

TOWNSHIP COMMITTEE WORKSHOP MEETING – October 15, 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
	_____	Gina LaPlaca, Business Administrator	_____
Robert Lane, Jr.	_____	Gabriella Siboni, Township Clerk	_____
Kevin McMillan	_____	Gene Anthony, Township Attorney	_____
Derel Stroud	_____		
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. Rethink Disposable Ordinance
2. Speed Limit Changes in Ocean Grove
3. Committee Calendars

Res #24- 387 Authorize An Executive Session As Authorized By The Open Public Meetings Act.

Offered by: _____ Seconded by: _____
Vote: _____ Lane _____ McMillan _____ Stroud _____ York _____

TOWNSHIP COMMITTEE MEETING – October 15, 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
Robert Lane, Jr.	_____	Gina LaPlaca, Business Administrator	_____
Kevin McMillan	_____	Gabriella Siboni, Township Clerk	_____
Derel Stroud	_____	Gene Anthony, Township Attorney	_____
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).

CONSIDERATION OF SEPARATE RESOLUTIONS

Public comments regarding resolutions 24-388 and 24-389 only. The public will be permitted one visit to the microphone with a limit of five minutes.

Res#24- 388 Resolution Appointing Acting Clerk Katrina Thornton As Temporary Substitute For Clerk And Deputy Clerk For Neptune Township

Offered by: _____ Seconded by: _____
Vote: _____ Lane _____ McMillan _____ Stroud _____ York _____

Res#24- 389 Resolution To Fill The Vacancy Of Keith Cafferty

Offered by: _____ Seconded by: _____
Vote: _____ Lane _____ McMillan _____ Stroud _____ York _____

PRESENTATION

Mayor York introduces the Neptune Township Youth Advisory Committee

APPROVAL OF MINUTES

Motion offered by Committeeperson _____, seconded by, Committeeperson _____, to approve the minutes of meetings of September 23, 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.

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 24-31 Ordinance Amending Section 412 Of The Land Development Ordinance

Explanatory Statement: This ordinance amends the regulations and restriction pertaining to livestock; specifically adding prohibitions to all livestock and restrictions on the harboring of chickens.

Offered by: _____ Seconded by: _____
Vote: _____ Lane _____ McMillan _____ Stroud _____ York _____

Ordinance 24-34 An Ordinance Of The Township Of Neptune Establishing Minimum Stormwater Management Requirements And Controls For “Major Developments”

Explanatory Statement: The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development,”

Offered by: _____ Seconded by: _____
Vote: _____ Lane _____ McMillan _____ Stroud _____ York _____

Ordinance 24-35 Bond Ordinance Providing For The Acquisition Of Various Parcels Of Real Property Within The West Lake Avenue Redevelopment Area, The Demolition Of Improvements Thereon, And The Restoration Of Such Real Property, By And In The Township Of Neptune, In The County Of Monmouth, State Of New Jersey; Appropriating \$700,000 Therefor And Authorizing The Issuance Of \$665,000 Bonds Or Notes Of The Township To Finance Part Of The Cost Thereof

Explanatory Statement: The bond ordinance provides for the financing of the acquisition of and payment of the purchase price for various parcels of real property within the West Lake Avenue Redevelopment Area in the Township, located at Block 602, Lots 14 and 15 on the official tax map of the Township, also known as 1509 West Lake Avenue and 1515 West Lake Avenue (collectively, the “West Lake Redevelopment Properties”), including the demolition of improvements, if any, currently existing on the West Lake Redevelopment Properties and the restoration of such West Lake Redevelopment Properties.

Offered by: _____ Seconded by: _____
Vote: _____ Lane _____ McMillan _____ Stroud _____ York _____

Ordinance 24-36 Bond Ordinance Providing For The Development Of, And Improvements To, The Welsh Farms Property, By And In The Township Of Neptune, In The County Of Monmouth, State Of New Jersey; Appropriating \$500,000 Therefor (Including A \$326,000 Grant Received Or Expected To Be Received From The Monmouth County Open Space Trust Fund) And Authorizing The Issuance Of \$165,300 Bonds Or Notes Of The Township To Finance Part Of The Cost Thereof

Explanatory Statement: The bond ordinance provides for the financing of the development of, and improvements to, the Welsh Farms property located on Old Corlies Avenue in the Township, also known as Block 3001, Lot 14 on the official tax map of the Township, including, but not limited to, the acquisition, construction, and installation, as applicable, of walking paths, outdoor gaming areas, fitness areas, a picnic pavilion, benches, fencing, gardens and landscaping features, and other related improvements.

Offered by: _____ Seconded by: _____
Vote: _____ Lane _____ McMillan _____ Stroud _____ York _____

Ordinance 24-38 Refunding Bond Ordinance Authorizing The Issuance Of Not To Exceed \$3,210,000 Principal Amount Of General Obligation Refunding Bonds By The Township Of Neptune, In The County Of Monmouth, State Of New Jersey (The “Township”), To The Monmouth County Improvement Authority (The “Mcia”) For The Purpose Of Refunding Certain Bonds Previously Issued By The Township To The Mcia

Explanatory Statement: To generate debt service savings to the Township on bonds previously issued to the MCLA in 2013 and 2014.

Offered by: _____ Seconded by: _____
Vote: _____ Lane _____ McMillan _____ Stroud _____ York _____

ORDINANCES FOR FIRST READING

Ordinance 24-39 An Ordinance To Amend Volume I, Chapter Vii Of The Code Of The Township Of Neptune By Adding And Removing Resident Only Handicapped Parking Zones

Explanatory Statement: This ordinance adds a resident only handicap parking stall for 70 Cookman Ave. and removed a stall for 145 Main

Ave.

Offered by: _____ Seconded by: _____
Vote: _____ Lane _____ McMillan _____ Stroud _____ York _____

Ordinance 24-40 An Ordinance Authorizing The Acquisition By Purchase Or Condemnation Of The Real Property Located At 1509 & 1515 West Lake Avenue, Block 602/ Lots 14 & 15 (Alpha Liquor Store) As Set Forth On The Tax Map Of The Township Of Neptune, County Of Monmouth, New Jersey

Explanatory Statement: This ordinance authorizes the Township Committee to purchase or condemn property at 1509 and 1515 West Lake Ave. Block 602 Lots 14 and 15.

Offered by: _____ Seconded by: _____
Vote: _____ Lane _____ McMillan _____ Stroud _____ York _____

CONSENT AGENDA

Mayor asks if the Committee would like to pull any resolution from the consent agenda for separate consideration.

- Res#24- 388** A Resolution Of The Township Committee Of The Township Of Neptune Acknowledging Mayoral Appointments To The Planning Board
- Res#24- 389** Place Lien On Various Properties
- Res#24- 390** A Resolution Of The Township Committee Of The Township Of Neptune Accepting Resignations
- Res#24- 391** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing The Rates For Non- Residential Containerized Garbage Collection Upon Request
- Res#24- 392** Authorize Shared Service Agreement With County Of Monmouth Neptune Township To Provide Community Rating System Project Management Software
- Res#24- 393** Authorize Extension Of Shared Service Agreement With The Borough Of Avon-By-The-Sea For Emergency Medical Services
- Res#24- 394** Authorize Shared Service Agreement With The Borough Of Bradley Beach For Salt Storage Facility
- Res#24- 395** Release A Performance Bond Filed By St. George’s Cemetery For Site Improvements At Block 1402 Lot 2
- Res#24- 396** A Resolution To Request A Change In Title, Text Or Amount Of Appropriations Pursuant To N.J.S.A. 40a:4-85
- Res#24- 397** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing A Chapter 159 Budget Amendment To Insert Revenue Received For Cops Hiring Program
- Res#24- 398** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing A Chapter 159 Budget Amendment To Insert Revenue Received For BJA Patrick Leahy Bulletproof Vest Partnership
- Res#24- 399** Authorizing the Payment of Bills
- Res#24- 400** A Resolution Of The Township Committee Of The Township Of Neptune Acknowledging Mayoral Appointments To The Planning Board
- Res#24- 401** Place Lien On Various Properties

CONSENT AGENDA

Offered by: _____ Seconded by: _____
Vote: _____ Lane _____ McMillan _____ Stroud _____ York _____

SEPARATED RESOLUTIONS

- Res#24- 402** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions

Offered by: _____ Seconded by: _____
Vote: _____ Lane _____ McMillan _____ Stroud _____ York _____

Res#24- 403 A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Reclassification

Offered by: _____ Seconded by: _____
Vote: _____ Lane _____ McMillan _____ Stroud _____ York _____

Res#24- 404 Resolution Of The Township Committee, Township Of Neptune, Monmouth County, New Jersey Authorizing The Processing Of An Involuntary Disability Retirement Application For Officer Ryan Chippendale

Offered by: _____ Seconded by: _____
Vote: _____ Lane _____ McMillan _____ Stroud _____ 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

RESOLUTION 24-387

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

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

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

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

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

Description of matter:

1. Employment and Personnel
 - a. New Hires, Reclassifications, Personnel Disciplinary Actions
2. Pending or anticipated litigation
 - a. Milmo v. Neptune

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

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

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

NEPTUNE TOWNSHIP

ORDINANCE #24-31

ORDINANCE AMENDING SECTION 412 OF THE LAND DEVELOPMENT ORDINANCE

BE IT ORDAINED by the Township of Neptune of the County of Monmouth in the State of New Jersey that the Land Development Ordinance, §412, shall be amended as follows:

§412.24 Prohibition to Livestock in any Zone in Neptune Township Except for Chickens

(a) Purpose

The purpose of this Ordinance is to prohibit the keeping, breeding and raising of livestock within the boundaries of Neptune Township to promote public health, safety and welfare.

(b) Definition

Livestock shall mean animals typically kept for agriculture, breeding or recreational purposes, including but not limited to horses, cows, pigs, goats, sheep, chickens, ducks, turkeys, geese, llamas, alpacas and other farm animals.

(c) Prohibition

No person shall keep, breed or raise livestock within the boundaries of Neptune Township. This prohibition applies to all zoning districts within Neptune Township, including residential, commercial, industrial and any other designated zoning areas.

(d) Exemptions

(1) Veterinary clinics, animal hospitals and animal shelters operated in compliance with all applicable local, state and federal regulations.

(2) Temporary agricultural events such as fairs, petting zoos or educational exhibits provided that property permits are obtained from the Township and the events comply with all health and safety regulations.

