded To CME Associates
- Res#24- 088** Authorizing Payment of Bills
- Res#24- 089** Resolution Of The Township Of Neptune Approving Green Village Services, Llc For A Cannabis Business License To Operate As Class 4 Cannabis Distributor Establishment Within The Township Of Neptune
- Res#24- 090** Schedule Neptune Day 2024

CONSENT AGENDA

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

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

ADJOURNMENT

Offered by: _____ Seconded by: _____

Time adjourned: _____

**TOWNSHIP OF NEPTUNE
ORDINANCE NO. 24-01**

**AN ORDINANCE TO OF THE TOWNSHIP OF NEPTUNE TO AMEND AND SUPPLEMENT
CHAPTER 13 STREETS AND SIDEWALKS BY AMENDING SECTION 1 “EXCAVATION OF
STREETS AND SIDEWALKS”**

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

SECTION 1.

§13-1 Excavation of Streets and Sidewalks

§13-1.1 Definition of Department of Engineering & Planning

Whenever in this section reference is made to the "Department of Engineering & Planning" or their designated representative," this shall also mean that in the event there is no Director of Engineering & Planning, this shall then refer to the Assistant Director of Engineering & Planning. **Whenever in this section reference is made to the “Director of Public Works” or their “designated representative,” this shall also mean that in the event there is no Director of Public Works, this shall then refer to the Assistant Director of Public Works.**

§13-1.3 Application Information and Fee

Application forms shall be obtained from the Director of Engineering & Planning, or their designated representative, and shall contain the name and address of the person, firm or corporation making the application, and signed by the applicant or a duly authorized agent, and shall set forth the location where work is to be performed, the character of the work, and the time within which it is to be completed, together with scaled drawings of the proposed work.

- a. For proposed openings less than ninety (90) square feet/ten (10) square yards a non-refundable application fee of ~~fifty (\$50.00)~~ **Two Hundred Fifty (\$250)** dollars payable to the Township of Neptune is required;
- b. For proposed openings greater than ninety (90) square feet/ten (10) square yards a non-refundable application fee of ~~twenty-five (\$25.00)~~ **One Thousand** dollars ~~per one hundred (100) square feet of proposed opening~~ is required.

§13-1.10 Backfilling; Restoration of Surface

The permittee shall assume all responsibility and hold the Township harmless for any property damage or bodily injury which may occur as a result of the work performed from the time the work commences until the permanent restoration has been made by the permittee. The permittee shall immediately backfill the opening with excavated material if such material is suitable, in layers not exceeding two (2') feet in thickness if heavy compacting equipment is used or in layers not exceeding one (1') foot in thickness if hard or light compacting is used. This fill shall be brought to an elevation of six (6") inches below the permanent surface. If the Director of Engineering & Planning, or their designated representative, determines that the excavated material is not suitable for backfilling as specified, then it shall be removed from the site and the opening backfilled as herein specified with suitable material, then six (6") inches of road gravel of a grade satisfactory to the Director of Engineering & Planning, or their designated representative, shall be applied and thoroughly compacted. This temporary restoration shall be checked for settling and all holes shall be filled evenly with the surface of the adjoining pavement.

Once the excavation work area has been properly saw cut, and the backfill tamped and compacted, the permittee shall install no less than six (6") inches of bituminous stabilized base course to the trench surface. If the distance from the edge of the excavation work area to the existing curb is less than two (2') feet, the permittee shall be required to excavate to the curb and evenly install six (6") inches of bituminous stabilized base course in the entire area.

The partially restored pavement shall be allowed to settle for no less than ninety (90) and no more than one hundred eighty (180) days. If at any time during the settlement period, the trench becomes unacceptable as determined by the Director of Engineering & Planning, the permittee shall be notified of the condition requiring repair, and such repair shall be performed within twenty-four (24) hours of such notification by the Director Engineering & Planning. If the repair is not made in the time specified, the Township may make the repair and any cost thereof will be charged against the permittee's cash repair deposit and/or maintenance bond. At the end of the period of time of settlement required by the Department of Engineering & Planning, an inspection shall be performed by the Department.

At this time, the permittee shall be required to mill the excavation work area surface to a width equal to one (1') foot wider on each side of the initial repair and install no less than two (2") inches of FABC surface course. The permittee shall also be required to provide a tack coat on all existing bituminous and concrete surfaces and a hot-poured, rubber asphalt joint sealer (per current DOT Standard Specifications for Roads and Bridges).

Unless authorized by the Department of Engineering & Planning, any excavation less than ninety (90) square feet/ten (10) square yards shall require milling and restoration of the excavation work area extending a minimum of one (1') foot beyond the edge of excavation to the nearest curb. Any excavation equal to or greater than ninety (90) square feet/ten (10) square yards shall require milling and restoration of the excavation work area extending from ~~the center line of road to the curb~~ **curb to curb (full width of road)** and extending a minimum of one (1') foot beyond the outer edges of the excavation. If the excavation work area will be within ~~two hundred (200')~~ **Seventy-five (75')** feet or less of previous excavations occurring within ~~one (1) year~~ **Two (2) Years** of the subject excavation (by same permittee along the same side of the road), the permittee shall be required to mill and restore the roadway between the outer most excavations. **The director of Public Works reserves the right to change the restoration of surface requirements at any time and to extend the restoration limits where feasible to allow for better transition of old asphalt roadways.**

The permittee shall be required to replace any facilities including, but not limited to, curb, pavement, sidewalk, line striping, etc., that is affected by the excavation and restoration work, at the permittee's expense. Such work shall be performed according to Township standards.

