

TOWNSHIP COMMITTEE WORKSHOP MEETING – JUNE 28, 2021 – 6:00 P.M.

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

ROLL CALL

PRESENT/ABSENT

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

Also present: Vito D. Gadaleta, Business Administrator; Gene Anthony, Township Attorney; and Richard J. Cuttrell, Municipal Clerk.

Mayor Brantley 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 May 27, 2021, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda is posted on the Township web site (www.neptunetownship.org) and the meeting is being streamed live via townhallstreams.com.

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Discussion – Cannabis ordinance (on for first reading)

2. Discussion – Special Meeting needed prior to July 15th to approve Green Acres application for turf field at Loffredo Fields.

3. Review Committee calendars.

Res. # 21-244 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: _____ Seconded by: _____

Vote: Cafferty, _____; Lane, _____; Williams, _____; York, _____; Brantley, _____.

RESOLUTION #21-244 – 6/28/21

AUTHORIZE AN EXECUTIVE SESSION AS AUTHORIZED BY
THE OPEN PUBLIC MEETINGS ACT

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,

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

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.

2. The general nature of the subject matter to be discussed is as follows:

Contract negotiations – Sanitary sewer capacity agreement
Personnel – Recommendations to fill two DPW Driver vacancies
Personnel – Police Department Promotional Policy
Personnel – Litigation issues and Personnel Policies

3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.

4. This Resolution shall take effect immediately.

TOWNSHIP COMMITTEE MEETING – JUNE 28, 2021 – 7:00 P.M.

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

ROLL CALL

PRESENT/ABSENT

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

Also present at the dais: Gene Anthony, Township Attorney; Vito D. Gadaleta, Business Administrator; and Richard J. Cuttrel, Municipal Clerk.

Silent Prayer and Flag Salute

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

Mayor Brantley 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 May 27, 2021, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, ordinances, and resolutions are posted on the Township web site (www.neptunetownship.org) and the meeting is being streamed live via townhallstreams.com.

APPROVAL OF MINUTES – Motion offered by _____, seconded by _____, to approve the minutes of the meeting held on June 14th.

COMMENTS FROM THE DAIS - Comments from the Dais regarding business on this agenda or any reports on recent events in their respective departments.

REPORT OF THE BUSINESS ADMINISTRATOR – The Business Administrator will report on capital projects and matters of general interest.

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

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

ORDINANCE NO. 21-28 – An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding a resident only handicapped parking zone on Clark Avenue - Final Reading

Explanatory Statement: This ordinance authorizes a resident only handicapped parking zone in front of 60 Clark Avenue.

Public Hearing:

Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Williams, _____; York, _____; Brantley, _____.

ORDINANCE NO. 21-29 – Bond Ordinance providing for the acquisition of a telephone system, video surveillance systems, computers, servers, and other technology improvements, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$100,000 therefor and authorizing the issuance of \$95,000 bonds or notes of the Township to finance part of the cost thereof - Final Reading

Explanatory Statement: This Bond Ordinance authorizes as appropriation of \$100,000 for the acquisition of a telephone system, video surveillance systems, computers, servers, and other technology improvements for use by the Township.

Public Hearing:

Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Williams, _____; York, _____; Brantley, _____.

ORDINANCE NO. 21-30 – Bond Ordinance providing for the construction and reconstruction of sidewalks and municipal facilities, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$300,000 therefor and authorizing the issuance of \$285,000 bonds or notes of the Township to finance part of the cost thereof – Final Reading

Explanatory Statement: This Bond Ordinance authorizes as appropriation of \$300,000 for The construction and reconstruction, as applicable, of various sidewalks and municipal facilities within the Township, including, but not limited to, the repair and/or replacement, as applicable, of concrete sidewalks at Ocean Grove Memorial Park, the reconstruction of the driveway and drainage improvements at the Township's first aid squad buildings, the replacement of the exterior stairway and sidewalks at the Township's municipal complex, and repairs to and repainting of the exterior walls of the Township's municipal complex, and all other related improvements.

Public Hearing:

Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Williams, _____; York, _____; Brantley, _____.

ORDINANCE NO. 21-31 – Bond Ordinance providing for Phase II (General) of the Public Works Facility Improvement Program, including the construction and reconstruction of municipal facilities, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$1,600,000 therefor and authorizing the issuance of \$1,520,000 bonds or notes of the Township to finance part of the cost thereof – Final Reading

Explanatory Statement: This Bond Ordinance authorizes as appropriation of \$1,600,000 for Phase II of the Public Works Facility improvement program, including, but not limited to, the construction and reconstruction, as applicable, of various municipal facilities within the Township, such construction and reconstruction to include, but not be limited to, the construction of garages, storage buildings, drainage, roadways, driveways, recycling and training facilities, parking lots, and all other related improvements.

Public Hearing:

Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Williams, _____; York, _____; Brantley, _____.

ORDINANCE NO. 21-32 – Bond Ordinance providing for Phase II (Sewer Utility) of the Public Works Facility Improvement Program, including the construction and reconstruction of municipal facilities, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$600,000 therefor and authorizing the issuance of \$570,000 bonds or notes of the Township to finance part of the cost thereof – Final Reading

Explanatory Statement: This Sewer Utility Bond Ordinance authorizes as appropriation of \$600,000 for Phase II of the Public Works Facility improvement program, including, but not limited to, the construction and reconstruction, as applicable, of various municipal facilities within the Township, such construction and reconstruction to include, but not be limited to, the construction of garages, storage buildings, drainage, roadways, driveways, recycling and training facilities, parking lots, and all other related improvements

Public Hearing:

Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Williams, _____; York, _____; Brantley, _____.

ORDINANCE NO. 21-33 – Bond Ordinance providing for various sanitary sewer infrastructure improvements, including to the Clinton Avenue force main, Seaview Island pump station, and New York Road pump station, by and in the Township of Neptune, in the County of Monmouth, State of New Jersey; appropriating \$800,000 therefor and authorizing the issuance of \$760,000 bonds or notes of the Township to finance part of the cost thereof – Final Reading

Explanatory Statement: This Sewer Utility Bond Ordinance authorizes as appropriation of \$800,000 for the construction and reconstruction, as applicable, of, and improvements to, the sanitary sewer system infrastructure, including, but not limited to, the reconstruction of the Clinton Avenue Force Main, the construction and installation of flood protection for the Seaview Island Pump Station, and various improvements to the New York Road Pump Station, and all other related improvements

Public Hearing:

Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Williams, _____; York, _____; Brantley, _____.

ORDINANCE NO. 21-34 - An ordinance to further amend and supplement the Land Development Ordinance of the Township of Neptune by defining and regulating cannabis class uses – First Reading

Explanatory Statement: This ordinance amends the Land Development Ordinance to define cannabis class uses, and establish permitted classes of licenses, locations permitted, hours of operation and maximum number of permitted cannabis retail establishments.

Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Williams, _____; York, _____; Brantley, _____.

ORDINANCE NO. 21-35 – An ordinance authorizing the leasing of certain capital equipment by the Township of Neptune, New Jersey from the Monmouth County Improvement Authority and the execution of a lease and agreement relating thereto – First Reading

Explanatory Statement: This ordinance authorizes the capital lease of capital equipment for various departments, as listed in the appendix of the ordinance, through the Monmouth County Improvement Authority at a total amount of not to exceed \$2,010,000.

Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Williams, _____; York, _____; Brantley, _____.

ORDINANCE NO. 21-36 – An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding a resident only handicapped parking zone on Main Avenue – First Reading

Explanatory Statement: This ordinance authorizes a resident only handicapped parking zone in front of 97 Main Avenue.

Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Williams, _____; York, _____; Brantley, _____.

ORDINANCE NO. 21-37 – An ordinance amending Ordinance No. 20-35 entitled "An ordinance creating and setting the salary range for new job titles and amending the salary ranges for all other existing job titles of the Township of Neptune" by creating the position of Assistant Business Administrator – First Reading

Explanatory Statement: This ordinance creates the title of Assistant Business Administrator and establishes a salary range of a minimum of \$90,000.00 and maximum of \$160,000.00.

Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Williams, _____; York, _____; Brantley, _____.

ORDINANCE NO. 21-38 – An ordinance to amend Chapter II, Section 2-10 of the code of the Township of Neptune Entitled "Police Department" to include police promotion policies– First Reading

Explanatory Statement: This ordinance creates police promotion policies.

Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Williams, _____; York, _____; Brantley, _____.

The Clerk announces that the Public Hearings on Ordinances 21-34 through 21-37 will be held at the next regularly scheduled meeting on Monday, July 26, 2021.

CONSENT AGENDA

Res. #21-245 – Authorize renewal of liquor licenses for the 2021-2022 licensing year.

Res. #21-246 – Renew liquor license held by VPK, Inc. t/a Alpha Liquors for the 2021-2022 licensing year.

Res. #21-247 – Place lien on various properties.

Res. #21-248 – Accept the resignation of Paul Shanahan as a Driver in the Department of Public Works.

Res. #21-249 – Accept the resignation of Joseph Acerra as a Driver in the Department of Public Works.

Res. #21-250 – Authorize Developer's Agreement with Hemenway Construction, Inc. for site improvements at 5th Avenue and Ridge Avenue (Block 420, Lot 4).

Res. #21-251 – Accept a maintenance guarantee and release a performance bond filed by Wayside Associates, LLC for site improvements at Mi Place at Wayside on Wayside Road.

Res. #21-252 – Authorize the refund of taxes as a result of an overpayment.

Res. #21-253 – Employ temporary seasonal personnel for the Summer Recreation Program.

Res. #21-254– Authorize the Chief Financial Officer and other Township Officials to undertake certain actions in connection with the issuance of a not to exceed \$1,261,000 General Improvement Bond Anticipation Note.

CONSENT AGENDA Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Williams, _____; York, _____; Brantley, _____.

Res. #21-255 – Authorize Township Engineering Consultant to perform engineering services in connection with the 2021 Road Improvement Program.

Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Williams, _____; York, _____; Brantley, _____.

Res. #21-256 – Extend offers of employment for the position of Driver in the Department of Public Works.

Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Williams, _____; York, _____; Brantley, _____.

Res. #21-257– Authorize the payment of bills.

Offered by: _____ Seconded by: _____
Vote: Cafferty, _____; Lane, _____; Williams, _____; York, _____; Brantley, _____.

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

ORDINANCE NO. 21-28

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A RESIDENT ONLY HANDICAPPED PARKING ZONE ON CLARK AVENUE

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

SECTION 1

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

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Clark Avenue	1	South side of Clark Avenue beginning 55 feet east of the southeast intersection of Clark Avenue and Pilgrim Pathway

SECTION 2

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

APPROVED ON FIRST READING: June 14, 2021

APPROVED, PASSED, AND ADOPTED: June 28, 2021

Richard J. Cuttrel,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 21-29

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A TELEPHONE SYSTEM, VIDEO SURVEILLANCE SYSTEMS, COMPUTERS, SERVERS, AND OTHER TECHNOLOGY IMPROVEMENTS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$95,000 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 improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvement or purpose stated in Section 3 hereof, there is hereby appropriated the sum of \$100,000, said sum being inclusive of a down payment in the amount of \$5,000 (the "Down Payment") for said improvement 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 improvement or purpose described in Section 3 hereof and to meet the part of said \$100,000 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 \$95,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$95,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is the acquisition a telephone system, video surveillance systems, computers, servers, and other technology improvements for use by the Township, and all other related improvements, including, but not limited to, as applicable, engineering and design work, site work, consulting, preparation of plans and specifications, construction planning, surveying, permits, bid documents, construction inspection and contract administration, equipment rental and all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans and specifications therefor on file in the Office of the Township Clerk and available for public inspection and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$95,000.

(c) The estimated cost of said improvement or purpose is \$100,000, 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 \$5,000 available for such improvement or purpose.

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

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

SECTION 6. The Capital Budget 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 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 improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement or purpose which the Township may lawfully undertake as a general improvement or purpose, 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 improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is seven (7) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$95,000 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 \$10,000 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 purpose or improvement 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 real 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 improvement or purpose 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 improvement or purpose 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 improvement or purpose described in Section 3 hereof is "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 Code of the interest on all bonds and notes issued under this bond ordinance.

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

any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

APPROVED ON FIRST READING: June 14, 2021

APPROVED, PASSED, AND ADOPTED: June 28, 2021

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 21-30

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS AND MUNICIPAL FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvement or purpose stated in Section 3 hereof, there is hereby appropriated the sum of \$300,000, said sum being inclusive of a down payment in the amount of \$15,000 (the "Down Payment") for said improvement 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 improvement or purpose described in Section 3 hereof and to meet the part of said \$300,000 appropriation not provided for by application hereunder of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$285,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$285,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is the construction and reconstruction, as applicable, of various sidewalks and municipal facilities within the Township, including, but not limited to, the repair and/or replacement, as applicable, of concrete sidewalks at Ocean Grove Memorial Park, the reconstruction of the driveway and drainage improvements at the Township's first aid squad buildings, the replacement of the exterior stairway and sidewalks at the Township's municipal complex, and repairs to and repointing of the exterior walls of the Township's municipal complex, and all other related improvements, including, but not limited to, as applicable, engineering and design work, site work, consulting, preparation of plans and specifications, construction planning, surveying, permits, bid documents, construction inspection and contract administration, equipment rental and all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans and specifications therefor on file in the Office of the Township Engineer and available for public inspection and hereby approved.

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

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

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

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

SECTION 6. The Capital Budget 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 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 improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement or purpose which the Township may lawfully undertake as a general improvement or purpose, 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 improvement or purpose 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 ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$285,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$50,000 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 purpose or improvement 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 real 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 improvement or purpose 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 improvement or purpose 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 improvement or purpose described in Section 3 hereof is "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 Code of the interest on all bonds and notes issued under this bond ordinance.

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

any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

APPROVED ON FIRST READING: June 14, 2021

APPROVED, PASSED, AND ADOPTED: June 28, 2021

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 21-31

BOND ORDINANCE PROVIDING FOR PHASE II (GENERAL) OF THE PUBLIC WORKS FACILITY IMPROVEMENT PROGRAM, INCLUDING THE CONSTRUCTION AND RECONSTRUCTION OF MUNICIPAL FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,520,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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 improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvement or purpose stated in Section 3 hereof, there is hereby appropriated the sum of \$1,600,000, said sum being inclusive of a down payment in the amount of \$80,000 (the "Down Payment") for said improvement 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 improvement or purpose described in Section 3 hereof and to meet the part of said \$1,600,000 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 \$1,520,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$1,520,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$1,520,000.

(c) The estimated cost of said improvement or purpose is \$1,600,000, 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 \$80,000 available for such improvement or purpose.

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

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

SECTION 6. The Capital Budget 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 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 improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement or purpose which the Township may lawfully undertake as a general improvement or purpose, 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 improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is twenty (20) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,520,000 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 \$250,000 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 purpose or improvement 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 real 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 improvement or purpose 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 improvement or purpose 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 improvement or purpose described in Section 3 hereof is "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 Code of the interest on all bonds and notes issued under this bond ordinance.

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

any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

APPROVED ON FIRST READING: June 14, 2021

APPROVED, PASSED, AND ADOPTED: June 28, 2021

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 21-32

BOND ORDINANCE PROVIDING FOR PHASE II (SEWER UTILITY) OF THE PUBLIC WORKS FACILITY IMPROVEMENT PROGRAM, INCLUDING THE CONSTRUCTION AND RECONSTRUCTION OF MUNICIPAL FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$570,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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 improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvement or purpose stated in Section 3 hereof, there is hereby appropriated the sum of \$600,000, said sum being inclusive of a down payment in the amount of \$30,000 (the "Down Payment") for said improvement required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), which Down Payment is now available from the Sewer Utility Capital Improvement Fund by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$600,000 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 \$570,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$570,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$570,000.

(c) The estimated cost of said improvement or purpose is \$600,000, 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 \$30,000 available for such improvement or purpose.

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

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

SECTION 6. The Capital Budget 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 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 improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement or purpose which the Township may lawfully undertake as a general improvement or purpose, 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 improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is twenty (20) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$570,000 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 purpose or improvement 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 real 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 improvement or purpose 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 improvement or purpose 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 improvement or purpose described in Section 3 hereof is "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 Code of the interest on all bonds and notes issued under this bond ordinance.

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

any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

APPROVED ON FIRST READING: June 14, 2021

APPROVED, PASSED, AND ADOPTED: June 28, 2021

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 21-33

BOND ORDINANCE PROVIDING FOR VARIOUS SANITARY SEWER INFRASTRUCTURE IMPROVEMENTS, INCLUDING TO THE CLINTON AVENUE FORCE MAIN, SEAVIEW ISLAND PUMP STATION, AND NEW YORK ROAD PUMP STATION, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$760,000 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 improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"). For the said improvement or purpose stated in Section 3 hereof, there is hereby appropriated the sum of \$800,000, said sum being inclusive of a down payment in the amount of \$40,000 (the "Down Payment") for said improvement required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), which Down Payment is now available from the Sewer Utility Capital Improvement Fund by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$800,000 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 \$760,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$760,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is the construction and reconstruction, as applicable, of, and improvements to, the sanitary sewer system infrastructure, including, but not limited to, the reconstruction of the Clinton Avenue Force Main, the construction and installation of flood protection for the Seaview Island Pump Station, and various improvements to the New York Road Pump Station, and all other related improvements, including, but not limited to, as applicable, engineering and design work, site work, consulting, preparation of plans and specifications, construction planning, surveying, permits, bid documents, construction inspection and contract administration, equipment rental and all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans and specifications therefor on file in the Office of the Township Engineer and available for public inspection and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$760,000.

(c) The estimated cost of said improvement or purpose is \$800,000, 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 \$40,000 available for such improvement or purpose.

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

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

SECTION 6. The Capital Budget 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 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 improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement or purpose which the Township may lawfully undertake as a general improvement or purpose, 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 improvement or purpose 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 \$760,000 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 \$150,000 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 purpose or improvement 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 real 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 improvement or purpose 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 improvement or purpose 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 improvement or purpose described in Section 3 hereof is "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 Code of the interest on all bonds and notes issued under this bond ordinance.

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

any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

APPROVED ON FIRST READING: June 14, 2021

APPROVED, PASSED, AND ADOPTED: June 28, 2021

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 21-34

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

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

SECTION 1.