(3) Existing livestock operations that have been lawfully established prior to the enactment of this Ordinance may continue to operate under a grandfather clause, provide they comply with all relevant health and safety regulations. However, any expansion or increase in the number of livestock shall be prohibited.

(4) Keeping of chickens on resident lots less than five acres. Chickens may be kept and maintained on single-family residential lots as an accessory use on lots less than five acres, provided a Zoning Permit is first obtained from the Zoning Officer and subject to the following requirements:

(a) No more than four (4) chickens shall be kept per residential lot.

(b) No person shall keep a rooster or male chicken on any lot of less than five acres.

(c) No person who rents the property where chickens are proposed to be kept or maintained may obtain a Zoning Permit without first receiving written permission from an owner of the property. Such written permission shall be provided to the Zoning Officer.

(d) On properties where the owner is keeping the chickens, the Zoning Permit shall terminate in the case of change in ownership. On properties that are rented, and the tenants are keeping the chickens, the Zoning Permit shall terminate on the change of tenant.

(e) Applicants for a Zoning Permit for the keeping of chickens shall present as a part of the Zoning Permit Application proof of an education class on the keeping of

poultry. The only classes acceptable shall be those attended in person. Online classes will not qualify, unless there are no classes offered in person.

- (f) Having received a Zoning Permit, a Permit License shall be obtained from the Township Clerk annually at a fee of \$25.00; regardless of the amount of chickens maintained. The Township Clerk shall have the authority to determine the paperwork, filing deadlines and procedures governing this licensing.
- (g) No person shall keep or maintain chickens for consumption or sale. Chickens may not be slaughtered on the property.
- (h) Chickens shall be kept in a roofed shelter or coop, which shall provide a minimum of three square feet per adult bird, and shall also include a fully enclosed fenced chicken run that provides a minimum of five square feet per adult bird. The run shall be attached to the coop such that chickens are at not time outside of both the coop and run. The shelter/coop shall be counted as part of the accessory structure percentage which shall, in total, not exceed 1% of the subject property.
- (i) Chickens are not permitted to roam freely beyond the limits of the shelter/coop or chicken run.
- (j) The chicken shelter shall be bird, rat and predator proof, and designated to be visually compatible with the residential area.
- (k) Chain-link, metal wire or mesh fence shall fully enclose the chicken run and be securely constructed with fence or netting overhead to keep the chickens separated from other animals. Chicken run fencing shall not exceed an eight of six feet.
- (l) A chicken shelter/coop and chicken run are only permitted in the rear yard and shall comply with the accessory structure setbacks for the zone, but in no case shall be less than seven feet from the adjoining property line.
- (m) In no case shall a chicken shelter/coop or chicken run be located closer than 30 feet to any dwelling on an adjoining lot.
- (n) The chicken shelter/coop shall comply with applicable impervious and building coverage standards for the zone.
- (o) The fenced chicken run shall be well drained so that there is no accumulation of moisture. The floors and walls of the check shelter or coop shall be kept in a clean and sanitary conditions, with all dropping collected at least weekly. Dropping shall be kept in a cover and secured metal container until disposed of or transported off-premises.
- (p) All chicken feed shall be kept in a covered and secured metal container off of the ground and inside of the coop. All feedings shall occur inside of the coop and not in the chicken run.
- (q) Permits shall be obtained for the chicken shelter/coop: construct, electric and plumbing; as applicable. Electric lines shall be installed underground. Electrical connections to a coop must be done by permit and be permanent in nature.
- (r) If, for any reason, an applicant no longer keeps and raises chickens, they shall be removed from the property in a humane manner.

(e) Enforcement and Penalties

- (1) The Neptune Township Code Enforcement Officer, Zoning Officer, Animal Control Officer, or any other designated Township Official shall have the authority to enforce this Ordinance.
- (2) Any person found to be in violation of this Ordinance shall be subject to the following penalties:
 - (1) A fine not exceeding \$500.00 for the first offense.
 - (2) A fine not exceeding \$1,000.00 for the second offense.

(3) A fine not exceeding \$2,000.00 for the third offenses, or imprisonment for a term not exceeding 90 days; or both.

(f) Severability

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

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

BE IT FURTHER ORDAINED, The amended Ordinance shall become effective immediately upon its final passage and publication as required by law.

Motion/ Second	Roll Call To Adopt On First Reading				Adopted on First Reading Dated: August 12, 2024
	YAY	NAY	ABSTAIN	ABSENT	
		X			
Second		X			
		X			
Motion		X			_____ Gabriella Siboni, RMC Township Clerk
		X			

Motion/ Second	Roll Call To Adopt On Second and Final Reading				Adopted on Second Reading Dated: September 23, 2024
	YAY	NAY	ABSTAIN	ABSENT	
					_____ Gabriella Siboni, RMC Township Clerk

TOWNSHIP OF NEPTUNE

ORDINANCE 24-34

**AN ORDINANCE OF THE TOWNSHIP OF NEPTUNE ESTABLISHING
MINIMUM STORMWATER MANAGEMENT REQUIREMENTS AND
CONTROLS FOR “MAJOR DEVELOPMENTS”**

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:

Stormwater Control

Section I. Scope and Purpose:

A. Policy Statement

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

B. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development,” as defined below in Section II.

C. Applicability

1. This ordinance shall be applicable to the following major developments:
 - a. Non-residential major developments; and
 - b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This ordinance shall also be applicable to all major developments undertaken by Township of Neptune.
3. An application required by ordinance pursuant to (C)1 above that has been submitted prior to September 9, 2024, shall be subject to the stormwater management requirements in effect September 8, 2024.
4. An application required by ordinance for approval pursuant to (C)1 above that has been submitted on or after March 2, 2021, but prior to September 9, 2024, shall be subject to the stormwater management requirements in effect on September 8, 2024.

D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

Section II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

“CAFRA Centers, Cores or Nodes” means those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

“CAFRA Planning Map” means the map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).

“Community basin” means an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

“Compaction” means the increase in soil bulk density.

“Contributory drainage area” means the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

“Core” means a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

“County review agency” means an agency designated by the County Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency or
2. A county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

“Department” means the Department of Environmental Protection.

“Designated Center” means a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

“Design engineer” means a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq.*

In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act , N.J.S.A 4:1C-1 *et seq.*

“Disturbance” means the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

“Drainage area” means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

“Environmentally constrained area” means the following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

“Environmentally critical area” means an area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

“Empowerment Neighborhoods” means neighborhoods designated by the Urban Coordinating Council “in consultation and conjunction with” the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.

“Erosion” means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

“Green infrastructure” means a stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

"HUC 14" or "hydrologic unit code 14" means an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

“Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

“Infiltration” is the process by which water seeps into the soil from precipitation.

“Lead planning agency” means one or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

“Major development” means an individual “development,” as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;
2. The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;
3. The creation of one-quarter acre or more of “regulated motor vehicle surface” since March 2, 2021; or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of “major development” but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development.”

“Motor vehicle” means land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

“Motor vehicle surface” means any pervious or impervious surface that is intended to be used by “motor vehicles” and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, race-tracks, and runways.

“Municipality” means any city, borough, town, township, or village.

“New Jersey Stormwater Best Management Practices (BMP) Manual” or “BMP Manual” means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department’s determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with Section IV.F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

“Node” means an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

“Nutrient” means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

“Person” means any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.

“Pollutant” means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 *et seq.*)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. “Pollutant” includes both hazardous and nonhazardous pollutants.

"Public roadway or railroad" means a pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.

“Public transportation entity” means a Federal, State, county, or municipal government, an independent State authority, or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c. 90 (N.J.S.A. 40A:11-52 *et seq.*), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction, or improvement of a public roadway or railroad.

“Recharge” means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

“Regulated impervious surface” means any of the following, alone or in combination:

1. A net increase of impervious surface;
2. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a “new stormwater conveyance system” is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

“Regulated motor vehicle surface” means any of the following, alone or in combination:

1. The total area of motor vehicle surface that is currently receiving water;
2. A net increase in motor vehicle surface; and/or
quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

“Sediment” means solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

“Site” means the lot or lots upon which a major development is to occur or has occurred.

“Soil” means all unconsolidated mineral and organic material of any origin.

“State Development and Redevelopment Plan Metropolitan Planning Area (PA1)” means an area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State’s future redevelopment and revitalization efforts.

“State Plan Policy Map” is defined as the geographic application of the State Development and Redevelopment Plan’s goals and statewide policies, and the official map of these goals and policies.

“Stormwater” means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

“Stormwater management BMP” means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

“Stormwater management measure” means any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or

to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

“Stormwater runoff” means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

“Stormwater management planning agency” means a public body authorized by legislation to prepare stormwater management plans.

“Stormwater management planning area” means the geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

“Tidal Flood Hazard Area” means a flood hazard area in which the flood elevation resulting from the two-, 10-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

“Urban Coordinating Council Empowerment Neighborhood” means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

“Urban Enterprise Zones” means a zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

“Urban Redevelopment Area” is defined as previously developed portions of areas:

1. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
2. Designated as CAFRA Centers, Cores or Nodes;
3. Designated as Urban Enterprise Zones; and
4. Designated as Urban Coordinating Council Empowerment Neighborhoods.