~~With Department of Engineering & Planning approval, center line of road milling and restoration may be offset by the distance necessary to avoid disturbing existing line striping or markers.~~

Work that is completed in the public right-of-way, but outside of the cartway, should be restored to existing conditions. If the work contains curb and sidewalk then the area shall be restored with curb and sidewalk in accordance with the Township Engineer's review and recommendations on specifications.

If the work was other than sidewalk, such as slate or pavers, then it shall be restored to slate or pavers or the material that existed prior to excavation.

§13-1.11 Engineering Inspection and Construction Administrative Escrow Fees

~~The permittee shall establish an engineering inspection escrow account with the Township Finance Officer unless specifically waived by the Township of Neptune, by and through the Department of Engineering & Planning, for any proposed permit for over ninety (90) square feet or ten (10) square yards. In the event of a multiple repairs/replacements on the same street or within three (3') feet the openings shall be cumulative and not submitted as separate permits in order to avoid the inspection fee. The account shall be for five (5%) percent of the estimated cost of the project, or five hundred (\$500.00) dollars, whichever is greater. The escrow shall be used by the Township for the reimbursement of engineering fees, inspection fees and other reasonable fees associated with the permittee's project. In the event that charges deplete the escrow account by more than fifty (50%) percent of the original submission, the permittee shall be notified and requested to submit additional escrow sums in sufficient amount to restore the escrow account to not less than seventy-five (75%) percent of the original escrow deposit.~~

Inspection fees for road openings shall be as follows:

- a. **For proposed openings equal to or less than nine (9) square feet/ One (1) square yard, a non-refundable fee of \$100.00 payable to the Township of Neptune is required.**
- b. **For proposed openings less than ninety (90) square feet/ Ten (10) square yards and under one hundred (100) linear feet, a non-refundable inspection fee of \$200.00 payable to the Township of Neptune is required**
- c. **For Proposed opening greater than ninety (90) square feet/ Ten (10) square yards and over one hundred (100) linear feet, a non-refundable inspection fee of \$200.00, plus \$100.00 per one hundred (100) linear feet thereafter payable to the Township of Neptune is required.**

§13-1.12 Emergency Permits

In case of emergency, an emergency permit may be issued by the ~~Police Department of the Township of Neptune,~~ **Director of Public Works or a designated representative** after which an application for a permit, as hereinbefore required, shall be made to the Director of Engineering & Planning, or their designated representative, within forty-eight (48) hours after the work has been commenced. **All emergency work must be approved by the Director of Public Works or a designated representative prior to the start of construction.**

§13-1.14 Excavation of Newly Paved Streets

No street opening permit shall be issued by the Director of Engineering & Planning to any person given notice under this section or their assignees or successors which would allow an excavation or opening in paved and improved street surface less than ~~three (3)~~ **Five (5)** years old unless the applicant can clearly demonstrate that public health or safety requires that the proposed work be permitted or unless an emergency condition exists.

If determined that the roadway needs to be opened in the event of an emergency the penalty shall apply.

The penalty charge shall be on a sliding scale determined as follows:

a.	Penalty assessment	= \$1,000- \$2,500.00
b.	Area of road cut in S.F. x \$5-\$7.00	= Varies
	Total a and b	= Varies

Penalty factor is three (3%) percent of the above total for each unelapsed month or fraction thereof of the three (3) year (36 months) restricted period. Maximum penalty shall be one hundred eight (108%) percent of above total and minimum penalty shall be five hundred (\$500.00) dollars. Inspection and permit fees are payable in addition to the penalty charges set forth herein pursuant to subsection **13-1.13**. No portion of the penalty charge shall be refundable and penalty charges do not relieve the permit holder from the required performance cash bond or the required insurance. Restoration of all road openings in "new street" pavement shall be to a "newly paved" condition. The restoration shall be according to subsection **13-1.10**.

SECTION 2.

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

SECTION 3.

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 4.

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: January 8, 2024
		YAY	NAY	ABSTAIN	ABSENT	
Second	Keith Cafferty	X				_____ Gabriella Siboni, RMC Township Clerk
Motion	Robert Lane, Jr.	X				
	Kevin McMillan				X	
	Nicholas Williams	X				
	Tassie D. York	X				

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

Gabriella Siboni
Township Clerk

Tassie D. York
Mayor

TOWNSHIP OF NEPTUNE

ORDINANCE 24-02

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Neptune in the County of Monmouth finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$401,449.59 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Neptune, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Township of Neptune shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$ 1,405,073.57. and that the CY 2024 municipal budget for the Township of Neptune be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**TOWNSHIP OF NEPTUNE
ORDINANCE NO. 24-06**

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

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

SECTION 1

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

<u>Name of Street</u>	<u>No. Of Spaces</u>	<u>Location</u>
Heck Ave	1	80 feet west of the northwest corner of Heck Ave. and Whitefield Ave.
Ocean Pathway	1	117 Feet west of the Northwest Corner of McClintock Ae. And Beach Ave.

SECTION 2

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

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

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

Gabriella Siboni
Township Clerk

Tassie D. York
Mayor

TOWNSHIP OF NEPTUNE

RESOLUTION 24-069

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

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

WHEREAS, the Township of Neptune desires to further the public interest by obtaining funding in the amount of 344,000.00 in the form of a \$0.00 matching grant and if available, a \$0.00 loan, from the State to fund the following project(s): Division Street Park- Land Acquisition at a cost of \$344,00.00, and;

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

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

NOW, THEREFORE, the Township Committee of the Township of Neptune resolves that Tassie D. York or the successor to the office of Mayor is hereby authorized to:

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

The applicant agrees to provide its matching share to the Green Acres funding request,if a match is required in the amount of \$0.00.