Section 201 – DEFINITIONS – is hereby amended to add the following:

Cannabis - means all parts of the plant *Cannabis sativa* L., whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, except those containing resin extracted from the plant, which are cultivated and, when applicable, manufactured in accordance with P.L.2021, c.16 (C.24:6I-31 et al.) for use in cannabis products as set forth in this act, but shall not include the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product. "Cannabis" does not include: medical cannabis dispensed to registered qualifying patients pursuant to the "Jake Honig Compassionate Use Medical Cannabis Act," P.L.2009, c.307 (C.24:6I-1 et al.) and P.L.2015, c.158 (C.18A:40-12.22 et al.); marijuana as defined in N.J.S.2C:35-2 and applied to any offense set forth in chapters 35, 35A, and 36 of Title 2C of the New Jersey Statutes, or P.L.2001, c.114 (C.2C:35B-1 et seq.), or marihuana as defined in section 2 of P.L.1970, c.226 (C.24:21-2) and applied to any offense set forth in the "New Jersey Controlled Dangerous Substances Act," P.L.1970, c.226 (C.24:21-1 et al.); or hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the "New Jersey Hemp Farming Act," P.L.2019, c.238 (C.4:28-6 et al.). (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Cannabis Consumption Area - means, as further described in section 28 of P.L.2019, c.153 (C.24:6I-21), a designated location operated by a licensed cannabis retailer or permit holder for dispensing medical cannabis, for which both a State and local endorsement has been obtained, that is either: (1) an indoor, structurally enclosed area of the cannabis retailer or permit holder that is separate from the area in which retail sales of cannabis items or the dispensing of medical cannabis occurs; or (2) an exterior structure on the same premises as the cannabis retailer or permit holder, either separate from or connected to the cannabis retailer or permit holder, at which cannabis items or medical cannabis either obtained from the retailer or permit holder, or brought by a person to the consumption area, may be consumed. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Cannabis Cultivator - means any licensed person or entity that grows, cultivates, or produces cannabis in this State, and sells, and may transport, this cannabis to other cannabis cultivators, or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. This person or entity shall hold a Class 1 Cannabis Cultivator license. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Cannabis Delivery Service - means any licensed person or entity that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that

consumer. This person or entity shall hold a Class 6 Cannabis Delivery license. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Cannabis Distributor - means any licensed person or entity that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment, and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities. This person or entity shall hold a Class 4 Cannabis Distributor license. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Cannabis establishment - means a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Cannabis manufacturer - means any licensed person or entity that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. This person or entity shall hold a Class 2 Cannabis Manufacturer license." (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Cannabis product - means a product containing usable cannabis, cannabis extract, or any other cannabis resin and other ingredients intended for human consumption or use, including a product intended to be applied to the skin or hair, edible cannabis products, ointments, and tinctures. "Cannabis product" does not include: (1) usable cannabis by itself; or (2) cannabis extract by itself; or (3) any other cannabis resin by itself. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Cannabis resin - means the resin extracted from any part of the plant *Cannabis sativa* L., including cannabis extract and resin extracted using non-chemical processes, processed and used in accordance with P.L.2021, c.16 (C.24:6I-31 et al.). "Cannabis resin" does not include: any form of medical cannabis dispensed to registered qualifying patients pursuant to the "Jake Honig Compassionate Use Medical Cannabis Act," P.L.2009, c.307 (C.24:6I-1 et al.) and P.L.2015, c.158 (C.18A:40-12.22 et al.); hashish as defined in N.J.S.2C:35-2 and applied to any offense set forth in chapters 35, 35A, and 36 of Title 2C of the New Jersey Statutes, or P.L.2001, c.114 (C.2C:35B-1 et seq.), or as defined in section 2 of P.L.1970, c.226 (C.24:21-2) and applied to any offense of the "New Jersey Controlled Dangerous Substances Act," P.L.1970, c.226 (C.24:21-1 et al.); or hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the "New Jersey Hemp Farming Act," P.L.2019, c.238 (C.4:28-6 et al.). (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Cannabis retailer - means any licensed person or entity that purchases or otherwise obtains usable cannabis from cannabis cultivators and cannabis items from cannabis manufacturers or cannabis wholesalers, and sells these to consumers from a retail store, and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer. This person or entity shall hold a Class 5 Cannabis Retailer license. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Cannabis testing facility - means an independent, third-party entity meeting accreditation requirements established by the Cannabis Regulatory Commission that is licensed to analyze and certify cannabis items and medical cannabis for compliance with applicable health, safety, and potency standards. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Cannabis wholesaler - means any licensed person or entity that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers. This person or entity shall hold a Class 3 Cannabis Wholesaler license. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Commission - means the Cannabis Regulatory Commission established pursuant to section 31 of P.L.2019, c.153 (C.24:6I-24). (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Conditional license - means a temporary license designated as either a Class 1 Cannabis Cultivator license, a Class 2 Cannabis Manufacturer license, a Class 3 Cannabis Wholesaler license, a Class 4 Cannabis Distributor license, a Class 5 Cannabis Retailer license, or a Class 6 Cannabis Delivery license that allows the holder to lawfully act as a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, cannabis retailer, or cannabis delivery service as the case may be, which is issued pursuant to an abbreviated application process, after which the conditional license holder shall have a limited period of time in which to become fully licensed by satisfying all of the remaining conditions for licensure which were not required for the issuance of the conditional license. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Consumption - means the act of ingesting, inhaling, or otherwise introducing cannabis items into the human body. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Delivery - means the transportation of cannabis items and related supplies to a consumer. "Delivery" also includes the use by a licensed cannabis retailer of any third party technology platform to receive, process, and fulfill orders by consumers, which third party shall not be required to be a licensed cannabis establishment, distributor, or delivery service, provided that any physical acts in connection with fulfilling the order and delivery shall be accomplished by a certified cannabis handler performing work for or on behalf of the licensed cannabis retailer, which includes a certified cannabis handler employed or otherwise working on behalf of a cannabis delivery service making off-premises deliveries of consumer purchases fulfilled by that cannabis retailer. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

License - means a license issued under P.L.2021, c.16 (C.24:6I-31 et al.), including a license that is designated as either a Class 1 Cannabis Cultivator license, a Class 2 Cannabis Manufacturer license, a Class 3 Cannabis Wholesaler license, a Class 4 Cannabis Distributor license, a Class 5 Cannabis Retailer license, or a Class 6 Cannabis Delivery license. The term includes a conditional license for a designated class, except when the context of the provisions of P.L.2021, c.16 (C.24:6I-31 et al.) otherwise intend to only apply to a license and not a conditional license. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Licensee - means a person or entity that holds a license issued under P.L.2021, c.16 (C.24:6I-31 et al.), including a license that is designated as either a Class 1 Cannabis Cultivator license, a Class 2 Cannabis Manufacturer license, a Class 3 Cannabis Wholesaler license, a Class 4 Cannabis Distributor license, a Class 5 Cannabis Retailer license, or a Class 6 Cannabis Delivery license, and includes a person or entity that holds a conditional license for a designated class, except when the context of the provisions of P.L.2021, c.16 (C.24:6I-31 et al.) otherwise intend to only apply to a person or entity that holds a license and not a conditional license. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Licensee representative - means an owner, director, officer, manager, employee, agent, or other representative of a licensee, to the extent that the person acts in a representative capacity. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Manufacture - means the drying, processing, compounding, or conversion of usable cannabis into cannabis products or cannabis resins. "Manufacture" does not include packaging or labeling. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Mature cannabis plant - means a cannabis plant that is not an immature cannabis plant. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Medical cannabis - means cannabis dispensed to registered qualifying patients pursuant to the "Jake Honig Compassionate Use Medical Cannabis Act," P.L.2009, c.307 (C.24:6I-1 et al.) and P.L.2015, c.158 (C.18A:40-12.22 et al.). "Medical cannabis" does not include any cannabis or cannabis item which is cultivated, produced, processed, and consumed in accordance with P.L.2021, c.16 (C.24:6I-31 et al.). (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Microbusiness - means a person or entity licensed under P.L.2021, c.16 (C.24:6I-31 et al.) as a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, cannabis retailer, or cannabis delivery service that may only, with respect to its business operations, and capacity and quantity of product: (1) employ no more than 10 employees; (2) operate a cannabis establishment occupying an area of no more than 2,500 square feet, and in the case of a cannabis cultivator, grow cannabis on an area no more than 2,500 square feet measured on a horizontal plane and grow above that plane not higher than 24 feet; (3) possess no more than 1,000 cannabis plants each month, except that a cannabis distributor's possession of cannabis plants for transportation shall not be subject to this limit; (4) acquire each month, in the case of a cannabis manufacturer, no more than 1,000 pounds of usable cannabis ; (5) acquire for resale each month, in the case of a cannabis wholesaler, no more than 1,000 pounds of usable cannabis , or the equivalent amount in any form of manufactured cannabis product or cannabis resin, or any combination thereof; and (6) acquire for retail sale each month, in the case of a cannabis retailer, no more than 1,000 pounds of usable cannabis , or the equivalent amount in any form of manufactured cannabis product or cannabis resin, or any combination thereof. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Noncommercial - means not dependent or conditioned upon the provision or receipt of financial consideration. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

Premises or Licensed Premises - includes the following areas of a location licensed under P.L.2021, c.16 (C.24:6I-31 et al.): all public and private enclosed areas at the location that are used in the business operated at the location, including offices, kitchens, rest rooms, and storerooms; all areas outside a building that the Cannabis Regulatory Commission has specifically licensed for the production, manufacturing, wholesaling, distributing, retail sale, or delivery of cannabis items; and, for a location that the commission has specifically licensed for the production of cannabis outside a building, the entire lot or parcel that the licensee owns, leases, or has a right to occupy. (This definition is intended to correlate with Cannabis Class Uses as developed and updated by the State of New Jersey)

SECTION 2.

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

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

- A Hours of Operation. Cannabis Class uses are permitted the following hours of operation:
- 1 Monday thru Saturday: 9 AM to 10 PM;
 - 2 Sunday: Closed
- B Location. The permitted location of such uses shall be in accordance with the current NJ State requirements in addition to the following:
- 1 Located within the C-1 and LI Zoning Districts;
 - 2 Has frontage on Route 66, Asbury Avenue, Neptune Boulevard, or Route 18;
 - 3 Is not located less than 1,000 feet from a school or daycare on the same side or opposite of the street.
- C Permitted Classes of Licenses (as defined by the State of NJ). The following classes or combination of are permitted:
- 1 Class 1 – Cannabis Cultivator
 - 2 Class 2 – Cannabis Manufacturer
 - 3 Class 3 – Cannabis Wholesaler
 - 4 Class 4 – Cannabis Distributor
 - 5 Class 5 – Cannabis Retailer
 - 6 Class 6 – Cannabis Delivery Service
- D Quantity. The maximum permitted number of recreational cannabis retail establishments within the Municipality is three (3).
- E Penalties. Refer to Land Development Ordinance section 1105.
- F Cannabis Consumption Areas. Cannabis Consumption Areas are prohibited.

SECTION 3.

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

SECTION 4.

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

SECTION 5.