“Water control structure” means a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

“Waters of the State” means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

“Wetlands” or “wetland” means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Section III. Design and Performance Standards for Stormwater Management Measures

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
 - 1. The minimum standards for erosion control are those established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
 - 2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

Section IV. Stormwater Management Requirements for Major Development

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section X.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlbergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV.P, Q and R:
 - 1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 - 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 - 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV.O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
 - 1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;

2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section IV.O, P, Q and R to the maximum extent practicable;
 3. The applicant demonstrates that, in order to meet the requirements of Section IV.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
 4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under IV.D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Section IV.O, P, Q and R that were not achievable onsite.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Section IV.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department’s website at:
- <https://dep.nj.gov/stormwater/bmp-manual/>.
- F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

Table 1 Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Cistern	0	Yes	No	--
Dry Well ^(a)	0	No	Yes	2
Grass Swale	50 or less	No	No	2 ^(e) 1 ^(f)
Green Roof	0	Yes	No	--
Manufactured Treatment Device ^{(a) (g)}	50 or 80	No	No	Dependent upon the device

Pervious Paving System ^(a)	80	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Bioretention Basin ^(a)	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Infiltration Basin ^(a)	80	Yes	Yes	2
Small-Scale Sand Filter	80	Yes	Yes	2
Vegetative Filter Strip	60-80	No	No	--

(Notes corresponding to annotations ^(a) through ^(g) are found after Table 1, 2, and 3)

Table 2 Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3)				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Bioretention System	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Infiltration Basin	80	Yes	Yes	2
Sand Filter ^(b)	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond ^(d)	50-90	Yes	No	N/A

(Notes corresponding to annotations ^(b) through ^(d) are found after Table 1, 2, and 3)

Table 3 BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device ^(b)	50 or 80	No	No	Dependent upon the device
Sand Filter ^(c)	80	Yes	No	1
Subsurface Gravel Wetland	90	No	No	1
Wet Pond	50-90	Yes	No	N/A

(Notes corresponding to annotations ^(b) through ^(d) are found after Table 1, 2, and 3)

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Section IV.O.2;
 - (b) designed to infiltrate into the subsoil;
 - (c) designed with underdrains;
 - (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
 - (e) designed with a slope of less than two percent;
 - (f) designed with a slope of equal to or greater than two percent;
 - (g) manufactured treatment devices that meet the definition of green infrastructure at Section II;
 - (h) manufactured treatment devices that do not meet the definition of green infrastructure at Section II.
- G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section VI.B. Alternative stormwater management measures may be used to satisfy the requirements at Section IV.O only if the measures meet the definition of green infrastructure at Section II. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section O.2 are subject to the contributory drainage area limitation specified at Section O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from Section IV.O.
- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.

- I. Design standards for stormwater management measures are as follows:
 - 1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
 - 2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section VIII.C;
 - 3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
 - 4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section VIII; and
 - 5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.

- J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section II may be used only under the circumstances described at Section IV.O.4.

- K. Any application for a new agricultural development that meets the definition of major development at Section II shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Sections IV.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.

- L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.

- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the Clerk of the County of Monmouth. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section

IV.O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Section X.B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.

N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section IV of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the Clerk of the County of Monmouth and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

O. Green Infrastructure Standards

1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
2. To satisfy the groundwater recharge and stormwater runoff quality standards at Section IV.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section IV.F. and/or an alternative stormwater management measure approved in accordance with Section IV.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

Best Management Practice	Maximum Contributory Drainage Area
Dry Well	1 acre
Manufactured Treatment Device	2.5 acres
Pervious Pavement Systems	Area of additional inflow cannot exceed three times the area occupied by the BMP
Small-scale Bioretention Systems	2.5 acres
Small-scale Infiltration Basin	2.5 acres
Small-scale Sand Filter	2.5 acres

3. To satisfy the stormwater runoff quantity standards at Section IV.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Section IV.G.
4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Section IV.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.P, Q and R.
5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Section IV.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Section IV.D.

P. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section V, either:
 - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the projected 2-year storm, as defined and determined pursuant to Section V.D of this ordinance, is infiltrated.

3. This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
 - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan approved pursuant to the Administrative Requirements for the Remediation of Contaminated Sites rules, N.J.A.C. 7:26C, or Department landfill closure plan and areas; and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - ii. Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - i. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
 - ii. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.

4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Table 4 - Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

5. If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (A \times B) / 100,$$

Where

R = total TSS Percent Load Removal from application of both BMPs, and
A = the TSS Percent Removal Rate applicable to the first BMP
B = the TSS Percent Removal Rate applicable to the second BMP.

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Section IV.P, Q and R.
7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
10. The stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section V, complete one of the following:
 - i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section V.C and D, respectively, of this ordinance, do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;

- ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the current and projected 2-, 10-, and 100-year storm events, as defined and determined pursuant to Section V.C and D, respectively, of this ordinance, and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - iii. Design stormwater management measures so that the post-construction peak runoff rates for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section V.C and D, respectively, of this ordinance, are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i, ii and iii above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.
3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

Section V. Calculation of Stormwater Runoff and Groundwater Recharge:

A. Stormwater runoff shall be calculated in accordance with the following:

- 1. The design engineer shall calculate runoff using ~~one of~~ the following methods:

The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 *Part 630, Hydrology National Engineering Handbook*, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds (TR-55)*, dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

<https://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422>

or at United States Department of Agriculture Natural Resources Conservation Service, New Jersey State Office.

- 2. For the purpose of calculating curve numbers and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term “curve number” applies to the NRCS methodology above at Section V.A.1. A curve number or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site

if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 – Urban Hydrology for Small Watersheds* or other methods may be employed.
5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report [GSR-32: A Method for Evaluating Groundwater-Recharge Areas in New Jersey](#), incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

<https://www.nj.gov/dep/njgs/pricelst/gsreport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

C. The precipitation depths of the current two-, 10-, and 100-year storm events shall be determined by multiplying the values determined in accordance with items 1 and 2 below:

1. The applicant shall utilize the National Oceanographic and Atmospheric Administration (NOAA), National Weather Service's Atlas 14 Point Precipitation Frequency Estimates: NJ, in accordance with the location(s) of the drainage area(s) of the site. This data is available at:

https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj; and

2. The applicant shall utilize Table 5: Current Precipitation Adjustment Factors below, which sets forth the applicable multiplier for the drainage area(s) of the site, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development lies in more than one county, the precipitation values

shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 5: Current Precipitation Adjustment Factors

County	Current Precipitation Adjustment Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Atlantic	1.01	1.02	1.03
Bergen	1.01	1.03	1.06
Burlington	0.99	1.01	1.04
Camden	1.03	1.04	1.05
Cape May	1.03	1.03	1.04
Cumberland	1.03	1.03	1.01
Essex	1.01	1.03	1.06
Gloucester	1.05	1.06	1.06
Hudson	1.03	1.05	1.09
Hunterdon	1.02	1.05	1.13
Mercer	1.01	1.02	1.04
Middlesex	1.00	1.01	1.03
Monmouth	1.00	1.01	1.02
Morris	1.01	1.03	1.06
Ocean	1.00	1.01	1.03
Passaic	1.00	1.02	1.05
Salem	1.02	1.03	1.03
Somerset	1.00	1.03	1.09
Sussex	1.03	1.04	1.07
Union	1.01	1.03	1.06
Warren	1.02	1.07	1.15

- D. Table 6: Future Precipitation Change Factors provided below sets forth the change factors to be used in determining the projected two-, 10-, and 100-year storm events for use in this chapter, which are organized alphabetically by county. The precipitation depth of the projected two-, 10-, and 100-year storm events of a site shall be determined by multiplying the precipitation depth of the two-, 10-, and 100-year storm events determined from the National Weather Service’s Atlas 14 Point Precipitation Frequency Estimates pursuant to (c)1 above, by the change factor in the table below, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development and/or its drainage area lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 6: Future Precipitation Change Factors

County	Future Precipitation Change Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Atlantic	1.22	1.24	1.39
Bergen	1.20	1.23	1.37
Burlington	1.17	1.18	1.32
Camden	1.18	1.22	1.39
Cape May	1.21	1.24	1.32
Cumberland	1.20	1.21	1.39
Essex	1.19	1.22	1.33
Gloucester	1.19	1.23	1.41
Hudson	1.19	1.19	1.23
Hunterdon	1.19	1.23	1.42
Mercer	1.16	1.17	1.36
Middlesex	1.19	1.21	1.33
Monmouth	1.19	1.19	1.26
Morris	1.23	1.28	1.46
Ocean	1.18	1.19	1.24
Passaic	1.21	1.27	1.50
Salem	1.20	1.23	1.32
Somerset	1.19	1.24	1.48
Sussex	1.24	1.29	1.50
Union	1.20	1.23	1.35
Warren	1.20	1.25	1.37

Section VI. Sources for Technical Guidance:

- A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department’s website at:

<https://dep.nj.gov/stormwater/bmp-manual/>.

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.
2. Additional maintenance guidance is available on the Department’s website at:

<https://dep.nj.gov/stormwater/maintenance-guidance/>.

- B. Submissions required for review by the Department should be mailed to:

The Division of Watershed Protection and Restoration, New Jersey Department of Environmental Protection, Mail Code 501-02A, PO Box 420, Trenton, New Jersey 08625-0420.

Section VII. Solids and Floatable Materials Control Standards:

- A. Site design features identified under Section IV.F above, or alternative designs in accordance with Section IV.G above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section VII.A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
 - ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
2. The standard in A.1. above does not apply:
 - i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
 - ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
 - iii. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

- a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities);
or
- b. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

Section VIII. Safety Standards for Stormwater Management Basins:

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basins and/or BMPs.
- B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management basins and/or BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management basins and/or BMPs to be retrofitted to meet one or more of the safety standards in Section VIII.C.1, VIII.C.2, and VIII.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.
- C. Requirements for Trash Racks, Overflow Grates and Escape Provisions
 - 1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management basin and/or BMPs to ensure proper functioning of the basin outlets in accordance with the following:
 - i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
 - iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
 - 2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:

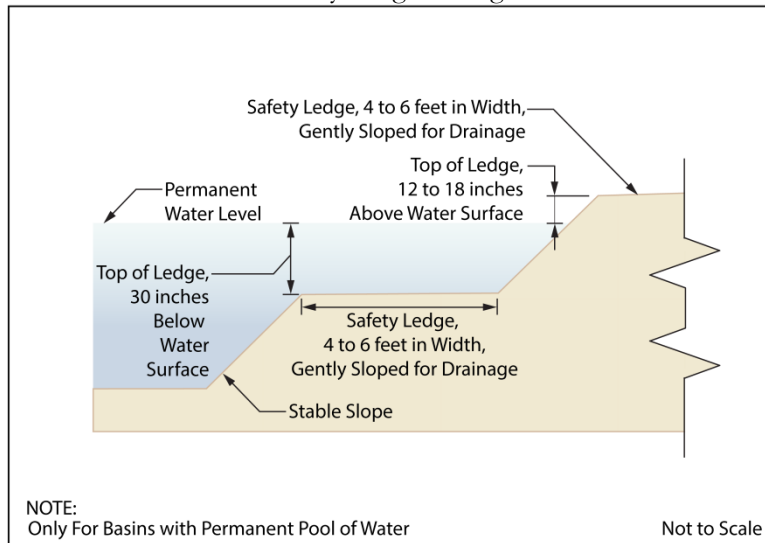
- i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - ii. The overflow grate spacing shall be no greater than two inches across the smallest dimension
 - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
3. Stormwater management basins and/or BMPs shall include escape provisions as follows:
 - i. If a stormwater management basins and/or BMPs has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management basins and/or BMPs. With the prior approval of the municipality pursuant to VIII.C, a free-standing outlet structure may be exempted from this requirement;
 - ii. Safety ledges shall be constructed on the slopes of all new stormwater management basins and/or BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See VIII.E for an illustration of safety ledges in a stormwater management basin and/or BMP; and
 - iii. In new stormwater management basins and/or BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard

A variance or exemption from the safety standards for stormwater management basin and/or BMP may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



Section IX. Requirements for a Site Development Stormwater Plan:

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section IX.C below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit the specified number of copies of the materials listed in the checklist for site development stormwater plans in accordance with Section IX.C of this ordinance.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Sections III through V are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.

- ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section IV of this ordinance.
- ii. When the proposed stormwater management control measures—depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section X.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section IX.C.1 through IX.C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

Section X. Maintenance and Repair:

A. Applicability

Projects subject to review as in Section I.C of this ordinance shall comply with the requirements of Section X.B and X.C.

B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.

3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
5. If the party responsible for maintenance identified under Section X.B.3 above is not a public agency, the maintenance plan and any future revisions based on Section X.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
7. The party responsible for maintenance identified under Section X.B.3 above shall perform all of the following requirements:
 - i. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - ii. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - iii. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Section X.B.6 and B.7 above.
8. The requirements of Section X.B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.

Note: It may be appropriate to delete requirements in the maintenance and repair plan that are not applicable if the ordinance requires the facility to be dedicated to the municipality. If the municipality does not want to take this responsibility, the ordinance should require the posting of a two year maintenance guarantee in accordance with N.J.S.A. 40:55D-53. Maintenance and inspection guidance can be found on the Department's website at:

<https://dep.nj.gov/stormwater/maintenance-guidance/>.

9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
- C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53

Section XI. Penalties:

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the following penalties as outlined in the Neptune Township General Code Section 1.5 – General Penalties.

Section XII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

Section XIII. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

Motion/ Second	Roll Call To Adopt On First Reading				Adopted on First Reading Dated: August 12, 2024	
		YAY	NAY	ABSTAIN		ABSENT
		Keith Cafferty	X			
	Second	Robert Lane, Jr	X			
	Motion	Kevin McMillan	X			
	Derel Stroud	X			_____ Gabriella Siboni, RMC Township Clerk	
	Tassie D. York	X				

Motion/ Second	Roll Call To Adopt On Second and Final Reading				Adopted on Second Reading Dated: September 23, 2024	
		YAY	NAY	ABSTAIN		ABSENT
		Keith Cafferty				
		Robert Lane, Jr				
		Kevin McMillan				
	Derel Stroud				_____ Gabriella Siboni, RMC Township Clerk	
	Tassie D. York					

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

BOND ORDINANCE NUMBER 24-35

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS PARCELS OF REAL PROPERTY WITHIN THE WEST LAKE AVENUE REDEVELOPMENT AREA, THE DEMOLITION OF IMPROVEMENTS THEREON, AND THE RESTORATION OF SUCH REAL PROPERTY, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$665,000 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 \$700,000, said amount being inclusive of a down payment in the amount of \$35,000 (the "Down Payment") for said improvements as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), which Down Payment is now available from the General Capital Improvement Fund by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$700,000 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 \$665,000 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 \$665,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are for the acquisition of and payment of the purchase price for various parcels of real property within the West Lake Avenue Redevelopment Area in the Township, located at Block 602, Lots 14 and 15 on the official tax map of the Township, also known as 1509 West Lake Avenue and 1515 West Lake Avenue (collectively, the “West Lake Redevelopment Properties”), including the demolition of improvements, if any, currently existing on the West Lake Redevelopment Properties and the restoration of such West Lake Redevelopment Properties, and also 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 Clerk and available for public inspection and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$665,000.

(c) The estimated cost of said improvements or purposes is \$700,000, 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 \$35,000 available for such improvements or purposes.

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

or grant in aid received by the Township as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

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

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

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

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

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

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 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 \$665,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

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

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will

occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are “placed in service” (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

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

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

SECTION 12. The Township is hereby authorized to acquire the West Lake Redevelopment Properties and to negotiate an agreement of sale for the aforesaid acquisition. The Mayor, the Chief Financial Officer, the Administrator, the Township Attorney, and any other official/officer of the Township are each hereby authorized, as applicable, to negotiate, approve, execute, attest, deliver and perform said agreement of sale and any and all documents necessary to acquire said West Lake Redevelopment Properties.

SECTION 13. The Mayor, the Chief Financial Officer, the Administrator, and any other official/officer of the Township are each hereby authorized and directed to execute, deliver and perform any

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

SECTION 14. The amount of any bonds or notes authorized to be issued or issued under this bond ordinance may be reduced or eliminated through the application of the proceeds of the sale of said West Lake Redevelopment Properties in accordance with the provisions of the West Lake Avenue Redevelopment Plan on file with the Township Clerk.

SECTION 15. 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.

Motion/ Second	Roll Call To Adopt On First Reading	YAY NAY ABSTAIN ABSENT	Adopted on First Reading Dated: August 12, 2024
	Keith Cafferty	X	
	Robert Lane, Jr	X	
Second	Kevin McMillan	X	
Motion	Derel Stroud	X	
	Tassie D. York	X	
			_____ Gabriella Siboni, RMC Township Clerk

Motion/ Second	Roll Call To Adopt On Second and Final Reading	YAY NAY ABSTAIN ABSENT	Adopted on Second Reading Dated: September 23, 2024
	Keith Cafferty		
	Robert Lane, Jr		
	Kevin McMillan		
	Derel Stroud		
	Tassie D. York		
			_____ Gabriella Siboni, RMC Township Clerk

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

PUBLIC NOTICE

NOTICE OF INTRODUCED/PENDING BOND ORDINANCE 24-35 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 August 12, 2024. 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 September 23, 2024 at 6:00 p.m. Information regarding remote access to the meeting may be found on the Township’s website at www.neptunetownship.org. During the week prior to and up to and including the date of such meeting, copies of the full bond ordinance will be available at no cost and during regular business hours at the Clerk’s office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS PARCELS OF REAL PROPERTY WITHIN THE WEST LAKE AVENUE REDEVELOPMENT AREA, THE DEMOLITION OF IMPROVEMENTS THEREON, AND THE RESTORATION OF SUCH REAL PROPERTY, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$665,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purpose(s): The bond ordinance provides for the financing of the acquisition of and payment of the purchase price for various parcels of real property within the West Lake Avenue Redevelopment Area in the Township, located at Block 602, Lots 14 and 15 on the official tax map of the Township, also known as 1509 West Lake Avenue and 1515 West Lake Avenue (collectively, the “West Lake Redevelopment Properties”), including the demolition of improvements, if any, currently existing on the West Lake Redevelopment Properties and the restoration of such West Lake Redevelopment Properties.

Appropriation: \$700,000

**Bonds/Notes
Authorized:** \$665,000

Grant: None

Down Payment: \$35,000

Section 20 Costs: \$100,000

Useful Life: 40 years

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

PUBLIC NOTICE

NOTICE OF FINAL ADOPTION OF BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey on September 23, 2024 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost and during regular business hours at the Clerk’s office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS PARCELS OF REAL PROPERTY WITHIN THE WEST LAKE AVENUE REDEVELOPMENT AREA, THE DEMOLITION OF IMPROVEMENTS THEREON, AND THE RESTORATION OF SUCH REAL PROPERTY, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$665,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purpose(s): The bond ordinance provides for the financing of the acquisition of and payment of the purchase price for various parcels of real property within the West Lake Avenue Redevelopment Area in the Township, located at Block 602, Lots 14 and 15 on the official tax map of the Township, also known as 1509 West Lake Avenue and 1515 West Lake Avenue (collectively, the “West Lake Redevelopment Properties”), including the demolition of improvements, if any, currently existing on the West Lake Redevelopment Properties and the restoration of such West Lake Redevelopment Properties.

Appropriation: \$700,000

**Bonds/Notes
Authorized:** \$665,000

Grant: None

Down Payment: \$35,000

Section 20 Costs: \$100,000

Useful Life: 40 years

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

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

CERTIFICATE OF INTRODUCTION OF BOND ORDINANCE

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a regular meeting of the Township Committee of the Township duly called and held on August 12, 2024 at 6:00 p.m. at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, and that the following was the roll call:

Motion/ Second	Roll Call To Adopt On First Reading					Adopted on First Reading Dated: August 12, 2024
		YAY	NAY	ABSTAIN	ABSENT	
	Keith Cafferty	X				
	Robert Lane, Jr	X				
Second	Kevin McMillan	X				
Motion	Derel Stroud	X				
	Tassie D. York	X				
						_____ Gabriella Siboni, RMC Township Clerk

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 16th day of October, 2024.

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

CERTIFICATE OF FINAL ADOPTION OF BOND ORDINANCE

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a regular meeting of the Township Committee of the Township duly called and held on September 23, 2024, at 6:00 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 16th day of October, 2024.

(SEAL)

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

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

CLERK'S CERTIFICATE REGARDING BOND ORDINANCE ADOPTION PROCESS

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

1. Attached hereto is the bond ordinance introduced on August 12, 2024 and finally adopted on September 9, 2024.
2. After introduction, the bond ordinance was published as required by law on September 12 2024 in the Coaster.
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 September 23, 2024 and was duly published as required by law on September 26, 2024 in the Coaster. 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 16th day of October, 2024.

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

CERTIFICATE OF SUPPLEMENTAL DEBT STATEMENT FOR BOND ORDINANCE

I, the undersigned, Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY, that the attached Supplemental Debt Statement was prepared, executed and sworn to by Michael J. Bascom, the Chief Financial Officer of the Township, as of August 12, 2024, that such Supplemental Debt Statement was filed in my office on or by August 12, 2024 and with the Director of the Division of Local Government Services on _____, 2024.

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

DOWN PAYMENT CERTIFICATE CONCERNING BOND ORDINANCE

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

“BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS PARCELS OF REAL PROPERTY WITHIN THE WEST LAKE AVENUE REDEVELOPMENT AREA, THE DEMOLITION OF IMPROVEMENTS THEREON, AND THE RESTORATION OF SUCH REAL PROPERTY, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$665,000 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 \$35,000, which was available from the General Capital Improvement Fund by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

IN WITNESS WHEREOF, I have hereunto set my hand as of this ___ day of _____, 2024.