In the event that the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project,

The applicant agrees to comply with all applicable federal, state and local laws, rules, and regulations in its performance of the project and

This resolution shall take effect immediately.

TOWNSHIP OF NEPTUNE

RESOLUTION 24-070

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE APPOINTING MEMBERS TO THE ZONING BOARD OF ADJUSTMENT

WHEREAS, the following members are being appointed to the Zoning Board of Adjustment:

Board	Position	Term	Appointment	Expiration	Name
Zoning Board of Adjustment	Member	4 Year	01/01/2024	12/31/2027	Shane Martins
Zoning Board of Adjustment	Member	4 Year	01/01/2024	12/31/2027	Derel Stroud
Zoning Board of Adjustment	Alternate #1	2 Year	1/1/2023	12/31/2024	Danny Lane
Zoning Board of Adjustment	Alternate #2	2 Year	1/1/2024	12/31/2025	Shawn Weston
Zoning Board of Adjustment	Alternate #3	2 Year	1/1/2023	12/31/2024	
Zoning Board of Adjustment	Alternate #4	2 Year	01/01/2024	12/31/2025	Lisa DiPace

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

Board	Position	Term	Appointment	Expiration	Name
Zoning Board of Adjustment	Member	4 Year	01/01/2024	12/31/2027	Shane Martins
Zoning Board of Adjustment	Member	4 Year	01/01/2024	12/31/2027	Derel Stroud
Zoning Board of Adjustment	Member	4 Year	1/1/2021	12/31/2024	Naomi Riley
Zoning Board of Adjustment	Member	4 Year	1/1/2022	12/31/2025	Michael Pullano
Zoning Board of Adjustment	Member	4 Year	1/1/2022	12/31/2025	Barbara Bascom
Zoning Board of Adjustment	Member	4 Year	1/1/2023	12/31/2026	William Frantz
Zoning Board of Adjustment	Member	4 Year	1/1/2023	12/31/2026	Dr. James W. Brown
Zoning Board of Adjustment	Alternate #1	2 Year	1/1/2023	12/31/2024	Danny Lane
Zoning Board of Adjustment	Alternate #2	2 Year	1/1/2024	12/31/2025	Shawn Weston
Zoning Board of Adjustment	Alternate #3	2 Year	1/1/2023	12/31/2024	
Zoning Board of Adjustment	Alternate #4	2 Year	01/01/2024	12/31/2025	Lisa DiPace

TOWNSHIP OF NEPTUNE

RESOLUTION 24-071

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE APPOINTING MEMBERS TO THE OCEAN GROVE SEWERAGE AUTHORITY

WHEREAS, the following members are being appointed to the Ocean Grove Sewerage Authority:

Board	Position	Term	Appointment	Expiration	Previous appointment
Ocean Grove Township Sewerage Authority	Member	5 Year	2/1/2024	01/31/2029	Joel Popkin

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

Board	Position	Term	Appointment	Expiration	Name
Ocean Grove Township Sewerage Authority	Member	5 Year	2/1/2023	01/31/2028	Denise Liguori
Ocean Grove Township Sewerage Authority	Member	5 Year	2/1/2024	01/31/2029	Joel Popkin
Ocean Grove Township Sewerage Authority	Member	5 Year	2/1/2020	01/31/2025	Wendel Thomas
Ocean Grove Township Sewerage Authority	Member	5 Year	2/1/2021	01/31/2026	Richard Freundlich
Ocean Grove Township Sewerage Authority	Member	5 Year	2/1/2022	01/31/2027	Barbara Burns

TOWNSHIP OF NEPTUNE

RESOLUTION 24-072

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE APPOINTING MEMBERS TO THE NEPTUNE TOWNSHIP SEWERAGE AUTHORITY

WHEREAS, the following members are being appointed to the Neptune Township Sewerage Authority:

Board	Position	Term	Appointment	Expiration	Name
Neptune Township Sewerage Authority	Member	5 Year	2/1/2024	01/31/2029	James Manning, Jr.

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

Board	Position	Term	Appointment	Expiration	Name
Neptune Township Sewerage Authority	Member	5 Year	2/1/2023	01/31/2028	Harry Devine
Neptune Township Sewerage Authority	Member	5 Year	2/1/2024	01/31/2029	James Manning, Jr
Neptune Township Sewerage Authority	Member	5 Year	2/1/2020	01/31/2025	Alonzo Wright
Neptune Township Sewerage Authority	Member	5 Year	2/1/2021	01/31/2026	James Mowczan
Neptune Township Sewerage Authority	Member	5 Year	2/1/2022	01/31/2027	Linda Johnson

TOWNSHIP OF NEPTUNE

RESOLUTION 24-073

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE APPOINTING MEMBERS TO THE RENT LEVELING BOARD

WHEREAS, the following members are being appointed to the Rent Leveling Board:

Board	Position	Term	Appointment	Expiration	Name
Rent Leveling Board	Alternate #1	1 Year	1/1/2024	12/31/2024	Emily Hauser