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

SECTION 6.

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

SECTION 7.

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

SECTION 8.

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 21-35

AN ORDINANCE AUTHORIZING THE LEASING OF CERTAIN CAPITAL EQUIPMENT BY THE TOWNSHIP OF NEPTUNE, NEW JERSEY FROM THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND THE EXECUTION OF A LEASE AND AGREEMENT RELATING THERETO

BE IT ORDAINED, by the Township Committee of the Township of Neptune, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. Pursuant to Section 78 of the County Improvement Authorities Law, N.J.S.A. 40:37A-44, et seq., the Township of Neptune (the "Municipality") is hereby authorized to unconditionally and irrevocably lease certain items of capital equipment from The Monmouth County Improvement Authority (the "Authority") pursuant to a Lease and Agreement, substantially in the form submitted to this meeting (the "Lease"), a copy of which is on file in the office of the Clerk to the Municipality. The Mayor is hereby authorized to execute the Lease on behalf of the Municipality in substantially such form as submitted to this meeting and with such changes as may be approved by the Mayor, which approval shall be conclusively evidenced by the execution thereof, and the Clerk to the Municipality is hereby authorized to affix and attest the seal of the Municipality.

Section 2. The following additional matters are hereby determined, declared, recited and stated:

- (a) In recognition of the fact that the lease payment of the Municipality under the Lease will be based, in part, on the amount of bonds issued by the Authority to finance the acquisition of the leased equipment and the interest thereon, the maximum amount of bonds which the Authority shall issue to finance the acquisition of the equipment to be leased to the Municipality shall not exceed \$2,211,000 and the interest rate on said bonds shall not exceed five and fifty hundredths percent (5.50%) per annum;
- (b) The items to be leased from the Authority shall be as set forth in Schedule A hereto; provided that the Mayor or any authorized municipal representative (as defined in the Lease) may substitute or add items of equipment in accordance with the provisions of the Lease; and
- (c) The lease term applicable to a particular item of leased equipment shall not exceed the useful life of such item.

Section 3. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by law.

SCHEDULE A - EQUIPMENT LIST

Township of Neptune

<u>Equipment</u>	<u>Useful Life (Years)</u>	<u>Lease Term (Years)</u>	<u>Estimated Cost</u>
Acquisition of Police SUVs	5	5	\$320,000
Acquisition of Emergency Services Equipment:			
Light Trailer/Generator	15	10	20,000
Training Equipment	5	5	25,000
Personal Protective Equipment	5	5	50,000
Radio Equipment	10	10	20,000
Rescue Equipment/HazMat			
Metering	5	5	50,000
Automated Stretchers for Ambulances	5	5	100,000
Acquisition of Ambulance	5	5	225,000
Acquisition of Administrative Vehicles	5	5	80,000
Acquisition of Computers and Servers	5	5	100,000
Acquisition of Two (2) Garbage Trucks	5	5	620,000
Acquisition of Leaf Vacuum Trailers	15	10	120,000
Sewer Utility Project:			
Acquisition of DPW/SEWER Front End Loader	15	10	180,000
Acquisition of Pick-up Trucks w/ Plows	5	5	100,000
Total			\$2,010,000

ORDINANCE NO. 21-36

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A RESIDENT ONLY HANDICAPPED PARKING ZONE ON MAIN AVENUE

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

SECTION 1

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

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Main Avenue	1	North side of Main Avenue beginning 86 feet east of the northeast intersection of Main Avenue and New Jersey Avenue

SECTION 2

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

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 21-37

AN ORDINANCE AMENDING ORDINANCE NO. 20-35 ENTITLED "AN ORDINANCE CREATING AND SETTING THE SALARY RANGE FOR NEW JOB TITLES AND AMENDING THE SALARY RANGES FOR ALL OTHER EXISTING JOB TITLES OF THE TOWNSHIP OF NEPTUNE" BY CREATING THE POSITION OF ASSISTANT BUSINESS ADMINISTRATOR

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

SECTION 1

Ordinance No. 20-35 be and is hereby amended as follows:

A. The job title of Assistant Business Administrator is hereby created and the salary range for said job title is established in Section 2 below.

B. The job description for said job title is on file in the Human Resources Department.

SECTION 2

The salary range for Assistant Business Administrator is hereby established as follows:

<u>TITLE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Assistant Business Administrator	\$90,000.00	\$160,000.00

SECTION 3

This ordinance shall be effective upon publication in accordance with law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

NEPTUNE TOWNSHIP, MONMOUTH COUNTY

ORDINANCE NO. 21-38

ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE AMENDING CHAPTER II, SECTION 2-10 OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED "POLICE DEPARTMENT" TO INCLUDE POLICE PROMOTION POLICIES

WHEREAS, The Township seeks to ensure that all Police Officers eligible for promotion are provided with fair notice and equal access to the promotional process; and

WHEREAS, the Police Committee has reviewed the Police Promotion Policy and, after meeting and conferring with the Unions representing the Township's Police Officers, has recommended that the Township Committee adopt the Promotion Policy set forth in this Ordinance; and

WHEREAS, it is in the public interest to identify the most qualified members of the police department for promotion to leadership positions within the department and to set forth the components of the promotional process that will be utilized by the Police Department, The Neptune Township Police Committee and Neptune Township Committee in carrying out the promotion process.

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

1. Chapter II, Article II, Section 2-10, of the Code of the Township of Neptune, entitled, "Police Department," "Department Established," is hereby amended as follows:

§ 2-10.10. Promotion of Police Officers

The Township intends to provide all eligible candidates for promotion with fair notice and equal access to the promotional process. Additionally, it strives to identify the most qualified members of the police department for promotion to leadership positions within the department and sets forth the components of the promotional process that will be utilized by the Police Department, The Neptune Township Police Committee and Neptune Township Committee in carrying out the process. In situations where the Chief of Police position is vacant, the Deputy Chief shall assume all roles herein that are assigned to the Chief of Police. All promotions require the final authorization, approval, and concurrence of the Police Committee as the appropriate authority and the Governing Body of the Township of Neptune by way of Resolution with is approved at a public meeting.

PROCEDURE

I Eligibility and Process

General Considerations: Existence of an Associate's Degree and honorable discharge from the United States Military Service; or a Bachelor's Degree will be considerations for points credits in evaluating eligibility, but not be a minimal requirement or dispositive of eligibility of the candidate with other credits, including experience and prior service in the Neptune Township Police Department and/or other law enforcement agencies.

A. Deputy Chief

1. It is recognized that the position of Deputy Chief is an appointment made based on the review and recommendation of the Police Committee and the Chief of Police, and approval by Resolution of the Governing Body of the Township of Neptune, after consultation by the Police Committee with the Chief of Police.
2. At a minimum, applicants for the position of Deputy Chief, shall i) have at least fourteen (14) years of experience in law enforcement; or ii) possess an Associate's Degree from an accredited college/university and be honorably discharged from the active military service in a branch of the United States Military; or iii) be in possession of a Bachelor's Degree.
3. The process for promotion to the position of Deputy Chief will consist of an oral interview conducted by the Chief of Police and the Neptune Township Police Committee. The Chief and the Police Committee members conducting the interview will have access to the candidate's resume; the candidate's experience report; personnel file as permitted under the New Jersey Attorney Guidelines, consisting of past evaluations, career experience, accommodations, disciplinary notices and sustained abuse of sick time (if any). While a candidate's disciplinary history is considered under the record review section of this policy, Internal Affairs files are not considered part of the personnel file and shall not be subject to review as part of the promotion process. The candidate's experience, seniority, accomplishments, time and service with regard to the Neptune Township Police department or other law enforcement agencies, education and honorable military service will also be taken into consideration. Applicants will submit a letter of intent, resume and complete a candidate experience report prior to the deadline established by the Police Committee.
 - a. Each candidate shall prepare and provide a typed personal profile of himself/herself. This profile shall include, at a minimum, the candidate's career objective, educational achievements (including but not limited to academic, law enforcement-related, management, instructor certification and military experience), past and current responsibilities with the Police Department, commendations/letters, any and all disciplinary actions taken against the candidate (including the results of each action), any volunteer work performed and record of sick days used in the past five years. The candidate may include any additional information at his or her choosing. Each candidate is responsible for obtaining and ensuring the accuracy of all required information included in this profile. A candidate may be rejected for a deficiency in their personal profile. This report is to be completed by the candidate and is to be submitted to the Police Committee, after it has been reviewed and its accuracy is confirmed by the Police Chief, with their resume and letter of intent. This report is an opportunity for the candidate to identify those specific career experiences that the candidate believes qualifies him/her to serve as Deputy Chief. Copies of all submissions will be provided to the Chief of Police and placed in the department's promotion file.

4. Applicants for the position of Deputy Chief must have held the rank of Captain for a minimum of two (2) years, or have experience comparable to the same, and shall have a minimum of five (5) years of experience in a police supervisory capacity, supplemented by the completion of approved course work in police administration, police science, or related fields.
5. In accordance with N.J.S.A. 40A: 14-129, due consideration shall be given to the length, merit of service, and seniority in service to any candidate for promotion to Deputy Chief. Due consideration shall also be given to the recommendation of the Police Committee and consideration of the recommendation of the Chief of Police, which shall be based on the aforementioned factors and a review of the performance of the candidates.
6. The Chief of Police shall provide the Police Committee with his or her analysis of the strengths and weakness of each candidate and shall rank them in accordance with his or her recommendation for promotion and the Police Committee shall forward the Chief of Police's recommendations to the Township Committee.
7. This process shall take place in a private closed-door session.