MICHAEL J. BASCOM,
Chief Financial Officer

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

BOND ORDINANCE NUMBER 24-36

BOND ORDINANCE PROVIDING FOR THE DEVELOPMENT OF, AND IMPROVEMENTS TO, THE WELSH FARMS PROPERTY, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$500,000 THEREFOR (INCLUDING A \$326,000 GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE MONMOUTH COUNTY OPEN SPACE TRUST FUND) AND AUTHORIZING THE ISSUANCE OF \$165,300 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the amount of \$500,000, said amount being inclusive of a grant in the amount of \$326,000 received or expected to be received from the Monmouth County Open Space Trust Fund (the "Grant") and a down payment in the amount of \$8,700 (the "Down Payment") for said improvements as required by the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.* (the "Local Bond Law"), which Down Payment is now available from the General Capital Improvement Fund by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$500,000 appropriation not provided for by application hereunder of the Grant and the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$165,300 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 \$165,300 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 development of, and improvements to, the Welsh Farms property located on Old Corlies Avenue in the Township, also known as Block 3001, Lot 14 on the official tax map of the Township, including, but not limited to, the acquisition, construction, and installation, as applicable, of walking paths, outdoor gaming areas, fitness areas, a picnic pavilion, benches, fencing, gardens and landscaping features, and other related improvements, and also 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 \$165,300.

(c) The estimated cost of said improvements or purposes is \$500,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Grant in the amount of \$326,000 and the Down Payment in the amount of \$8,700, all available for such improvements or purposes.

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

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

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

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

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

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

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$165,300 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

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

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

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

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

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

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

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

Motion/ Second	Roll Call To Adopt On First Reading				Adopted on First Reading Dated: September 9, 2024
	YAY	NAY	ABSTAIN	ABSENT	
	Keith Cafferty				X
Second	Robert Lane, Jr	X			
	Kevin McMillan	X			
Motion	Derel Stroud	X			
	Tassie D. York	X			

Gabriella Siboni, RMC
Township Clerk

Motion/ Second	Roll Call To Adopt On Second and Final Reading				Adopted on Second Reading Dated: September 23, 2024
	YAY	NAY	ABSTAIN	ABSENT	
	Keith Cafferty				
	Robert Lane, Jr				
	Kevin McMillan				
	Derel Stroud				
	Tassie D. York				

Gabriella Siboni, RMC
Township Clerk

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

PUBLIC NOTICE

NOTICE OF INTRODUCED/PENDING BOND ORDINANCE 24-36 AND SUMMARY

The bond ordinance 24-36, 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 September 9, 2024. 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 September 23, 2024 at 6:00 p.m. Information regarding remote access to the meeting may be found on the Township's website at www.neptunetownship.org. During the week prior to and up to and including the date of such meeting, copies of the full bond ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR THE DEVELOPMENT OF, AND IMPROVEMENTS TO, THE WELSH FARMS PROPERTY, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$500,000 THEREFOR (INCLUDING A \$326,000 GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE MONMOUTH COUNTY OPEN SPACE TRUST FUND) AND AUTHORIZING THE ISSUANCE OF \$165,300 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purpose(s): The bond ordinance provides for the financing of the development of, and improvements to, the Welsh Farms property located on Old Corlies Avenue in the Township, also known as Block 3001, Lot 14 on the official tax map of the Township, including, but not limited to, the acquisition, construction, and installation, as applicable, of walking paths, outdoor gaming areas, fitness areas, a picnic pavilion, benches, fencing, gardens and landscaping features, and other related improvements.

Appropriation: \$500,000

Bonds/Notes Authorized: \$165,300

Grant: \$326,000 received or expected to be received from the Monmouth County Open Space Trust Fund

Down Payment: \$8,700

Section 20 Costs: \$100,000

Useful Life: 15 years

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

PUBLIC NOTICE
NOTICE OF FINAL ADOPTION OF BOND ORDINANCE 24-36 AND SUMMARY

The bond ordinance 24-36, 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 September 23, 2024 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 DEVELOPMENT OF, AND IMPROVEMENTS TO, THE WELSH FARMS PROPERTY, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$500,000 THEREFOR (INCLUDING A \$326,000 GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE MONMOUTH COUNTY OPEN SPACE TRUST FUND) AND AUTHORIZING THE ISSUANCE OF \$165,300 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purpose(s): The bond ordinance provides for the financing of the development of, and improvements to, the Welsh Farms property located on Old Corlies Avenue in the Township, also known as Block 3001, Lot 14 on the official tax map of the Township, including, but not limited to, the acquisition, construction, and installation, as applicable, of walking paths, outdoor gaming areas, fitness areas, a picnic pavilion, benches, fencing, gardens and landscaping features, and other related improvements.

Appropriation: \$500,000

Bonds/Notes Authorized: \$165,300

Grant: \$326,000 received or expected to be received from the Monmouth County Open Space Trust Fund

Down Payment: \$8,700

Section 20 Costs: \$100,000

Useful Life: 15 years

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

CERTIFICATE OF INTRODUCTION OF BOND ORDINANCE

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the “Township”), 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 September 9, 2024 at 6:00 p.m. at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, and that the following was the roll call:

Motion/ Second	Roll Call To Adopt On First Reading					Adopted on First Reading Dated: September 9, 2024
		YAY	NAY	ABSTAIN	ABSENT	
	Keith Cafferty				X	
Second	Robert Lane, Jr	X				
	Kevin McMillan	X				
Motion	Derel Stroud	X				_____ Gabriella Siboni, RMC Township Clerk
	Tassie D. York	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 ___ day of _____, 2024.

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

CERTIFICATE OF FINAL ADOPTION OF BOND ORDINANCE

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the “Township”), 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 September 23, 2024, at 6:00 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 _____, 2024.

(SEAL)

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

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

CLERK'S CERTIFICATE REGARDING BOND ORDINANCE ADOPTION PROCESS

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

1. Attached hereto is the bond ordinance introduced on September 9, 2024 and finally adopted on September 23, 2024.

2. After introduction, the bond ordinance was published as required by law on _____, 2024 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 _____, 2024 and was duly published as required by law on _____, 2024 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 _____, 2024.

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

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

CERTIFICATE OF SUPPLEMENTAL DEBT STATEMENT FOR BOND ORDINANCE

I, the undersigned, Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY, that the attached Supplemental Debt Statement was prepared, executed and sworn to by Michael J. Bascom, the Chief Financial Officer of the Township, as of September 9, 2024, that such Supplemental Debt Statement was filed in my office on or by September 9, 2024 and with the Director of the Division of Local Government Services on _____, 2024.

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

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

DOWN PAYMENT CERTIFICATE CONCERNING BOND ORDINANCE

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

“BOND ORDINANCE PROVIDING FOR THE DEVELOPMENT OF, AND IMPROVEMENTS TO, THE WELSH FARMS PROPERTY, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$500,000 THEREFOR (INCLUDING A \$326,000 GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE MONMOUTH COUNTY OPEN SPACE TRUST FUND) AND AUTHORIZING THE ISSUANCE OF \$165,300 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 \$8,700, which was available from the General Capital Improvement Fund by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

IN WITNESS WHEREOF, I have hereunto set my hand as of this ___ day of _____, 2024.

MICHAEL J. BASCOM,
Chief Financial Officer

**REFUNDING BOND ORDINANCE AUTHORIZING THE
ISSUANCE OF NOT TO EXCEED \$3,210,000 PRINCIPAL
AMOUNT OF GENERAL OBLIGATION REFUNDING
BONDS BY THE TOWNSHIP OF NEPTUNE, IN THE
COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE
“TOWNSHIP”), TO THE MONMOUTH COUNTY
IMPROVEMENT AUTHORITY (THE “MCIA”) FOR THE
PURPOSE OF REFUNDING CERTAIN BONDS
PREVIOUSLY ISSUED BY THE TOWNSHIP TO THE MCIA**

WHEREAS, 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 (the “Local Bond Law”), the Township of Neptune, in the County of Monmouth, State of New Jersey (the “Township”), previously issued \$5,180,000 aggregate principal amount of General Obligation Bonds, Series 2013, dated December 24, 2013 (the “2013 Bonds”), to the Monmouth County Improvement Authority (the “MCIA”) in connection with the MCIA’s 2013 Pooled Governmental Loan Program; and

WHEREAS, a \$1,995,000 principal amount of such 2013 Bonds is currently outstanding and can be defeased or are subject to redemption prior to their stated maturities, as applicable (the “2013 Refunded Bonds”); and

WHEREAS, pursuant to the provisions of the Local Bond Law, the Township also previously issued \$1,820,000 aggregate principal amount of General Obligation Bonds, Series 2014, dated December 24, 2014 (the “2014 Bonds”), to the MCIA in connection with the MCIA’s 2014 Pooled Governmental Loan Program; and

WHEREAS, a \$1,115,000 principal amount of such 2014 Bonds is currently outstanding and can be defeased or are subject to redemption prior to their stated maturities, as applicable (the “2014 Refunded Bonds” and together with the 2013 Refunded Bonds, the “Refunded Bonds”); and

WHEREAS, the MCIA and the Township have determined that refunding bonds can be issued to defease or refund, as applicable, in whole or in part, such Refunded Bonds which, under current market conditions, can generate a debt service savings to the Township; and

WHEREAS, the Township has determined to provide for the defeasance or refunding, as applicable, of the Refunded Bonds through its issuance of General Obligation Refunding Bonds in a principal amount not to exceed \$3,210,000 to the MCIA, as provided in this refunding bond ordinance.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF**

MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The recitals are fully incorporated herein by this reference.

Section 2. The refunding of all or a portion of the Refunded Bonds is hereby authorized.

Section 3. In order to finance the purposes described in Section 4 hereof, negotiable refunding bonds of the Township, hereby designated as General Obligation Refunding Bonds, Series 2024 (or such other year designation as shall be appropriate at the time of issuance thereof) (the "Refunding Bonds"), are hereby authorized to be issued to the MCIA in a principal amount not to exceed \$3,210,000; and such Refunding Bonds may be issued in one or more series as shall be determined by the Chief Financial Officer of the Township in consultation with the hereinafter defined Bond Counsel to the Township. The proceeds of the Refunding Bonds are hereby appropriated to the purposes described in Section 4 hereof.