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

Board	Position	Term	Appointment	Expiration	Name
Rent Leveling Board	Member	1 Year	1/1/2024	12/31/2024	Jim Webb
Rent Leveling Board	Member	1 Year	1/1/2024	12/31/2024	Naomi Riley
Rent Leveling Board	Member	1 Year	1/1/2024	12/31/2024	Wendel Thomas
Rent Leveling Board	Member	1 Year	1/1/2024	12/31/2024	James Manning, Jr
Rent Leveling Board	Member	1 Year	1/1/2024	12/31/2024	Stephen Lella
Rent Leveling Board	Alternate #1	1 Year	1/1/2024	12/31/2024	Emily Hauser

**TOWNSHIP OF NEPTUNE
RESOLUTION NO. 24-074**

**AUTHORIZING DISCHARGE OF MORTGAGE HELD BY NEPTUNE TOWNSHIP ON PROPERTY
LOCATED AT 162 MYRTLE AVENUE, NEPTUNE TOWNSHIP, NEW JERSEY, OWNED BY BRENDA
F. DAVIS**

WHEREAS, the Township of Neptune is the owner and holder of a certain mortgage note totaling \$20,000.00, secured by a certain mortgage for such sum made by Brenda F. Davis to the Township dated December 29, 2014 and recorded January 14, 2015 in the Monmouth County Clerk's Office in Mortgage Book OR-9096, Page 4413, which was based on a loan provided under the Neptune Housing Incentive Fund, which provides closing costs assistance to certain purchasers of property; and

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune that the governing body hereby authorizes the discharge of a mortgage held by Neptune Township with Brenda F. Davis, entered into on December 29, 2014 and recorded January 14, 2015 in the Monmouth County Clerk's Office in Mortgage Book OR-9096, Page 4413, securing a loan for closing costs assistance under the Neptune Housing Incentive Fund, which requires release of the aforesaid mortgage upon payment of the principal in full.

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

TOWNSHIP OF NEPTUNE

RESOLUTION NO. 24-075

AUTHORIZING BID OPPORTUNITY FOR VENDOR LEASING OF BILLBOARD LOCATED AT N/S ROUTE 33, W/O FAIRVIEW AVENUE, BLOCK 342, LOTS 11, 12-18, AND 24, NEPTUNE TOWNSHIP, NEW JERSEY, NOW IDENTIFIED AS BLOCK 2809, LOT 1

WHEREAS, the Township of Neptune entered into a Sign Location Lease on November 7, 2013 with a vendor known as CBS Outdoors, for a billboard then located at N/S Route 33 W/O Fairview Avenue, Block 342, Lots 11, 12-18, and 24 in Neptune Township, now known as Block 2809, Lot 1, for the use of billboard space, at a rental amount of \$1,700.00 per year for a term of ten (10) years, commencing November 1, 2013 and ending October 31, 2023; and

WHEREAS, the aforesaid property was sold by Neptune Township to the Neptune Township Board of Education on May 1, 2014; with a Deed Restriction that allowed Neptune Township to continue to lease the billboard on the subject property to third parties, "for as long as it is desirous of the Grantor," said condition of which survives the transfer of title; and

WHEREAS, it is in the best interest of the Township to continue to lease the aforesaid billboard and to obtain the highest bid for rent for the aforesaid billboard through the bidding process; and

WHEREAS, such leasing arrangement is governed by N.J.S.A. 40A:12-14 and the Local Public Contract Law.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorizes the Township Attorney, Gene J. Anthony, Esq. to prepare a bid package with specifications and advertise for bids through the Clerk's Office, and in accordance with the Local Public Contract Law and N.J.S.A. 40A:12-14, for vendors to lease the subject billboard from the Township.

TOWNSHIP OF NEPTUNE

RESOLUTION 24-076

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

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

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

<u>NAME</u>	<u>DEPARTMENT</u>	<u>POSITION</u>	<u>DATE OF NOTIFICATION</u>	<u>EFFECTIVE DATE OF RESIGNATION</u>
Thomas Wrocklage	Public Works	Assistant Director of Public Works	January 8, 2024	January 31, 2024
Christopher Bedrosian	Environmental/ Shade Tree	Environmental/ Shade Tree Secretary	December 28, 2023	January 1, 2024
Nancy Cole	Code and Construction	Customer Service Representative	January 23, 2024	January 23, 2024

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

TOWNSHIP OF NEPTUNE

RESOLUTION 24-077

RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER AND OTHER TOWNSHIP OFFICIALS TO UNDERTAKE CERTAIN ACTIONS IN CONNECTION WITH THE ISSUANCE OF A NOT TO EXCEED \$712,500 MARINA UTILITY BOND ANTICIPATION NOTE

WHEREAS, the Township of Neptune, in the County of Monmouth, State of New Jersey (the “Township”) is seeking to issue a not to exceed \$712,500 Marina Utility Bond Anticipation Note (the “Note”) to temporarily finance the costs of various marina capital improvements, including, but not limited to, the dredging of the Shark River Municipal Marina Basin in and for the Township; and

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

WHEREAS, such Note shall bear interest at a rate of one per centum (1.00%) per annum, shall be dated January 23, 2024 and shall mature on January 22, 2025; and

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

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

Section 1. Pursuant to and in accordance with Bond Ordinance Number 23-36 finally adopted on October 23, 2023 (the “Marina Utility Bond Ordinance”) (such Marina Utility Bond Ordinance having been duly adopted by the Township Committee, approved by the Mayor and published as required by law), a Marina Utility Bond Anticipation Note of the Township in an aggregate principal amount not to exceed \$712,500 (the “Note”) shall be issued for the purpose of temporarily financing the costs of various marina capital improvements, including, but not limited to, the dredging of the Shark River Municipal Marina Basin in and for the Township.