B. Captain

1. Applicants for the position of Captain must have held the rank of Lieutenant for at least two (2) years prior to the notice of posting for the position of Captain, supplemented by the completion of approved course work in police administration, police science, or related fields. For employees hired after March 15, 2021, applicants for the position of Captain shall possess at a minimum a Bachelor's Degree from an accredited college or university or possess an Associate's Degree and be honorably discharged from active duty military service in any branch of the U.S. Military. Applicants will submit a letter of intent, resume and complete a candidate experience report prior to the deadline established by the Township and affected majority representative(s).
 - a. Candidate Experience Report – Self Assessment
 - i. Each candidate shall prepare and provide a typed Personal Profile of himself/herself. This profile shall include, at a minimum, the candidate's career objective, educational achievements (including but not limited to academic, law enforcement-related, management, instructor certification and military experience), past and current responsibilities with the Police Department, commendations/letters, any and all disciplinary actions taken against the candidate (including the results of each action), any volunteer work performed and record of sick days used in the past five years. The candidate may include any additional information at his or her choosing. Each candidate is responsible for obtaining and ensuring the accuracy of all required information included in this profile. A candidate may be rejected for a deficiency in their Personal Profile. This report is to be completed by the candidate and is to be submitted with their resume and letter of intent. This report is an opportunity for the

candidate to identify those specific career experiences that the candidate believes qualifies him/her to serve as Captain.

2. The examination for the position of Captain will consist of an oral interview conducted by a review board consisting of the Chief of Police, Deputy Chief of Police and Captain(s). The review board will have access to the candidate's resume, candidate experience report and personnel file, consisting of past evaluations, career experience, and commendations and disciplinary notices and sustained abuse of sick time. While a candidate's disciplinary history is considered under the record review section of this policy, Internal Affairs files are not considered part of the personnel file and shall not be subject to review as part of the promotion process. All candidates will be evaluated on their answers to questions formulated by the review board taking the candidate's experience, seniority, accomplishments, education and honorable military service into account.
3. In accordance with N.J.S.A. 40A: 14-129, due consideration shall be given to the length and merit of service and to seniority in service to any candidate for promotion to Captain. Due consideration shall also be given to the recommendation of the Chief of Police, which shall be based on the aforementioned factors and a review of the performance of the candidates.
4. This process shall take place in a private closed-door session.
5. All candidates and supervisory personnel participating in the oral interviews will be required to sign a non-disclosure agreement. (Appendix #1 and Appendix #2).
6. The examination process for the position of Captain will follow the same general format as for Lieutenants and will be scored with the following percentages:

•Oral Interview with Department Superiors	25%
•Command Staff Recommendation (25%) Record Review (25%)	50%
•Chief Recommendation	25%
Final Grade	100%

C. Lieutenant

1. Applicants for the position of Lieutenant must have held the rank of Sergeant for at least two (2) years prior to the notice of posting for the position of Lieutenant. For employees hired after March 15, 2021, applicants for the position of Lieutenant shall possess at a minimum a Bachelor's Degree from an accredited college/university or possess an Associate's Degree and be honorably discharged from active duty military service in any branch of the U.S. Military. Applicants will submit a letter of intent, resume and complete a candidate experience report prior to the deadline established by the Township and affected representative(s).

a. Candidate Experience Report – Self Assessment

i. Each candidate shall prepare and provide a typed Personal Profile of himself/herself. This profile shall include, at a minimum, the candidate's career objective, educational achievements (including but not limited to academic, law enforcement-related, management, instructor certification and military experience), past and current responsibilities with the Police Department, commendations/letters, any and all disciplinary actions taken against the candidate (including the results of each action), any volunteer work performed and record of sick days used in the past five years. The candidate may include any additional information at his or her choosing. Each candidate is responsible for obtaining and ensuring the accuracy of all required information included in this profile. A candidate may be rejected for a deficiency in their Personal Profile. This report is to be completed by the candidate and is to be submitted with their resume and letter of intent. This report is an opportunity for the candidate to identify those specific career experiences that the candidate believes qualify him/her to serve as Lieutenant.

ii. A copy of this report will be distributed to each commander participating in the Commander Recommendation phase. By providing the commanders with each candidate's experience report, this will assist in making sure that each participating commander has a well-rounded understanding of the experiences and qualifications that each candidate offers.

iii. Commanders shall be the rank of Captain and above.

2. The examination process for the position of Lieutenant will consist of (3) three phases, which will be scored with the following percentages:

• <u>Oral Interview with Department Superiors</u>	<u>25%</u>
• <u>Command Staff Recommendation (25%) Record Review (25%)</u>	<u>50%</u>
• <u>Chief Recommendation</u>	<u>25%</u>
<u>Final Grade</u>	<u>100%</u>

a. Phase #1: Oral Interview with Department Superiors

i. An oral interview board consisting of current Department Superior Officers that are of the rank of Lieutenant and above will administer this portion of the examination. These Superior Officers will be selected by the Chief of Police. They will utilize a uniform set of questions and grade the candidates on a standardized form. The criteria candidates will be tested on include, but are not limited to, the following:

- a. Constitutional, State, and Municipal Law;
- b. Department Policy, Procedure and SOP's;

- c. Attorney General Guidelines;
 - d. Monmouth County Policies;
 - e. Rank specific questions;
 - f. Community based questions.
- b. Phase #2: Commander Recommendation/Record Review
- i. Commander Recommendation: Existing agency command staff members of the rank of Captain and above. These members of the command staff will make their appropriate recommendations for Lieutenant promotions as follows:
 - ii. The Chief of Police and Deputy Chief of Police will facilitate this step.
 - iii. Each participating command staff member will be provided with the candidates resume, candidate experience report and personnel file, consisting of past evaluations, career experience, commendations, disciplinary notices and sustained abuse of sick time will be included for command staff review for this phase of examination. While a candidate's disciplinary history is considered under the record review section of this policy, Internal Affairs files are not considered part of the personnel file and shall not be subject to review as part of the promotion process.
 - iv. This process shall take place in a private closed-door session.
 - v. This step is designed to allow existing command staff members to submit their individual recommendation into the promotional process.
 - vi. The Chief of Police and Deputy Chief of Police will begin a roundtable discussion about each candidate to include a review of the subject's Personal Profile. After a roundtable discussion has taken place for each candidate, the Deputy Chief of Police and other participating members of the command staff will complete an evaluation with a numerical grade for each candidate taking the candidate's experience, seniority, accomplishments, education and honorable military service into account.
 - vii. Each commander shall provide a grade for each candidate utilizing a standardized form.
 - viii. Upon completing each evaluation/grading, the commander shall immediately seal their written evaluation which will be submitted to the Chief of Police for scoring.

- ix. Confidentiality and Scoring: All commanders participating in the commander recommendation phase are to complete their evaluations and grading independently. Although roundtable discussions are appropriate at the start, commanders are forbidden from discussing their scores with other commanders during this session and/or until the completion of the entire promotional process.
- x. Upon completing each evaluation/grading, the Chief of Police shall immediately tally all of the scores submitted from the staff.

- a. Scoring Formula

- 1. Candidates will be graded on a scale of 60 – 100 by increments of 5. The scores are as follows: 60, 65, 70, 75, 80, 85, 90, 95 and 100.

- c. Phase #3: Chief of Police Recommendation

- i. The Chief of Police shall evaluate the candidate's qualifications including a review of any and all files pertaining to the candidate.

- 3. In accordance with N.J.S.A. 40A: 14-129, due consideration shall be given to the length and merit of service and to seniority in service to any candidate for promotion to Lieutenant. Due consideration shall also be given to the recommendation of the Chief of Police, which shall be based on the aforementioned factors and a review of the performance of the candidates.
- 4. All candidates and supervisory personnel participating in the oral interviews will be required to sign a non-disclosure agreement. (Appendix #1 and Appendix #2).

D. Sergeant

- 1. Applicants for the position of Sergeant must have held the rank of Police Officer for at least eight (8) years prior to the notice of posting for the position of Sergeant. Applicants for the position of Sergeant who have an Associate's Degree, honorable discharge from the United States Military Service and/or a Bachelor's degree or above shall be awarded point credits in evaluating eligibility for promotion. Applicants will submit a letter of intent, resume and complete a candidate experience report prior to the deadline established by the Township and affected majority representative(s).

- a. Candidate Experience Report – Self Assessment

- i. Each candidate shall prepare and provide a typed Personal Profile of himself/herself. This profile shall include, at a minimum, the candidate's career objective, educational achievements (including but not limited to academic, law enforcement-related, management, instructor certification and military experience), past and current responsibilities with the

Police Department, commendations/letters, any and all disciplinary actions taken against the candidate (including the results of each action), any volunteer work performed and record of sick days used in the past five years. The candidate may include any additional information at his or her choosing. Each candidate is responsible for obtaining and ensuring the accuracy of all required information included in this profile. A candidate may be rejected for a deficiency in their Personal Profile. This report is to be completed by the candidate and is to be submitted with their resume and letter of intent. This report is an opportunity for the candidate to identify those specific career experiences that the candidate believes qualifies him/her to serve as Sergeant.

- ii. A copy of this report will be distributed to each commander participating in the Commander Recommendation phase. By providing the commanders with each candidate's experience report, this will assist in making sure that each participating supervisor has a well-rounded understanding of the experiences and qualifications that each candidate offers.

2. The examination process for the position of Sergeant will consist of (3) three phases, which will be scored with the following percentages:

• <u>Written Examination</u>	<u>25%</u>
• <u>Oral Interview with Department Supervisors</u>	<u>25%</u>
• <u>Commander Recommendation (25%) Record Review (25%)</u>	<u>50%</u>
 Final Grade	 100%

3. Phase #1: Written Examination

- a. The written examination will consist of a series of multiple-choice type questions. The questions will be based on basic police practice and may include police and investigative procedure, supervisory and administrative principles, report writing and general legal aspects of police work.
- b. The Township shall utilize a valid and reliable testing company to supply, administer and score the written exam.
- c. Any and all costs associated with the written examination except for the written examination itself shall be the responsibility of the candidate.
- d. The Chief of Police shall receive authorization to conduct a written test. Candidates will be provided with a syllabus of possible testing resources in order to prepare for the written examination.
- e. Eligible candidates will be allowed a minimum of 60 days for preparation period, prior to the first phase of the process.
- f. Eligible candidates will be notified by the Chief of Police or Deputy Chief of Police as to the date and location of the written test.