Section 4. (a) The purposes for which the Refunding Bonds are to be issued are to (i) defease or refund, as applicable, the principal amount of the Refunded Bonds, including the payment of interest accrued and unpaid thereon to the date or dates fixed for redemption or defeasance, as applicable, and the redemption price thereof, if applicable, and (ii) pay the costs of issuance related to the issuance and sale of the Refunding Bonds, including printing, advertising, accounting, financial, municipal advisory and legal expenses, rating agency fees, underwriter's discount, bond insurance premium, if any, and MCIA costs of issuance, which may include any of the foregoing set forth in this Section 4(a)(ii).

(b) The aggregate cost of issuing the Refunding Bonds, as provided by N.J.S.A. 40A:2-51(b) (which amount includes all items described in Section 4(a)(ii) hereof) will not exceed \$120,000. Such amount is included in the maximum authorized principal amount of Refunding Bonds set forth in Section 3 hereof.

(c) The 2013 Refunded Bonds shall be defeased or called for redemption, as applicable, prior to maturity thereof as provided in the 2013 Refunded Bonds certificates. A portion of the proceeds from the sale of the Refunding Bonds shall be deposited in trust by the MCIA to provide for the payment and retirement of the 2013 Refunded Bonds. Any moneys held in trust by the MCIA may be invested as provided in N.J.S.A. 40A:2-60.

(d) The 2014 Refunded Bonds shall be defeased or called for redemption, as applicable, prior to maturity thereof as provided in the 2014 Refunded Bonds certificates. A portion of the proceeds from the sale of the Refunding Bonds shall be deposited in trust by the MCIA to provide for the payment and retirement of the 2014 Refunded Bonds. Any moneys held in trust by the MCIA may be invested as provided in N.J.S.A. 40A:2-60.

Section 5. Any further provisions as to terms of sale, deposit, security, regulation, investment, reinvestment, disposition or application of the proceeds of the Refunding Bonds, and matters in connection therewith, shall be determined by resolution of the Township adopted prior to the issuance of the Refunding Bonds.

Section 6. The Township Committee hereby delegates to the Chief Financial Officer or Administrator of the Township the power to sell the Refunding Bonds at private sale to the MCIA, to determine the terms of the Refunding Bonds and to perform such other actions and make such other determinations.

Section 7. The Township Committee hereby authorizes and delegates to the Chief Financial Officer or the Administrator, in consultation with Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey ("Bond Counsel"), and Fallon & Larsen, LLP, Hazlet, New Jersey (the "Township Auditor"), the authority to negotiate and execute on behalf of the Township any document for the purchase and sale of the Refunding Bonds to the MCIA.

Section 8. All other matters relating to the Refunding Bonds shall be performed or determined pursuant to a resolution of the Township, or the performance or determination thereof shall be delegated by resolution of the Township to an official or officer of the Township, Bond Counsel or the Township Auditor.

Section 9. A certified copy of this refunding bond ordinance, as introduced and adopted upon first reading, shall be filed with (i) the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs prior to final adoption hereof, together with the statement signed by the Chief Financial Officer of the Township required by N.J.S.A. 40A:2-55, and (ii) the MCIA.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the Refunding Bonds authorized by this refunding bond ordinance. The Refunding Bonds shall be direct, unlimited obligations of the Township, and, unless paid from other sources, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the Refunding Bonds and the interest thereon without limitation as to rate or amount.

Section 11. After passage upon first reading of this refunding bond ordinance, the Township Clerk is hereby authorized and directed to publish a summary of this refunding bond ordinance, set forth in the Notice of Introduced/Pending Bond Ordinance and Summary attached hereto, at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven (7) days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten (10) days after introduction and first reading) of this refunding bond ordinance. The Township Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of this refunding bond ordinance.

Section 12. After final adoption of this refunding bond ordinance by the Township Committee of the Township, the Township Clerk is hereby directed to publish a

Error! Unknown document property name.

summary of this refunding bond ordinance, as finally adopted, set forth in the Notice of Final Adoption of Bond Ordinance and Summary attached hereto (with appropriate completions, insertions and corrections, if applicable), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 13. The Township Committee hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the Refunding Bonds authorized hereunder or as may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings on the Refunding Bonds as may be required thereunder.

Section 14. The purpose of the issuance of the Refunding Bonds is to effect a net present value debt service savings to the Township by refunding all or a portion of the Refunded Bonds. The issuance of the Refunding Bonds shall comply with the provisions of N.J.A.C. 5:30-2.5, including a certification of the Chief Financial Officer that (i) all of the conditions set forth in section (b) of N.J.A.C. 5:30- 2.5 have been satisfied and (ii) a refunding bond resolution or ordinance authorizing the issuance of the Refunding Bonds, adopted pursuant to N.J.S.A. 40A:2-51, was approved by a two-thirds vote of the full membership of the Township Committee of the Township.

Section 15. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Township Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, in the 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 Refunding Bonds provided for in this refunding bond ordinance and will be decreased by the amount of the Refunded Bonds redeemed or defeased upon the issuance of all or a portion of the Refunding Bonds. The Refunding Bonds authorized by this refunding bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 16. This refunding bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided herein and in the Local Bond Law.

**ADOPTED ON FIRST READING
DATED: September 23, 2024**

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

**ADOPTED ON SECOND READING
DATED: October 15, 2024**

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

APPROVAL BY THE MAYOR ON THIS __ DAY OF _____, 2024

**TASSIE YORK,
Mayor**

**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
MONMOUTH COUNTY, NEW JERSEY
PUBLIC NOTICE**

NOTICE OF INTRODUCED/PENDING BOND ORDINANCE 24-38 AND SUMMARY

The bond ordinance 24-38, 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 September 23, 2024. 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 October 15, 2024 at 6:00 p.m. Information regarding remote access to the meeting may be found on the Township's website at www.neptunetownship.org. During the week prior to and up to and including the date of such meeting, copies of the full bond ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,210,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS BY THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE "TOWNSHIP"), TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY (THE "MCIA") FOR THE PURPOSE OF REFUNDING CERTAIN BONDS PREVIOUSLY ISSUED BY THE TOWNSHIP TO THE MCIA

Purpose(s): To generate debt service savings to the Township on bonds previously issued to the MCIA in 2013 and 2014.

Appropriation: Not to Exceed \$3,210,000

Bonds/Notes Authorized: Not to Exceed \$3,210,000

Grants Appropriated: None

Section 20 Costs: \$120,000

Useful Life: N/A

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 October 15, 2024 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: REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,210,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS BY THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE "TOWNSHIP"), TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY (THE "MCIA") FOR THE PURPOSE OF REFUNDING CERTAIN BONDS PREVIOUSLY ISSUED BY THE TOWNSHIP TO THE MCIA

Purpose(s): To generate debt service savings to the Township on bonds previously issued to the MCIA in 2013 and 2014.

Appropriation: Not to Exceed \$3,210,000

Bonds/Notes Authorized: Not to Exceed \$3,210,000

Grants Appropriated: None

Section 20 Costs: \$120,000

Useful Life: N/A

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

CERTIFICATE OF INTRODUCTION

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the Township Committee duly called and held on September 23, 2024 at 6:00 p.m. at Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, and that the following was the roll call:

Present:

Absent:

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

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

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

CERTIFICATE OF FINAL ADOPTION

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the Township Committee of the Township duly called and held on October 15, 2024, at 6:00 p.m. at Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, and that the following was the roll call:

Present:

Absent:

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

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

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

CLERK'S CERTIFICATE

I, GABRIELLA SIBONI, DO HEREBY CERTIFY that I am the Clerk of the Township of Neptune, in the County of Monmouth (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 September 23, 2024 and finally adopted on October 15, 2024.

2. After introduction, the bond ordinance was published as required by law on _____, 2024 in the _____ (the name of the newspaper).

3. Following the passage of the 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 ordinance or a summary thereof and a notice that copies of the 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 ordinance by the governing body. Copies of the ordinance were made available to all who requested same.

4. After final passage, the ordinance was duly approved by the Mayor on _____, 2024 (if applicable) and was duly published as required by law on _____, 2024 in the _____ (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 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 ordinance has not been amended, added to, altered or repealed and said ordinance is now in full force and effect.

6. A certified copy of this 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 _____, 2024.

(SEAL)

GABRIELLA SIBONI,
Clerk of the Township of Neptune

CERTIFICATE OF SUPPLEMENTAL DEBT STATEMENT

I, the undersigned, Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), DO HEREBY CERTIFY, that the attached Supplemental Debt Statement was prepared, executed and sworn to by Michael J. Bascom, the Chief Financial Officer of the Township as of September 23, 2024, that such Supplemental Debt Statement was filed in my office on or prior to September 23, 2024 and with the Director of the Division of Local Government Services on _____, 2024.

GABRIELLA SIBONI,
Clerk of the Township of Neptune

TOWNSHIP OF NEPTUNE

ORDINANCE NO. 24-39

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING AND REMOVING RESIDENT ONLY HANDICAPPED PARKING ZONES

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 add the following:

<u>Name of Street</u>	<u>No. Of Spaces</u>	<u>Location</u>
Cookman	1	80 Feet west of the southwest intersection of Cookman Ave. and Pilgrim Pathway

SECTION 2.

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

<u>Name of Street</u>	<u>No. Of Spaces</u>	<u>Location</u>
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SECTION 3.