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

Section 3. The Note shall be dated January 23, 2024 and shall mature on January 22, 2025, shall bear interest from its date, which interest shall be at a rate of one per centum (1.00%) per annum, and shall be in the form attached hereto as Exhibit A.

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

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

Section 6. The authorization, execution, and issuance of the Note and any certificates, documents, instruments or agreements related to the issuance of the Note by Township officials is hereby authorized, *nunc pro tunc*, and any and all prior actions taken by Township officials in connection with such authorization, execution and issuance of the Note and any related documents and certificates are hereby ratified and confirmed, *nunc pro tunc*.

Section 7. This resolution shall take effect immediately.

Upon motion of _____, seconded by _____, the foregoing resolution was adopted by the affirmative vote of the majority of the Township Committee at a regular meeting of the Township Committee duly called and held on the 22nd day of January, 2024 by the following vote:

AYES:

NAYS:

ABSENTEES:

CERTIFICATION

I, GABRIELLA SIBONI, Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the “Township”), DO HEREBY CERTIFY that the annexed resolution is a true, complete and correct copy of a resolution duly adopted by the Township Committee at its meeting duly called and held on January 22, 2024, in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., at which meeting a quorum was present and acting throughout and which resolution has been compared by me with the original thereof as officially recorded in the Minute Book of said Township Committee and that said resolution has not been amended, modified or repealed and is in full force and effect as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Township this ____ day of _____, 2024.

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

EXHIBIT A

FORM OF NOTE

BAN 2024-1

\$712,500

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

MARINA UTILITY BOND ANTICIPATION NOTE

KNOW ALL MEN BY THESE PRESENTS that the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), for value received, hereby acknowledges itself to be indebted and promises to pay to the Sewer Operating Fund of the Township, the registered owner hereof or its registered assigns, on the 22nd day of January, 2025, the principal sum of SEVEN HUNDRED TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$712,500) with interest thereon at the rate of one per centum (1.00%) per annum (computed on the basis of a 360-day year of twelve 30-day months). Both principal of and interest on this Note are payable in lawful money of the United States of America upon presentation and surrender hereof at the Office of the Chief Financial Officer of the Township. The full faith and credit of the Township are hereby irrevocably pledged for the prompt payment of the principal of and interest on this Note as the same become due and payable and, unless paid from other sources, all the taxable property within the Township is subject to the levy of *ad valorem* taxes, without limitation as to rate or amount, for the payment of principal of and interest on this Note.

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

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

This Note is being issued to temporarily finance the costs of various marina capital improvements, including, but not limited to, the dredging of the Shark River Municipal Marina Basin in and for the Township. This Note is authorized to be issued pursuant to the provisions of the Local Bond Law of the State of New Jersey, N.J.S.A. 40A:2-1 *et seq.*, as amended and supplemented, Bond Ordinance Number 23-36 finally adopted on October 23, 2023 (the "Marina Utility Bond Ordinance"), such Marina Utility Bond Ordinance having been duly adopted by the Township Committee, approved by the Mayor and published as required by law, and a resolution duly adopted by the Township Committee of the Township on January 22, 2024.

This Note is issued for a period not exceeding one year and may be renewed from time to time for additional periods, none of which shall exceed one year, but all such notes, including renewals, shall mature and be paid not later than the first day of the fifth month following the close of the tenth fiscal year next following the date of the original note.

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

IN WITNESS WHEREOF, the Township has caused this Note to be signed by its Mayor and Chief Financial Officer and its official seal to be hereunto affixed, imprinted or reproduced and attested to by the Township Clerk, and this Note to be dated the 23rd day of January, 2024.

OF

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

By: **[FORM OF NOTE- DO NOT SIGN]**
TASSIE YORK,
Mayor

(SEAL)

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

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

BAN 2024-1

\$712,500

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

REGISTERED CERTIFICATE

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

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

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

MARINA UTILITY BOND ANTICIPATION NOTE

KNOW ALL MEN BY THESE PRESENTS that the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), for value received, hereby acknowledges itself to be indebted and promises to pay to the Sewer Operating Fund of the Township, the registered owner hereof or its registered assigns, on the 22nd day of January, 2025, the principal sum of SEVEN HUNDRED TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$712,500) with interest thereon at the rate of one per centum (1.00%) per annum (computed on the basis of a 360-day year of twelve 30-day months). Both principal of and interest on this Note are payable in lawful money of the United States of America upon presentation and surrender hereof at the Office of the Chief Financial Officer of the Township. The full faith and credit of the Township are hereby irrevocably pledged for the prompt payment of the principal of and interest on this Note as the same become due and payable and, unless paid from other sources, all the taxable property within the Township is subject to the levy of *ad valorem* taxes, without limitation as to rate or amount, for the payment of principal of and interest on this Note.

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

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

This Note is being issued to temporarily finance the costs of various marina capital improvements, including, but not limited to, the dredging of the Shark River Municipal Marina Basin in and for the Township. This Note is authorized to be issued pursuant to the provisions of the Local Bond Law of the State of New Jersey, N.J.S.A. 40A:2-1 *et seq.*, as amended and supplemented, Bond Ordinance Number 23-36 finally adopted on October 23, 2023 (the "Marina Utility Bond Ordinance"), such Marina Utility Bond Ordinance having been duly adopted by the Township Committee, approved by the Mayor and published as required by law, and a resolution duly adopted by the Township Committee of the Township on January 22, 2024.