- g. Eligible candidates who are scheduled to work during the written examination will be granted time off at their own expense to take the examination.
- h. Any candidate who does not achieve a minimum score of 70% is excluded from consideration for promotion.
- i. In the event there are fewer than five candidates with a minimum written examination score of 70%, then the five highest-scoring candidates shall proceed to the next phase and continue with the process regardless of their scores. If more than one candidate achieves an identical fifth highest score, then each shall be permitted to continue in the process.

Grade Points

0 to 69	0
70 to 75	15
76 to 80	17
81 to 85	19
86 to 90	21
91 to 95	23
96 to 100	25

4. Phase #2: Oral Interview with Department Commanders/Supervisors

- a. An Oral Interview board consisting of current department Superior Officers will administer this portion of the examination consisting of the rank of Sergeant and Lieutenant (three most senior Sergeants and Lieutenants in rank available at the scheduled time of the oral interview set forth by the Chief of Police. If two Sergeants or Lieutenants have the same time in rank the Sergeant or Lieutenant with the most service in Neptune Township shall be deemed most senior), which will be selected by the Chief of Police and Deputy Chief of Police. They will utilize a uniform set of questions which will be reviewed and approved by the Chief of Police. They will then grade the candidates on a standardized form. The criteria candidates will be tested on include, but are not limited to the following:
 - i. Constitutional, State, and Municipal Law;
 - ii. Department Policy, Procedure, and SOP's;
 - iii. Attorney General Guidelines;
 - iv. Monmouth County Policies;
 - v. Rank specific questions;
 - vi. Community based Questions.

- b. All candidates and supervisory personnel participating in the oral interviews will be required to sign a non-disclosure agreement. (Appendix #1 and Appendix #2)

5. Phase #3: Commander Recommendation/Record Review

- a. Command Recommendation: Existing agency command staff members of the rank of Captain and above will participate in this process to help identify the future leaders of this department. These commanders will make their appropriate recommendations for Sergeant promotions as follows:
 - i. The Chief of Police and Deputy Chief of Police will facilitate this step and will be active participants in the grading of candidates.
 - ii. Each participating command staff member will be provided with the candidates resume, candidate experience report and personnel file, consisting of past evaluations, career experience, commendations, disciplinary notices and sustained abuse of sick time will be included for command staff review for this phase of examination. While a candidate's disciplinary history is considered under the record review section of this policy, Internal Affairs files are not considered part of the personnel file and shall not be subject to review as part of the promotion process.
 - iii. This process shall take place in a private closed-door session.
 - iv. This step is designed to allow existing staff members to submit their individual recommendation into the promotional process.
 - v. The Chief of Police, Deputy Chief of Police will begin a roundtable discussion about each candidate to include a review of the subjects Personal Profile. After a roundtable discussion has taken place for each candidate, the Chief of Police and Deputy Chief of Police and other participating members of the staff will complete an evaluation with numerical grade for each candidate taking the candidate's experience, seniority, accomplishments, education and honorable military service into account.
 - vi. Each commander shall provide a grade for each candidate utilizing a standardized form.
 - vii. Upon completing each grading, the staff member shall immediately seal their written evaluation which will be submitted to the Chief of Police for scoring.

viii. Confidentiality and Scoring: All staff members participating in the supervisory and command recommendation phase are to complete their evaluations and grades independently. Although roundtable discussions are appropriate at the start, staff members are forbidden from discussing their scores with other staff members during this session and/or until the completion of the entire promotional process.

ix. Upon completing each evaluation/grading, the Chief of Police will tally all of the scores submitted from the staff.

a. Scoring Formula

1. Candidates will be graded on a scale of 60 – 100 by increments of 5. The scores are as follows: 60, 65, 70, 75, 80, 85, 90, 95 and 100.

II. Record Review

A. For every rank set forth in this policy, a Record Review will be conducted by the Police Chief and Deputy Chief of Police. A maximum of (25) twenty five points will be awarded based on the following criteria:

1. Commendations: candidates shall receive one point for each commendation up to maximum of five points. Commendations shall include, but not limited to, all of the following: official commendations issued by the Chief of Police for actions taken in the performance of their duties, formal letters of commendation from any law enforcement agency or governmental entity; awards received for actions taken as a law enforcement officer; academic awards; letters from the public acknowledging the appreciation of actions taken as a law enforcement officer; any and all documentation, whether written or some other form of communication, acknowledging good work as a law enforcement officer. This definition is not meant to be limiting in any way and should be construed to include positive references to an officer's career in whatever form they may be. The Chief of Police and Deputy Chief of Police will validate all commendations to determine if they qualify for points.
2. Disciplinary Actions: The cumulative sustained disciplinary occurrences for any discipline issued will be used for this section. Candidate only receives the point(s) associated with the most severe penalty and not the point(s) for each separate penalty. Discipline outside of the applicable time period as set forth below will not be considered and will not count against the officer.

Candidates for promotion: Oral reprimands shall only count as disciplinary occurrences for one year following the oral reprimand. Written reprimands shall only count as disciplinary occurrences for three years following the written reprimand. A suspension of two days or less shall only count as a disciplinary occurrence for three years following the suspension. A suspension of three to ten days shall only count as a disciplinary occurrence for five years following the suspension. Any suspension of ten

days or more will be counted regardless of when the suspension was incurred.

A maximum of seven points shall be designated as follows:

- No Discipline: seven points
- Oral Reprimand, one through three: six points
- Oral Reprimand, more than three: five points
- Written Reprimand, one through three: five points
- Written Reprimand, more than three: four points
- Suspension of two days or less: six points
- Suspension of three to ten days: four points
- Suspension of ten days or more: two points

3. Education: Candidate only receives the point(s) associated with the highest educational degree from an accredited college/university attained and not the point(s) for each separate education degree up to maximum of five points.

- Associate's Degree or 60 credits in which at least 40 credits shall be core curriculum courses – two points
- Bachelor's Degree – four points
- Master's Degree – five points

4. Military: Honorable discharge from active duty of any branch of the U.S. Military receives two points.

a. Seniority: Candidate shall receive seniority points for each fully completed year of service as a police officer in Neptune Township as set forth in the chart below. Those candidates who have served as a police officer in New Jersey in good standing, prior to their appointment in Neptune Township, will be credited ½ year for every year of service in the previous agency to be counted towards seniority.

Years of Service Completed Points

8	.50
9	.75
10	1.0
11	1.25
12	1.50
13	1.75
14	2.0
15	2.25
16	2.5
17	2.75
18	3.0
19	3.25
20	3.5

21	3.75
22	4.0
23	4.25
24	4.5
25	4.75
26	5.0
27	5.25
28	5.50
29	5.75
30	6.0

III. Scoring Matrix – Sergeant

1. Tabulation for the position of Sergeant will be as follows:
 - PHASE #1 - Written examination is 25%
 - PHASE #2 - Oral Interview with Department Supervisors is 25%
 - PHASE #3 - Commander Recommendation is 25%
 - Record Review is 25%
2. Test point conversion is as follows:

Grade Points

0 to 69	0
70 to 75	15
76 to 80	17
81 to 85	19
86 to 90	21
91 to 95	23
96 to 100	25

Example:

PHASE#1 Test score is 75, which converts to:	15.00
PHASE#2 Oral Interview, all standardized grading forms are added up and the average is your score: 80, 85, 75, 100, 90, 70 = 500/6 = 83.33 x .25= 20.83	20.83
PHASE#3 Commander Recommendation, all standardized grading forms are added up and the average is your score: 90, 90, 100, 100, 100 = 480/5 = 96.00 x .25= 24	24
RECORD REVIEW	19.00
TOTAL	78.83

IV. Preference to Residents

- A. If a situation arises where a resident of Neptune and a non-resident achieve the same final average after all scoring is complete, a resident shall be appointed over the non-resident. The preference granted by this section shall in no way diminish, reduce, or affect the preferences granted to veterans pursuant to any other provision of law.

V. Security of Promotional Materials

- A. The Chief of Police shall be responsible for the security of promotional materials. All promotional materials will remain in a secured promotional file.

VI. Posting of Results

- A. At the end of the scoring process, all candidates shall be provided with their score for each Phase of the testing process and their total score.
- B. The PBA President shall be provided with the scores of all written examinations taken for the rank of Sergeant. The scores provided to the PBA President shall not contain names, badge numbers or any other identifier.
- C. The FOP President shall be provided with the scores of all candidates for promotion. The scores provided to the FOP President shall not contain names, badge numbers or any other identifier.
- D. Promotions shall not take effect until 10 days after the posting of results and, if an appeal is filed as set forth below, may be delayed until the appeal has been resolved.

VII. Appeals of Process

- A. Within 10 days of the posting of the promotions for any rank, a candidate may file a written letter of appeal. Said letter must contain the reason(s) or justification(s) for an appeal and must be submitted to the Police Committee and the Chief of Police through the appropriate chain of command. The Police Committee will assess the request and, with advice from and due deference to the Chief of Police, make a determination of how the request will be addressed on a case-by-case basis. Such requests may address the following areas of the promotional process:
 - 1. Review and re-tabulation of the scored elements of the selection process.
 - 2. Review any evaluation or internal document that was used in the selection process related to the appellant. Any restrictions on access to internal documents pursuant to the Attorney General Guidelines shall be respected and review of those documents shall be conducted by authorized personnel only who shall report to and advise the Police Committee in making their evaluation.
 - 3. If the appeal impacts upon the results of the promotion(s) as determined by the Police Committee, the candidate may be permitted to be re-evaluated.
- B. Any candidate for promotion, who believes they may have a conflict with a supervisor conducting a review of the candidate in the promotional process, may make a request, in writing to the Chief of Police and the Police Committee, detailing their perceived

conflict. The Police Committee, with advice from and due deference to the Chief of Police shall evaluate the request and render a decision if the evaluator is to be replaced or not.