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		

Robert Lane, Jr
Kevin McMillan
Derel Stroud
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		

Robert Lane, Jr
Kevin McMillan
Derel Stroud
Tassie D. York

Gabriella Siboni, RMC
Township Clerk

Gabriella Siboni
Township Clerk

Tassie D. York
Mayor

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

ORDINANCE NUMBER 24-40

**AN ORDINANCE AUTHORIZING THE ACQUISITION BY PURCHASE
OR CONDEMNATION OF THE REAL PROPERTY LOCATED AT 1509
&1515 WEST LAKE AVENUE, BLOCK 602/ LOTS 14 &15 (ALPHA LIQUOR
STORE) AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF
NEPTUNE, COUNTY OF MONMOUTH, NEW JERSEY**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (“LRHL”), provides a process for municipalities to participate in the development and improvement of areas designated as areas in need of redevelopment or as areas in need of rehabilitation; and

WHEREAS, the LRHL, N.J.S.A. 40A:12A-6(c) authorizes a municipality to utilize the power of eminent domain within areas designated as an area in need of redevelopment, and where a redevelopment plan has been adopted for that area in accordance with the provisions of this act; and

WHEREAS, the Township Committee of the Township of Neptune (“Township”) adopted the West Lake Avenue Redevelopment Plan (“Redevelopment Plan”) on April 25, 2005, pursuant to the LRHL, N.J.S.A. 40A:12A-7 which provides that “no redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body;” and

WHEREAS, 1509 & 1515 West Lake Avenue, Neptune, New Jersey, 07753, and shown on the tax maps of the Township of Neptune as Block 602, Lots 14 & 15 (“Property”) are identified on a map as properties to be acquired within the Redevelopment Plan, Figure 6: “Properties to be Acquired;” and

WHEREAS, an appraiser retained by the Township, AJ Lehman Appraisal, LLC, determined the fair market value of the Property to be \$ 600,000.00 as more fully set forth in the Appraisal entitled “Appraisal Report—Market Value (Fee Simple Interest) Alpha Liquor Store” dated July 26, 2024, a copy of which is on file in the Office of the Clerk of the Township of Neptune and incorporated by reference as a part of this Ordinance; and

WHEREAS, the Township Committee wishes to authorize the Mayor and/or her designee to negotiate for the acquisition of the Property in an amount not to exceed the appraised value for the Property, except as such amount may be modified from time to time by a resolution subsequently adopted by the Township Committee, and if a negotiated purchase cannot be effectuated, to initiate eminent domain actions to acquire title to the Property under the Eminent Domain Act of 1971, N.J.S.A. 20:3-1 et seq. so long as all legal prerequisites for eminent domain are satisfied and to thereafter prosecute such eminent domain actions to completion and to arrange for the Township to satisfy any judgments entered in such eminent domain proceedings.

WHEREAS, funds are available to finance the acquisition as the result of the adoption by the Township Committee of the Township of Neptune on September 23, 2024 of Bond Ordinance Number 24-35, entitled: BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS PARCELS OF REAL PROPERTY WITHIN THE WEST LAKE AVENUE REDEVELOPMENT AREA, THE DEMOLITION OF IMPROVEMENTS THEREON, AND THE RESTORATION OF SUCH REAL PROPERTY, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$700,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$665,00 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

Section 1. The appraisal of the Property prepared by the firm of AJ Lehman Appraisal, LLC on behalf of the Township is hereby accepted and approved in its entirety, including but not limited to the appraised value of \$600,000.00.

Section 2. The Mayor and/or her designee are hereby authorized to negotiate for the acquisition of the Property by voluntary purchase and, if voluntary purchase cannot be effectuated, to carry out the condemnation of 1509 & 1515 West Lake Avenue and shown on the tax maps of the Township of Neptune as Block 602, Lots 14 & 15 in the amount not to exceed the appraised value of the Property, except as such amount may be modified from time to time by a resolution subsequently adopted by the Township Committee..

Section 3. The Mayor and/or her designee are hereby authorized to execute any and all agreements and other legal documents necessary to accomplish the acquisition of the Property, including but not limited to a written offer for the purchase of the aforementioned property, land sale contracts and deeds for the sale of the Property and, if necessary, Verified Complaints, Declarations of Taking, and any other necessary documents for eminent domain proceedings for the Property in accordance with the Eminent Domain Act of 1971, N.J.S.A. 20:3-1 et seq.

Section 4. In conjunction with said acquisition, the Township hereby reserves and shall reserve any and all rights it had or may have to recover in any subsequent or pending action or by any administrative means, all costs of remediation and/or clean-up of contamination and/or removal of solid waste, if any, that have been incurred or may be incurred in the future by reason of conditions which were in existence as of or prior to the date of vesting of title and possession of the Property in the name of the Township.

Section 5. In conjunction with said acquisition, the Township hereby reserves and shall reserve the right to seek in its sole discretion, any and all available legal, administrative and equitable remedies to compel the record owners and/or responsible parties to remediate and/or clean up the Property in accordance with applicable state and federal statutory and regulatory provisions or to remove solid

waste. The Township is not and shall not be liable for the clean-up and removal costs of any discharge which occurred or began prior to the Township's ownership.

Section 6. The Mayor, Township Committee, and such other officials, consultants, agents, employees and professionals of the Township as may be necessary and appropriate are hereby authorized and directed to take any and all actions necessary to effectuate the purposes of this Ordinance.

Section 7. A copy of the Ordinance and any agreements authorized herein shall be placed on file with the Office of the Clerk of the Township of Neptune.

Section 8. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

Section 9. This Ordinance shall take effect in accordance with the laws of the State of New Jersey after final passage and publication.

**NEPTUNE TOWNSHIP
RESOLUTION #24-388**

**RESOLUTION APPOINTING ACTING CLERK, KATRINA THORNTON, AS TEMPORARY
SUBSTITUTE FOR CLERK FOR NEPTUNE TOWNSHIP**

WHEREAS, the Municipal Clerk, Gabriella Siboni, is unable to attend the Township Committee Meeting of October 15, 2024; and

WHEREAS, a Municipal Clerk under State Statute is necessary under N.J.S.A.40:69A-38 to attend Township Committee Meetings and keep the minutes and records of said proceedings.

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 appoint Acting Clerk, Katrina Thornton, presently serving as the Acting Clerk in Shrewsbury Township, New Jersey, to serve as the Temporary Interim Clerk for the Township Committee Meeting of Neptune Township of October 15, 2024, and shall carry out the duties necessary and required of a Municipal Clerk during the aforesaid meeting pursuant to N.J.S.A. 40:69A-38 and prepare the minutes of that meeting.

BE IT FURTHER RESOLVED, that the Chief Financial Officer hereby certifies the availability of funds for this temporary emergency action, pursuant to N.J.S.A. 40A:11-6.

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified and has provided a statement that the aforesaid services, the same of which is available in the Clerk's Office of Neptune Township, for the temporary appointment of an Interim Clerk is necessary as an emergency in order to hold the October 15, 2024 meeting, and to adopt certain bond ordinances, and that N.J.S.A. 40A:4-46 provides for the emergency appropriation for purposes mentioned above.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution is to be filed with the Chief Financial Officer and the Director of Local Government Services.

TOWNSHIP OF NEPTUNE

RESOLUTION 24-390

**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.

<u>NAME</u>	<u>DEPARTMENT</u>	<u>POSITION</u>	<u>DATE OF NOTIFICATION</u>	<u>EFFECTIVE DATE OF RESIGNATION</u>
Mary DiSpigna	Senior Center	Customer Service Representative	October 1, 2024	November 4, 2024
Harry Conover	Public Works	Driver	September 10, 2024	September 20, 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 24-391**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
AUTHORIZING THE RATES FOR NON- RESIDENTIAL CONTAINERIZED GARBAGE
COLLECTION UPON REQUEST**

WHEREAS, Ordinance 07-59 establishes provisions and regulations for non-residential garbage collection, and;

WHEREAS, the ordinance permits the establishment of fees for collection of non-residential containerized receptacles by Resolution of the Township Committee, and;

WHEREAS, the Township has established fees for contractual weekly collection and now desires to establish a fee for non-contractual/ pick up as needed service, and;

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following rates are hereby established for collection of non-residential containerized receptacles by the Public Works Department:

Contractual- Weekly Pick Up	Non-residential not for profit organizations	\$2.00 per cubic yard per pick up
	All other non-residential businesses	\$4.00 per cubic yard per pick up
Contractual- Weekly Pick up	Organizations/ businesses outside of Neptune Township	\$6.00 per cubic yard per pick up
Non-contractual Pick up as needed <i>Not to exceed eight per year</i>	Non-residential organizations/ businesses	\$6.00 per cubic yard per pick up

**TOWNSHIP OF NEPTUNE
RESOLUTION 24-392**

**AUTHORIZE SHARED SERVICE AGREEMENT WITH COUNTY OF MONMOUTH NEPTUNE
TOWNSHIP TO PROVIDE COMMUNITY RATING SYSTEM PROJECT MANAGEMENT
SOFTWARE**

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

WHEREAS, The Community Rating system (“CRS”) project Management Software, including its related software products, services, and websites (collectively referred to as “CRS Software”) provides for a municipal platform, elevation certificate storage and file management, and a CRS resident platform; and

WHEREAS, CRS Software is owned by its developer, namely Forerunner; and

WHEREAS, Monmouth County has obtained a limited license from Forerunner for use of CRS Software; and

WHEREAS, Under the terms of its license, Monmouth County may operate a CRS Software web-based system for itself and may also sublicense the use of the system for use by other contracting units in Monmouth County.

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

1. The shared service agreement with the County of Monmouth to provide community rating system project management software is hereby approved
2. The Township will submit the costs of the sublicense to Monmouth County which will be computed in the following manner:
 - a. The total cost for a two-year term shall be \$11,250, which is computed based on the number of effective National Flood Insurance Program (NFIP) policies in the municipality.
 - b. The FEMA Flood Mitigation Assistance (FMA) 25% federal grant match shall be split 50-50 between the county and the municipality.
 - c. The County contribution through the FEMA FMA grant match shall be \$1,875 (50%), requiring a municipal cost share of \$1,875 (50%).
 - d. The County will pay 100% of the program cost for each participating municipality (\$11,250) to Forerunner; each participating municipality will pay 100% of their cost share (\$1,875) to Monmouth County.
3. 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.

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 October 15, 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 contract.

Account Name

Office of Emergency Management OE

Account Number

01-201-25-252-020

Michael Bascom, Chief Financial Officer

Date

TOWNSHIP OF NEPTUNE

RESOLUTION 24-393

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

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

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

WHEREAS, Resolution 21-435 authorized the execution of an agreement between the Borough and Neptune Township Emergency Medical Services for an initial period of one (1) year beginning January 1, 2025 to December 31, 2025, and the agreement may be extended by Agreement of both parties for a period of five (5) years beyond the expiration date by resolution of each governing body with an allowance to amend the annual fee based upon costs and call volume; and,

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

1. The Mayor and Clerk are hereby authorized and directed to enter into a Shared Service Agreement (“Agreement”) with the Borough of Avon-By-The-Sea with respect to the provision of Emergency Medical Services pursuant to the terms and conditions set forth in the Agreement. A copy of the Agreement shall be open for public inspection at the Office of the Municipal Clerk.
2. The Borough will pay the Township a base fee of \$175.00 per month. The total number of calls included in the base fee shall be twelve (12) calls for the year and any calls in excess of this amount shall be billed at a rate of \$175.00 per call in addition to the base rate.
3. The terms of this Agreement shall take effect upon the adoption of appropriate Resolutions and execution of the Agreement by the parties thereto.