This Note is issued for a period not exceeding one year and may be renewed from time to time for additional periods, none of which shall exceed one year, but all such notes, including renewals, shall mature and be paid not later than the first day of the fifth month following the close of the tenth fiscal year next following the date of the original note.

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

IN WITNESS WHEREOF, the Township has caused this Note to be signed by its Mayor and Chief Financial Officer and its official seal to be hereunto affixed, imprinted or reproduced and attested to by the Township Clerk, and this Note to be dated the 23rd day of January, 2024.

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

By: _____
TASSIE YORK,
Mayor

(SEAL)

MICHAEL J. BASCOM,
Chief Financial Officer

GABRIELLA SIBONI,
Township Clerk

BAN 2024-1

\$712,500

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

REGISTERED CERTIFICATE

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

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

SCHEDULE B

Township of Neptune,
County of Monmouth, State of New Jersey
\$712,500 Marina Utility Bond Anticipation Note
Dated: January 23, 2024 Matures: January 22, 2025
Interest Rate: 1.00% per annum
Number: BAN-2024-1
Denomination: 1 at \$712,500
Purchaser: Sewer Operating Fund of the Township of Neptune
Paying Agent: Township of Neptune, in the County of Monmouth, State of New Jersey

Ordinance Number	Description and Date of Final Adoption	Useful Life	Authorization	History of Notes Being Refunded	Other Outstanding Obligations	Proceed Reimburse	Paydowns	New Money	Amount of Notes
23-36 (Marina Utility)	Dredging of Shark River Municipal Marina Basin, finally adopted 10/23/2023	15 years	\$712,500	N/A	N/A	N/A	N/A	\$712,500	\$712,500
								TOTAL	\$712,500

TOWNSHIP OF NEPTUNE

RESOLUTION 24-078

**RESOLUTION AUTHORIZING THE TOWNSHIP OF NEPTUNE TO ACCEPT A
SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2023 OF HAZARDOUS MATERIALS
EMERGENCY PREPAREDNESS GRANT PROGRAM**

WHEREAS, the Township of Neptune Office of Emergency Management has been awarded US Department of Transportation, PHSMa Program 693JK31940030HMEP, Subgrant Award 2023-11 from the New Jersey Department of Law and Public Safety, Office of the Attorney General, and;

WHEREAS, The FFY23 HMEP Planning and Training subgrant, Consisting of \$20,000.00 Federal Award is for the purpose of training employees to respond to accidents and incidents involving hazardous materials and/or develop emergency hazardous incident plans, and;

WHEREAS, the award period is from October 1, 2023 to September 30, 2024; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award; and

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

1. That the Committee accepts the award of the FFY23 Hazardous Materials Emergency Preparedness Grant in the amount of up to \$20,000 federal funds from the US Department of Transportation, PHSMa program for the purpose of training employees to respond to accidents and incidents involving hazardous materials and/or develop emergency hazardous incident plan
2. That the Chief Financial Officer and Director of Emergency Management are authorized to sign the appropriate subgrant award documents.
3. That copies of this resolutions shall be forwarded to the New Jersey State Police, Office of Emergency Management, the City Business Administrator, the Chief Financial Officer and the County Division of Emergency Management and Office of Treasury.

TOWNSHIP OF NEPTUNE

RESOLUTION 24-079

RESOLUTION AUTHORIZING AGREEMENT FOR PURCHASE OF PLAYGROUND EQUIPMENT FOR BRADLEY PARK FROM MARTURANO RECREATION, INC. UNDER NEW JERSEY STATE CO-OP #65MCESCCPS, CONTRACT # ESCNJ 20/21-06 IN AN AMOUNT NOT TO EXCEED \$99,505.23

WHEREAS, the Township of Neptune sought Playground Equipment for Bradley Park from Marturano Recreation, Inc. under New Jersey State Co-Op #65MCESCCPS, contract # ESCNJ 20/21-09 in an amount not to exceed \$99,505.23; and

WHEREAS, Marturano Recreation, Inc., having an address at 2130 NJ 35 Sea Girt, NJ 08750 has been awarded under State Co-Op #65MCESCCPS, Contract# ESCNJ 20/21-06 for purposes of providing such services; and

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

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

1. The Purchase of sought Playground Equipment for Bradley Park from Marturano Recreation, Inc. under New Jersey State Co-Op #65MCESCCPS, contract # ESCNJ 20/21-09 in an amount not to exceed \$99,505.23 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 January 22, 2024.

Gabriella Siboni

Township Clerk

Certification of Funds

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

Account Name

Ord 23-28 Improv to Various Parks

Account Number

04-215-55-927-020

Michael Bascom, Chief Financial Officer

Date

TOWNSHIP OF NEPTUNE

RESOLUTION 24-080

RESOLUTION AUTHORIZING AGREEMENT FOR PURCHASE OF PLAYGROUND RESURFACING FOR BRADLEY PARK FROM RUBBER RECYCLE. UNDER NEW JERSEY STATE CO-OP #65MCESCCPS, CONTRACT # ESCNJ 20/21-02 IN AN AMOUNT NOT TO EXCEED \$63,254.00

WHEREAS, the Township of Neptune sought Playground Resurfacing for Bradley Park from Rubber Recycle under New Jersey State Co-Op #65MCESCCPS, contract # ESCNJ 20/21-02 in an amount not to exceed \$63,254.00; and

WHEREAS, Rubber Recycle., having an address at 1985 Rutgers University Boulevard Lakewood, NJ 08701 has been awarded under State Co-Op #65MCESCCPS, Contract# ESCNJ 20/21-06 for purposes of providing such services; and

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

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

1. The Purchase of sought Playground Resurfacing for Bradley Park from Rubber Recycle under New Jersey State Co-Op #65MCESCCPS, contract # ESCNJ 20/21-02 in an amount not to exceed \$63,254.00 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 January 22, 2024.