- C. Within seven (7) days of receipt of an appeal, the Chief of Police will advise the candidate of the steps that are being taken to address the appeal and when the appeal is expected to be concluded.

VIII. Eligibility Lists

- A. An eligibility list for promotion to Sergeant will remain in effect for a period of 24 months, and for all other promotions for a period of 12 months from the date of the posting of final scores by the Chief of Police, which may be extended by the Township.
- B. All promotions shall be contingent upon successful completion of a thorough psychological examination, which consists of a battery of written tests along with a comprehensive psychological interview. The psychological tests measure cognitive ability, personality, psychopathology, supervisory capacity, and competent performance. Candidates also complete a writing sample dealing with issues pertinent to the rank being sought. Candidates also complete a biographical summary, which collects an array of background and social history data.
- C. After the expiration of the eligibility list, candidates will be required to reapply for any subsequent promotional process. Candidates that have taken the written examination within the last three (3) years may choose to use the prior score or may retake the exam. If the candidate retakes the exam, the higher of the scores will be used in evaluating the candidate for promotion. Examinations taken prior to the date this policy becomes effective may be used for current and future promotions provided that they were taken within three (3) years of the promotional process.
- D. The Chief of Police shall rank all eligible candidates for promotion in descending order based upon his/her evaluation/score.

ORAL BOARD PANEL MEMBER AGREEMENT REGARDING CONFIDENTIALITY

I, _____, hereby acknowledge that I have been selected and assigned by the Neptune Township Police Department as a member of the oral board interview panel. I will be assisting in conducting interviews for the position of _____. As a panel member, I am aware of the confidential nature of my work and therefore expressly acknowledge the following:

1. I will have access to confidential information or material relating to the oral board examination process.
2. I will not discuss this material or process with any person going before the panel or any third party unless authorized by the Chief of Police.
3. If an applicant attempts to contact me regarding any aspect of the process prior to its completion, I will immediately contact the Chief of Police.
4. If any third-party attempts to contact me about the oral board contents or process, I will immediately contact the Chief of Police. This notification to the Chief of Police will occur regardless if I believe the third party is attempting to obtain information to benefit a candidate.
5. I can be objective during the interview and will keep personal feelings and/or opinions out of the process.
6. I will only judge the candidates on their knowledge, skills, abilities and promotional potential.
7. If at any point during the process I believe there is a conflict of interest, I will immediately report it to the Chief of Police.
8. If I violate any of these terms, I may be subject to discipline which could lead to termination of my employment with the Neptune Township Police Department.

Print Name: _____

Signature: _____ Date : _____

Appendix #1

CANDIDATE AGREEMENT OF CONFIDENTIALITY AND NON-DISCLOSURE

I, _____, hereby acknowledge that I am a candidate for the position of _____ and will be taking the oral board examination. I will be asked a series of questions regarding my knowledge, skills and abilities pertaining to this position. In addition to testing my knowledge, these questions are designed to assess my composure, maturity, interpersonal skills and potential for promotion. I am aware of the confidential nature of this interview and the importance of keeping the information confidential, so the process is not compromised.

Therefore, I expressly acknowledge the following:

1. I will not discuss or disclose the process or contents of the questions, including my answers, with any candidate until all of the interviews are completed.
2. I will not discuss or disclose the process or contents of the questions, including my answers, with any third party until all of the interviews are completed.
3. I will not reveal what was not asked by the panel with any candidate or third party until all of the interviews are completed.
4. If any candidate or third-party attempts to question me regarding the process or contents of the questions, I must immediately report this to the Chief of Police.
5. If any person does question me regarding the process or contents of the questions, I must advise them I am not permitted to discuss it until all candidates have completed the interview.
6. I will not electronically record any audio or video this process openly or in a clandestine manner.
7. On the day of my interview, I will be sequestered and will not be permitted to leave the building until authorized by a command officer.
8. I understand that if I do leave, it will disqualify me from the promotional process and it may cause the cancellation of all interviews.
9. I understand I may not make or receive phone calls or make or receive any electronic or digital communication during the sequestration period.
10. If I violate any of these terms, I may be subject to discipline which could lead to termination of my employment with the Neptune Township Police Department.

Print Name: ____

Signature: _____ Date: __

§ 2-10.11. County Mutual Aid Agreement.

NOW, THEREFORE, BE IT FURTHER ORDAINED that:

1. Any ordinance that is inconsistent with the provisions of this Ordinance shall be repealed as to their inconsistencies only.
2. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase or portion shall be deemed a separate district and independent provision and such holding shall not affect the validity of the remaining portions thereof.
3. This Ordinance shall take effect after final adoption and publication in accordance with law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Michael Brantley, Mayor
Mayor

RESOLUTION #21-245 – 6/28/21

AUTHORIZE RENEWAL OF LIQUOR LICENSES
FOR THE 2021-2022 LICENSING YEAR

WHEREAS, the following liquor licensees have completed the on-line Alcoholic Beverage Control renewal application, paid the required state and local fees, been reviewed by the Neptune Township Police Department, and has been issued a New Jersey State Sales Tax Clearance Certificate by the State Division of Taxation,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses, and Club Licenses in the Township of Neptune be and are hereby renewed for the period July 1, 2021 to June 30, 2022:

PLENARY RETAIL CONSUMPTION LICENSES

<u>LICENSE NUMBER</u>	<u>NAME</u>	<u>ADDRESS</u>
1334-32-002-005	ROS Associates, LLC	Inactive/In-pocket
1334-33-012-017	Chatham 1110 Liquor, LLC, t/a Crab Tales	3548 Route 66
1334-33-018-014	Sea Crab, Inc.	25 South Main Street

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed electronically with the Division of Alcoholic Beverage Control and in the file of each Licensee in the Office of the Municipal Clerk.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JUNE 28, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-246 - 6/28/21

RENEW LIQUOR LICENSE HELD BY VPK, INC. T/A ALPHA LIQUORS
FOR THE 2021-2022 LICENSING YEAR

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Plenary Retail Distribution Liquor License known as 1334-44-022-002 be renewed to VPK, Inc. t/a Alpha Liquors, located at 1515 West Lake Avenue for the 2021-2022 licensing year under the following condition (continued from the prior licensing period):

Hours of operation will be limited to no later than 10:00 p.m. on any day of the week

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control, Chief of Police, and the License Holder.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JUNE 28, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-247 - 6/28/21

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,

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; and,

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
3705/41	14 Montclair Avenue	\$ 455.00
214/3	58 Heck Avenue	312.50

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JUNE 28, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-248 - 6/28/21

ACCEPT THE RESIGNATION OF PAUL SHANAHAN AS A DRIVER
IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Public Works Director has received a letter from Paul Shanahan resigning as a Driver in the Public Works Department effective June 25, 2021,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Paul Shanahan as a Driver in the Public Works Department is hereby accepted effective June 25, 2021; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JUNE 28, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-249 - 6/28/21

ACCEPT THE RESIGNATION OF JOSEPH ACERRA AS A DRIVER
IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Public Works Director has received a letter from Joseph Acerra resigning as a Driver in the Public Works Department effective July 2, 2021,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Joseph Acerra as a Driver in the Public Works Department is hereby accepted effective July 2, 2021; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JUNE 28, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-250 – 6/28/21

AUTHORIZE DEVELOPER'S AGREEMENT WITH HEMENWAY CONSTRUCTION, INC.,
FOR SITE IMPROVEMENTS AT 5TH AVENUE AND RIDGE AVENUE (BLOCK 420, LOT 4)

WHEREAS, Hemenway Construction, Inc., sought development of property subject to a Preliminary and Major Subdivision Approval by the Neptune Township Planning Board for development of property for six (6) individual residential lots with proposed single-family homes, and the Planning Board of the Township of Neptune having granted approval of the application by Resolution No. 20-15; dated November 24, 2020; and

WHEREAS, Hemenway Construction, Inc., has agreed to enter into a Developer's Agreement with the Township of Neptune to guarantee the faithful performance of the obligations and representations associated with the application before the Planning Board of Neptune Township; and

WHEREAS, it is in the best interest of the citizens of the Township of Neptune to enter this Developer's Agreement with Hemenway Construction, Inc., to ensure the proper compliance and guaranteed performance of items and improvements made on said parcel,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the Mayor and Clerk are hereby authorized to execute the aforesaid Developer's Agreement with Hemenway Construction, Inc., a true copy of which is on file in the office of the Municipal Clerk, for compliance with the aforesaid Planning Board of Neptune Township's Resolution No. 20-15, and representations upon submission and approval of all conditions arising from the aforesaid Resolution, and return the same to the Township Attorney for recording in the Clerk's office of Monmouth County; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Attorney and Administrative Officer to the Planning Board.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JUNE 28, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-251 - 6/28/21

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND
FILED BY WAYSIDE ASSOCIATES, LLC FOR SITE IMPROVEMENTS AT
MI PLACE AT WAYSIDE ON WAYSIDE ROAD

WHEREAS, on November 26, 2018, Wayside Associates, LLC posted performance bond #2720637 in the amount of \$44,778.96 written by Great American Insurance Company guaranteeing site improvements at Mi Place at Wayside, Wayside Road (Block 2201, Lot 17); and,

WHEREAS, in January 27, 2020, the Township Committee adopted Resolution #20-82 which authorized a reduction in said performance bond to the amount of \$34,129.58; and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of June 18, 2021 and said performance bond can be released contingent upon posting a two year maintenance bond in the amount of \$13,250.00; and,

WHEREAS, Wayside Associates, LLC has filed Maintenance Bond #3856685 in the amount of \$13,250.00 written by Great American Insurance Company guaranteeing said site improvements for a period of two years,

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

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee in the amount of \$3,793.65 be and is hereby authorized to be refunded; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JUNE 28, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-252 - 6/28/21