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

TOWNSHIP OF NEPTUNE

RESOLUTION 24-394

AUTHORIZE SHARED SERVICE AGREEMENT WITH THE BOROUGH OF BRADLEY BEACH FOR SALT STORAGE FACILITY

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

WHEREAS, the Borough of Bradley Beach (“Borough”) and the Township of Neptune (“Township”) have identified an area where working together through Shared Services will result in a positive outcome for both the Borough and the Township; and,

WHEREAS, the Township of Neptune and Borough of Bradley Beach are mindful of their duties and responsibilities to protect and maintain the public health, safety and welfare of its inhabitants, find it necessary to provide a facility to store and manage materials for roadway de-icing operations that is in compliance with current New Jersey Department of Environmental Protection regulations; and,

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

1. The Mayor and Clerk are hereby authorized and directed to enter into a Shared Service Agreement (“Agreement”) with the Borough pursuant to the terms and conditions set forth in the Agreement. A copy of the Agreement shall be open for public inspection at the Office of the Municipal Clerk.
2. The Borough will pay the Township an annual service charge in addition to the actual cost of deicing materials purchased.
3. The terms of this Agreement shall take effect upon the adoption of appropriate Resolutions and execution of the Agreement by the parties thereto and the terms of the agreement are stated as January 1, 2024 and terminating on December 31, 2028

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

TOWNSHIP OF NEPTUNE

RESOLUTION 24-395

RELEASE A PERFORMANCE BOND FILED BY ST. GEORGE'S CEMETERY FOR SITE IMPROVEMENTS AT BLOCK 1402 LOT 2

WHEREAS, on July 26, 2023, St. George's Cemetery filed cash guarantee in the amount of \$23,630.40, guaranteeing site improvements at Block 1402 Lot 2; and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of August 7, 2024, and said performance guarantee can be released; and,

WHEREAS, St. George's Cemetery will file Maintenance Bond in the amounts of 43,200.00 to serve as a maintenance guarantee of said site improvements for a period of two years; 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 after all pending invoices are complete (with \$1,000.00 being retained for final inspection at the end of the maintenance period).

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

**TOWNSHIP OF NEPTUNE
RESOLUTION 24-396
A RESOLUTION TO REQUEST A CHANGE IN TITLE, TEXT OR AMOUNT OF
APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-85**

WHEREAS, N.J.S.A. 40A:4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of any county or municipality, make such correction of title, text, or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose of purposes required for the needs of any county or municipality.

NOW THEREFORE, BE IT RESOLVED, on this 15th day of October, 2024, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that in accordance with the provisions of NJA 40A:4-85, the Township of Neptune hereby requests the Director of the Division of Local Government Services to make the following correction in the 2024 budget:

	As Adopted In 2024 Budget	As Per Change In Title Or Text
Matching funds for Grant	\$25,000.00	\$0.00
COPS hiring Program- Match	\$0.00	\$25,000.00

BE IT FURTHER RESOLVED that this resolution be submitted to the Director of the Division of Local Services in accordance with the submission requirements prescribed by the Division of Local Government Services.

BE IT FURTHER RESOLVED that the foregoing correction is, in the opinion of the governing body, warranted and authorized by statute referred to above, and is necessary for the orderly operation of the Township of Neptune, County of Monmouth for the reasons set forth:

The Township of Neptune has been awarded a Federal grant under the COPS Hiring Program and is required to provide local matching funds within the municipal budget as part of the terms of the grant award and agreement. The Township was not made aware of the award of this program funding until after the municipal budget was adopted. The Township must hire police officers under this program in November, 2024 so as to adhere to the intent of the grant and expend all funding within the grant period. The balance of the grant and matching funds will be budgeting in the 2025 and 2026 municipal budgets.

**TOWNSHIP OF NEPTUNE
RESOLUTION 24-397**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
AUTHORIZING A CHAPTER 159 BUDGET AMENDMENT TO INSERT REVENUE
RECEIVED FOR COPS HIRING PROGRAM**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue for any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and;

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and;

WHEREAS, the Township received \$25,000.00 for COPS Hiring Program and wishes to amend its 2024 budget to include this amount as revenue, and;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2024 in the sum of received \$25,000.00 which is now available as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

COPS Hiring Program for received \$25,000.00

BE IT FURTHER RESOLVED, that a like sum of received \$25,000.00 and the same is hereby appropriated under the caption of:

Additional Appropriations Offset by Revenues:

COPS Hiring Program for received \$25,000.00

**TOWNSHIP OF NEPTUNE
RESOLUTION 24-398**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
AUTHORIZING A CHAPTER 159 BUDGET AMENDMENT TO INSERT REVENUE
RECEIVED FOR BJA PATRICK LEAHY BULLETPROOF VEST PARTNERSHIP**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue for any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and;

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and;

WHEREAS, the Township received \$6,246.94 for BJA Patrick Leahy Bulletproof Vest Partnership and wishes to amend its 2024 budget to include this amount as revenue, and;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2024 in the sum of received \$6,246.94 which is now available as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

BJA Patrick Leahy Bulletproof Vest Partnership for received \$6,246.94

BE IT FURTHER RESOLVED, that a like sum of received \$6,246.94 and the same is hereby appropriated under the caption of:

Additional Appropriations Offset by Revenues:

BJA Patrick Leahy Bulletproof Vest Partnership for received \$6,246.94

TOWNSHIP OF NEPTUNE

RESOLUTION #24-399

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:

October 15 BILL LIST

Current Fund	\$	709,300.23
Grant Fund	\$	2,450.00
Trust Other	\$	121,017.49
General Capital	\$	868,398.72
Sewer Operating Fund	\$	64,217.70
Sewer Capital Fund	\$	196,450.85
Marina Operating Fund	\$	9,619.59
Marina Capital Fund	\$	130.00
Dog Trust	\$	291.60
Library Trust	\$	2,059.01
UDAG Reciprocal Trust	\$	0.00
Payroll Fund	\$	0.00
Bill List Total	\$	1,973,935.19

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

TOWNSHIP OF NEPTUNE

RESOLUTION 24-400

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
ACKNOWLEDGING MAYORAL APPOINTMENTS TO THE PLANNING BOARD**

WHEREAS, the following members are being appointed by the Mayor to the Planning Board:

Board	Filling unexpired term of	Position	Term	Appointment	Expiration	Name
Planning Board	Robert Lane, Jr.	Class I Mayor or Mayor's Designee	1 Year	10/15/2024	12/31/2024	Richard Ambrosio
Planning Board	Keith Cafferty	Class III Member of the Governing Body	1 Year	10/15/2024	12/31/2024	Robert Lane, Jr
Planning Board	Richard Ambrosio	Class IV Environmental Comm. Member	3 Year	10/15/2024	12/31/2025	Patrick Gilliam

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
Planning Board	Class I Mayor or Mayor's Designee	1 Year	10/15/2024	12/31/2024	Richard Ambrosio
Planning Board	Class II Municipal Official	1 Year		12/31/2024	Vacant
Planning Board	Class III Member of the Governing Body	1 Year	10/15/2024	12/31/2024	Robert Lane, Jr
Planning Board	Class IV Environmental Comm. Member	3 Year	10/15/2024	12/31/2025	Patrick Gilliam
Planning Board	Class IV Member	3 Year	1/1/2023	12/31/2025	Dyese Davis
Planning Board	Class IV Member	3 Year	1/1/2023	12/31/2025	Richard Culp
Planning Board	Class IV Member	4 Year	1/1/2024	12/31/2027	Bryan Acciani
Planning Board	Class IV Member	4 Year		12/31/2024	Lisa Boyd
Planning Board	Class IV Member	3 Year	1/1/2022	12/31/2025	Bishop Paul Brown
Planning Board	Class IV Alternate #1	2 Year	1/1/2023	12/31/2024	Richard Schlossbach
Planning Board	Class IV Alternate #2	2 Year	1/1/2024	12/31/2025	Roslyn Steverson

**TOWNSHIP OF NEPTUNE
RESOLUTION 24-401**

PLACE LIEN ON VARIOUS PROPERTIES

WHEREAS, Ordinance #843 of the Township of Neptune states that where a violation or condition exists on any property in the Township of Neptune that is of such a nature as to constitute an immediate threat to life, health, safety and the well-being of residents in this township unless abated without delay, the Director of Code Enforcement may abate the violation or condition immediately or order the owner, operator or occupant to correct the violation or condition within a three-day period; and,

WHEREAS, the Director of Code Enforcement determined that the condition of the properties listed below constituted such a threat; and,

WHEREAS, the Director of Code Enforcement has notified the Township Committee of the Township of Neptune that the owners of said property have failed to correct the condition/violation as ordered; and,

WHEREAS, the Director of Code Enforcement has had the condition corrected in accordance with Article IV, Section 6.2 (a) of Ordinance #843 at a total cost as indicated below; and.

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Tax Collector be and is hereby authorized to place the following costs as a lien against the following properties:

Block	Lot	Address	Amount
1104	6	1705 Corlies Ave.	\$4,992.50

BE IT FURTHER RESOLVED that a copy of this resolution along with the Code Enforcement Supervisor's report be forwarded to the Tax Collector.

**TOWNSHIP OF NEPTUNE
RESOLUTION 24-402
A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
AUTHORIZING CERTAIN PERSONNEL ACTIONS**

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

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

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

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

<u>NAME</u>	<u>DEPARTMENT</u>	<u>POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
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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 October 15, 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 personnel appointments detailed above.

Account Name	Account Number
Solid Waste Collection S&W	01-201-26-305-010
Senior Citizens Program S&W	01-201-28-372-010
Police Department S&W	01-201-25-240-010
Other Public Works Functions S&W	01-201-26-300-010

 Michael Bascom, Chief Financial Officer

 Date

**TOWNSHIP OF NEPTUNE
RESOLUTION 24-403**

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

WHEREAS, the following re-classifications have been reviewed by the Department Heads of the respective Departments; and,

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

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

<u>NAME</u>	<u>DEPT</u>	<u>PREVIOUS POSITION</u>	<u>RECLASSIFICATION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
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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 October 15, 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 matter.

<u>Account Name</u>	<u>Account Number</u>
Municipal Court S&W	01-201-43-490-010
Other Public Works Functions S&W	01-201-26-300-010

Michael Bascom, Chief Financial Officer-

Date