Gabriella Siboni

Township Clerk

Certification of Funds

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

Account Name

Ord 23-28 Improv to Various Parks

Account Number

04-215-55-927-020

Michael Bascom, Chief Financial Officer

Date

TOWNSHIP OF NEPTUNE

RESOLUTION 24-081

RESOLUTION AUTHORIZING AGREEMENT FOR MONTHLY COMPLIANCE INSPECTIONS AND ANNUAL TANK MONITORING CERTIFICATIONS FROM INDEPENDENCE CONSTRUCTORS UNDER NEW JERSEY STATE CONTRACT #42270 IN AN AMOUNT NOT TO EXCEED \$24,000.00

WHEREAS, the Township of Neptune wishes to enter an agreement for Monthly Compliance Inspections and annual tank monitoring from Independence Constructions under New Jersey State Contract #42270 for an amount not to exceed \$24,000.00; and,

WHEREAS, Independence Constructors, having an address at 1200 Route 22 East Bridgewater, 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. Agreement for Monthly Compliance Inspections and annual tank monitoring from Independence Constructions under New Jersey State Contract #42270 for an amount not to exceed \$24,000.00 is hereby approved.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., and Business Administrator.

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 January 22, 2024.

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 above named contract.

Account Name
Gasoline OE Budget

Account Number
01-201-31-460-020

Michael Bascom, Chief Financial Officer

Date

**TOWNSHIP OF NEPTUNE
RESOLUTION 24-082**

AUTHORIZING THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE TO EXECUTE CHANGE ORDER #1 FOR \$9,732.20 WITH GRAINGER. FOR “ENERGY EFFICIENT LIGHTING UPGRADES AT LIBRARY” FOR A NEW CONTRACT TOTAL OF \$94,445.67

WHEREAS, on October 10, 2023, the Township Committee adopted Resolution #23-353 which awarded a an agreement to Grainger under New Jersey State Contract in the amount of \$85,000.00 estimated (84,713.47 actual) amount in connection with Energy Efficient Lighting Upgrades to Library, and;

WHEREAS, Change Order #1 reflects a total contract amount change of \$9,732.20, which reflects the following changes:

- Additional Wiring
- Battery Back up

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

WHEREAS, Change Order #1 account for a change in amount of \$9,732.20 has been prepared to reflect an increase in the contract quantities and is a 11.49% change in original contract price, and;

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

WHEREAS, the total new contract price shall be \$94,445.67 after Change Order #1 has been accepted and executed by the Township, and;

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

1. Change Order #1 which increases the contract amount by \$9,732.20 for the contract between the Township of Neptune and Grainger. be executed thereby increasing the new total contract price for the project to \$94,445.67
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, Engineer, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on January 22, 2024.

Gabriella Siboni
Township Clerk

Certification of Funds

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

Account Name	Account Number
<u>Library Trust</u>	<u>29-299-55</u>

Michael Bascom, Chief Financial Officer

Date

TOWNSHIP OF NEPTUNE

RESOLUTION 24-083

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

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

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

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

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

<u>NAME</u>	<u>DEPT. POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Kaitlyn Rochelle	Camp Director	\$26.00/ hour	2/1/2022

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on January 22, 2024

Gabriella Siboni
Township Clerk

Certification of Funds

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

Account Name

Michael Bascom, Chief Financial Officer

Date

TOWNSHIP OF NEPTUNE

RESOLUTION 24-084

RESOLUTION AUTHORIZING PURCHASE OF AM1100 ENCLOSED CENTER CONSOLE BOAT FROM SILVER SHIPS UNDER 5:34-9.7 USE OF GENERAL SERVICES ADMINISTRATION'S FEDERAL SUPPLY SCHEDULES IN AN AMOUNT NOT TO EXCEED \$234,000.00

WHEREAS, the Township of Neptune wishes to purchase an AM1100 Enclosed Center Console Boat from Silver Ships Under 5:34-9.7 Use of General Services Administration's Federal Supply Schedules in an amount no to exceed \$234,000.00; and,

WHEREAS, Silver Ships, having an address at 9243 Bellingrath Road Theodore, AL 36582, has been awarded under New Jersey State Contract #42270 for purposes of providing such services; and,

WHEREAS, A contracting unit statutorily subject to the Local Public Contracts Law, 40A:11-1 et seq., or the Public School Contracts Law, 18A:18A-1 et seq., may use without advertising for bids, or having rejected all bids obtained pursuant to 40A:11-13.2 or 18A:18A-22, as appropriate, the Federal Supply Schedules procurement programs

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

1. Agreement for AM1100 Enclosed Center Console Boat from Silver Ships Under 5:34-9.7 Use of General Services Administration's Federal Supply Schedules in an amount no to exceed \$234,000.00 is hereby approved.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., and Business Administrator.

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 January 22, 2024.

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 above named contract.