AUTHORIZE THE REFUND OF TAXES AS A RESULT OF AN OVERPAYMENT

WHEREAS, the properties listed below reflect overpayments; and,

WHEREAS, they have furnished the necessary documentation and have requested a refund;
and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to refund the taxes as stated herein; and,

BLOCK	LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
3301	2.02	Cook	3319 Highway 33	2020	1,170.49
3301	2.02	Cook	3319 Highway 33	2021	1,215.74
3808	5	Feeney	6 Rutgers Terrace	2019	1,522.62

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JUNE 28, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-253 - 6/28/21

EMPLOY TEMPORARY SEASONAL PERSONNEL FOR
THE NEPTUNE SUMMER RECREATION PROGRAM

WHEREAS, the Township of Neptune Recreation Department will be sponsoring a Summer Recreation Program; and,

WHEREAS, applications were received and the following qualified applicants have been recommended for hire by the Recreation Director; and,

WHEREAS, funds will be provided in the 2021 Municipal Budget in the appropriation entitled Recreation S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following persons be and are hereby employed in the Neptune Summer Recreation Program for the number of hours and days as specified herein, pending favorable results of the required background check and with the understanding that staffing levels will be based on final enrollment. This resolution does not guarantee either employment or number of hours; and,

Substitute Role Models \$12.00/hour June 24 – August 9 3.5 hours/day 30 days

Emily Fleming
Josiah Montgomery

David Ramirez
Owen Esparza

Edgar Torralba

CITs (Role Models in Training) no pay/experience only

Mia Santiago

Lindsey Beattie

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JUNE 28, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-254 – 6/28/21

AUTHORIZE THE CHIEF FINANCIAL OFFICER AND OTHER TOWNSHIP OFFICIALS TO UNDERTAKE CERTAIN ACTIONS IN CONNECTION WITH THE ISSUANCE OF A NOT TO EXCEED \$1,261,000 GENERAL IMPROVEMENT BOND ANTICIPATION NOTE

WHEREAS, the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township") is seeking to issue a not to exceed \$1,261,000 General Improvement Bond Anticipation Note (the "Note") to currently refund a \$1,261,000 principal portion of a prior Bond Anticipation Note of the Township issued in the aggregate principal amount of \$1,402,000 on July 13, 2020 and maturing on July 12, 2021 (the "Prior Note"), which Prior Note was originally issued to temporarily finance the costs of various general capital improvements in and for the Township (the remaining portion of such Prior Note is being paid by a 2021 budgetary appropriation of the Township in the amount of \$65,132 and a Community Development Block Grant received by the Township in the amount of \$75,868, for a total paydown of \$141,000); and

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

WHEREAS, such Note shall bear interest at a rate of zero and zero hundredths percentum (0.00%) per annum, shall be dated July 9, 2021 and shall mature on July 8, 2022; and

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

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

Section 1. Pursuant to and in accordance with Bond Ordinance Number 18-06, Bond Ordinance Number 19-02, Bond Ordinance Number 19-27, Bond Ordinance Number 19-28, Bond Ordinance Number 19-29, and Bond Ordinance Number 19-38, all duly adopted by the Township (collectively, the "General Improvement Bond Ordinances"), a General Improvement Bond Anticipation Note of the Township in an aggregate principal amount not to exceed \$1,261,000 (the "Note") shall be issued for the purpose of currently refunding a \$1,261,000 principal portion of a prior Bond Anticipation Note of the Township issued in the aggregate principal amount of \$1,402,000 on July 13, 2020 and maturing on July 12, 2021 (the "Prior Note"), which Prior Note was originally issued to temporarily finance the costs of various general capital improvements in and for the Township (the remaining portion of such Prior Note is being paid by a 2021 budgetary appropriation of the Township in the amount of \$65,132 and a Community Development Block Grant received by the Township in the amount of \$75,868, for a total paydown of \$141,000).

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

Section 3. The Note shall be dated July 9, 2021 and shall mature on July 8, 2022, shall bear interest from its date, which interest shall be at a rate of zero and zero hundredths percentum (0.00%) per annum, and shall be in the form attached hereto as Exhibit A.

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

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

Section 6. This resolution shall take effect immediately.

Upon motion of Mr. Lane, seconded by Ms. York, the foregoing resolution was adopted by affirmative vote of the majority of the Township Committee at a regular meeting of the Township Committee duly called and held on the 28th day of June, 2021 by the following vote:

AYES: Cafferty, Lane, Williams, York & Brantley

NAYS: None

ABSENTEES: None

CERTIFICATION

I, RICHARD J. CUTTRELL, Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), DO HEREBY CERTIFY that the annexed resolution is a true, complete and correct copy of a resolution duly adopted by the Township Committee at its meeting duly called and held on June 28, 2021, in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., at which meeting a quorum was present and acting throughout and which resolution has been compared by me with the original thereof as officially recorded in the Minute Book of said Township Committee and that said resolution has not been amended, modified or repealed and is in full force and effect as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Township this 28th day of June 2021.

(SEAL)



RICHARD J. CUTTRELL,
Clerk of the Township of Neptune

EXHIBIT A
FORM OF NOTE

BAN 2021-1

\$1,261,000

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

GENERAL IMPROVEMENT BOND ANTICIPATION NOTE

KNOW ALL MEN BY THESE PRESENTS that the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), for value received, hereby acknowledges itself to be indebted and promises to pay to the Sewer Operating Fund of the Township, the registered owner hereof or its registered assigns, on the 8th day of July, 2022, the principal sum of ONE MILLION TWO HUNDRED SIXTY-ONE THOUSAND DOLLARS (\$1,261,000) with interest thereon at the rate of zero and zero hundredths percentum (0.00%) per annum (computed on the basis of a 360-day year of twelve 30-day months), payable at the maturity hereof. Both principal of and interest on this Note are payable in lawful money of the United States of America upon presentation and surrender hereof at the Office of the Chief Financial Officer of the Township. The full faith and credit of the Township are hereby irrevocably pledged for the prompt payment of the principal of and interest on this Note as the same become due and payable.

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

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

This Note is being issued to currently refund a \$1,261,000 principal portion of a prior Bond Anticipation Note of the Township issued in the aggregate principal amount of \$1,402,000 on July 13, 2020 and maturing on July 12, 2021 (the "Prior Note"), which Prior Note was originally issued to temporarily finance the costs of various general capital improvements in the Township (the remaining portion of such Prior Note is being paid by a 2021 budgetary appropriation of the Township in the amount of \$65,132 and a Community Development Block Grant received by the Township in the amount of \$75,868, for a total paydown of \$141,000). This Note is authorized to be issued pursuant to the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented, various bond ordinances duly adopted by the Township Committee, approved by the Mayor and published as required by law, and a resolution duly adopted by the Township Committee on June 28, 2021.

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

IN WITNESS WHEREOF, the Township has caused this Note to be signed by its Mayor and Chief Financial Officer and its official seal to be hereunto affixed and attested to by the Township Clerk, and this Note to be dated the 9th day of July, 2021.

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

By: [FORM OF NOTE-- DO NOT SIGN]
MICHAEL BRANTLEY,
Mayor

(SEAL)

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

[FORM OF NOTE-- DO NOT SIGN]
RICHARD J. CUTTRELL,
Township Clerk

BAN 2021-1

\$1,261,000

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

REGISTERED CERTIFICATE

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

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

RESOLUTION #21-255 - 6/28/21

AUTHORIZE TOWNSHIP ENGINEERING CONSULTANT TO PERFORM
ENGINEERING SERVICES IN CONNECTION WITH THE
2021 ROAD IMPROVEMENT PROGRAM

WHEREAS, the Township of Neptune desires to initiate the 2021 Road Improvement Program which includes the resurfacing of numerous Township roadways and the Municipal Building parking lot; and,

WHEREAS, it is necessary for a Township Engineer Consultant to perform professional engineering services including pre-design meetings, preparation of plans and specifications, surveying, permitting, bidding and construction/administration services in connection with this project; and,

WHEREAS, the Township Engineer solicited proposals for said services from engineering firms in the 2021 engineering pool; and,

WHEREAS, CME Associates submitted the lowest quote and has experience in this type of work; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 20-19, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes CME Associates to perform the services as stated herein as Township Engineering Consultant, said proposal on file in the Office of the Municipal Clerk, at an amount not to exceed \$117,570.00 for the 2021 Road Improvement Program; and,

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JUNE 28, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-256 - 6/28/21

EXTEND OFFERS OF EMPLOYMENT FOR THE POSITION OF DRIVER
IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, there are vacancies in the position of Driver in the Public Works Department;
and,

WHEREAS, the position was duly posted and applicants have been interviewed; and,

WHEREAS, the Human Resources Director and Public Works Director have made their
recommendation; and,

WHEREAS, funds will be provided in the Municipal Budget in the appropriation entitled Solid
Waste S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune
that an offer of employment be and is hereby extended to Ronald Tillery and Jaime Lepore for the
position of Class A Driver in the Department of Public Works at an annual salary of \$32,200.00, on a
probationary basis for a period of not less than 90 days and not exceeding one year, contingent
upon favorable results of the required pre-employment testing, effective June 21, 2021; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Public
Works Director, Chief Financial Officer, Assistant C.F.O., AFSCME Local #2792, and Human
Resources Director.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JUNE 28, 2021



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #21-257 – 6/28/21

AUTHORIZE THE PAYMENT OF BILLS

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

CURRENT FUND	4,447,724.61
GRANT FUND	9,199.87
TRUST FUND	42,214.50
GENERAL CAPITAL FUND	1,907.00
SEWER OPERATING FUND	199,044.17
SEWER CAPITAL FUND	416.99
MARINA OPERATING FUND	5,022.50
LIBRARY TRUST	42.53
BILL LIST TOTAL	\$4,705,572.17

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

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON JUNE 28, 2021



Richard J. Cuttrell, Municipal Clerk