Account Name
Ord 23-32

Account Number
05-220-55-932-020

Michael Bascom, Chief Financial Officer

Date

**TOWNSHIP OF NEPTUNE
RESOLUTION 22-152**

**ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND
FILED BY JM HERITAGE FOR SITE IMPROVEMENTS AT BLOCK 2506 LOTS 18.01, 18.02,
18.03 AND 18.04**

WHEREAS, on March 20, 2017 , JM Heritage LLC filed Performance Bond No. 40537, written by the Service Insurance Company in the amount of \$125,064.00, guaranteeing site improvements at Block 2506 Lot 18 (subdivided into Block 2506 Lots 18.01, 18.02, 18.03 and 18.04), and;

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of May 25, 2021 and said performance guarantee can be released; and,

WHEREAS, JM Heritage LLC has filed Maintenance Bond No. 52817 written by The Service Insurance Company, Inc. to serve as a maintenance guarantee of said site improvements for a period of two years; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Maintenance Guarantee as stated above be and is hereby accepted; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee and inspection fee escrow deposited with the Township be and is hereby authorized to be refunded (with \$500.00 being retained for final inspection at the end of the maintenance period); and,

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

**TOWNSHIP OF NEPTUNE
RESOLUTION 24-086**

**ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND
FILED BY AGATE CONSTRUCTION CO. FOR THE CONTRACT “FLETCHER LAKE
BULKHEAD”**

WHEREAS, The Township Committee authorized an agreement with Agate Construction Co for the Fletcher Lake Bulkhead On March 13, 2023 by resolution 23-118. Subsequently, the Township authorized change orders by resolutions 23-281, resolution 23-373 and resolution 23-374 , and;

WHEREAS, upon production of the contract, Agate Construction Co. submitted a performance bond for the work contracted to be completed.

WHEREAS, the Township Engineer has certified that all work required under the contract has been completed in a satisfactory manner as of January 2024 and said performance guarantee can be released; and,

WHEREAS, Agate Construction Co has filed Maintenance Bond No. 30184691M written by The Western Surety Company, Inc. to serve as a maintenance guarantee of said site improvements for a period of two years; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Maintenance Guarantee as stated above be and is hereby accepted.

TOWNSHIP OF NEPTUNE

RESOLUTION 24-087

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
TO AMEND PROFESSIONAL SERVICES AGREEMENT TO PROVIDE ENGINEERING
SERVICES RELATING TO PHASE II PUBLIC WORKS IMPROVEMENT PROGRAM
AWARDED TO CME ASSOCIATES**

WHEREAS, Resolution 22-150 “Resolution Authorizing The Professional Services Agreement With Cme Associates For Engineering Services Relating To Phase II (2022) Public Works Facility Improvement Program In An Amount Not To Exceed \$55,820.00” was adopted by the Township Committee on June 14, 2021, and;

WHEREAS, an amendment to this agreement is necessary to provide continued engineering services for the project including Design Phase Services, Bid Phase Services, and Construction Administration Phase Services, and;

WHEREAS this amendment requires \$22,230.00 in addition to the originally proposed agreement of \$55,820.00, and;

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

1. The amendment to the professional services agreement with CME Associates for engineering services related to Phase II Public works Facility for an additional \$22,230.00 in addition to the originally proposed agreement of \$55,820.00, for a total contract not to exceed \$78,050 is hereby approved.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, Chief Financial Officer and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer and Qualified Purchasing Agent..

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on January 22, 2024

Gabriella Siboni
Township Clerk

Certification of Funds

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the agreement described above

Account Name

Account Number

Michael Bascom, Chief Financial Officer

Date

TOWNSHIP OF NEPTUNE

RESOLUTION #24-088

AUTHORIZING THE PAYMENT OF BILLS

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

January 22, 2024, BILL LIST

Current Fund	\$5,934,629.00
Grant Fund	\$23,407.03
Trust Other	\$47,711.73
General Capital	\$156,047.82
Sewer Operating Fund	\$157,703.85
Sewer Capital Fund	\$0.00
Marina Operating Fund	\$9,793.44
Marina Capital Fund	\$109,946.20
Dog Trust	\$0.00
Library Trust	\$0.00
Payroll Fund	\$947,892.64
Bill List Total	\$7,387,131.71

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

TOWNSHIP OF NEPTUNE

RESOLUTION 24-089

RESOLUTION OF THE TOWNSHIP OF NEPTUNE APPROVING GREEN VILLAGE SERVICES, LLC FOR A CANNABIS BUSINESS LICENSE TO OPERATE AS CLASS 4 CANNABIS DISTRIBUTOR ESTABLISHMENT WITHIN THE TOWNSHIP OF NEPTUNE

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

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

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

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

WHEREAS, Green Village Services, LLC wishes to operate as a distributor cannabis establishment, and specifically as a Class 4 Cannabis Distributor within the Township of Neptune;

WHEREAS, on February 28, 2022, the Neptune Township Committee passed Ordinance 22-10, which allows for Green Village Services, LLC to operate as distributor cannabis establishment within the Township of Neptune, including specifically as a “Class 4 Cannabis Distributor”; and

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

1. The aforesaid recitals are incorporated herein as if set forth at length;
2. Green Village Services, LLC is registered to do business in the State of New Jersey and is authorized to operate as Class 4 Cannabis Distributor by the CRC;
3. The issuance of a license to Green Village Services, LLC by the State operate as distributor use cannabis establishment by the CRC will not exceed any limits placed on the number of licensed cannabis establishments permitted to operate within the municipality;

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

TOWNSHIP OF NEPTUNE

RESOLUTION 24-090

SCHEDULE NEPTUNE DAY 2024

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Recreation Department be and is hereby authorized to conduct the annual Neptune Day on Saturday, September 14, 2024 (Rain Date September 15, 2024); and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Recreation Department, Public Works Department, and Police Department.