Borough of Neptune City
Regular Meeting of the Mayor and Council
Agenda
June 28, 2021

Call to Order
Roll Call:
Open Public Meetings Act
Flag Salute

MINUTES

COMMUNICATIONS

PRESENTATIONS

BOARD OF EDUCATION REPORT

ADMINISTRATORS REPORT

MAYORS REPORT

COUNCIL REPORTS
Administration & Finance - John Pietrunti
Public Works – Pamela Renee
Law & Ordinance – Brian Thomas
Administration & Justice – Glen Kocsis
Special Services- Danielle Pappas
Human Services- Dave Calhoun

PUBLIC PARTICIPATION (FOR AGENDA ITEMS)

UNFINISHED BUSINESS
Second Reading or Ordinance 21-04 Cannabis

ITEMS FOR DISCUSSION

NEW BUSINESS
Ordinance 21-05 Amending Chapter 129 Vehicles and Traffic
Ordinance 21-06 Bond Ordinance for Fire Truck
Ordinance 21-07 Bond Ordinance for 2020 Road Improvement Program
Ordinance 21-08 Bond Ordinance for 2021 Road Improvement Program
Ordinance 21-09 Authorization to wave claimant certification for $1,000 or less

CONSENT AGENDA
All items listed are considered to be routine and non-controversial by the Mayor and Council and will be approved by one motion. There will be no separate discussion on these items unless a Council member(s) so request it, in which case the item(s) will be removed from the Consent Agenda and considered in its normal sequence on the agenda. The one motion signifies and adoption of all resolutions, receive and file letters, correspondence, reports and approval of applications and minutes.

Resolution 21-101 Payment of Bills
Resolution 21-102 Renewal of ABC License

Resolution 21-103 Authorizing a Lease Agreement with Monmouth County Improvement Authority
Resolution 21-104 Approval of Shared Services Agreement with Monmouth County MOD-IV Program
Resolution 21-105 Approval of Open Space Grant Application, Adams Field Phase II
Resolution 21-106 Authorization for CME to complete project
Resolution 21-107 Authorization for CME to complete project
Resolution 21-108 Capital Budget Amendment

PUBLIC PARTICIPATION
AJOURN

BOROUGH OF NEPTUNE CITY

ORDINANCE NO. 21-04

AN ORDINANCE PROHIBITING CLASSES 1, 2, 3, 4 AND 6 OF CANNABIS LICENSED BUSINESSES AND CONSUMPTION AREAS IN THE BOROUGH OF NEPTUNE CITY; PERMITTING THE OPERATION OF CLASS 5 CANNABIS RETAILER LICENSED BUSINESSES WITHOUT CONSUMPTION AREAS ONLY IN THE C (COMMERCIAL) ZONE WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE BOROUGH OF NEPTUNE CITY BYAMENDING CHAPTER 139 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEPTUNE CITY ENTITLED "ZONING"; BY AMENDING SECTIONS OF CHAPTERS 39 AND 95 REGARDING THE PUBLIC CONSUMPTION OF CANNABIS; AND BY CREATING A NEW CHAPTER 121 ENTITLED "ESTABLISHMENT OF CANNABIS TRANSFER AND USER TAX"

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called "cannabis" for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributor license, for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and

- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

WHEREAS, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as "a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer"), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, section 31b of the Act also stipulates that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 21, 2021); and

WHEREAS, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

WHEREAS, the Borough Council of the Borough of Neptune City has determined that, due to present and potential future impacts that allowing cannabis business might have on New Jersey municipalities in general, and on the Borough of Neptune City in particular, it is at this time necessary and appropriate, to amend the Ordinances of the Borough of Neptune City, Chapter 139 Zoning to prohibit Class 1, 2, 3, 4, and 6 of cannabis licensed businesses in the Borough of Neptune City and to permit the operation of Class 5 retail licensed businesses without consumption areas only in the C Zones; amending Chapter 39 and 95 regarding the public consumption of Cannabis and to create a new Chapter 121 establishing a Cannabis Transfer and User tax;

NOW THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Neptune City, in the County of Monmouth, State of New Jersey, as follows:

Deletions are noted by ~~strike throughs~~
Additions are indicated in **bold underline**
Language that remains unchanged is not highlighted in any way

SECTION I

Chapter 139, "Zoning" is hereby amended by amending Article I, §Section 139-4 Definitions., by adding the following new definitions:

CANNABIS CONSUMPTION AREA shall mean a designated location either operated by a licensed retailer for adult use or a 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 for adult use or permit holder that is separate from the area in which retail sales of cannabis items for adult use 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 either obtained from the retailer or permit holder, or brought by a person to the consumption area may be consumed

CANNABIS RETAILER shall mean 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 the 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 Retail license.

Chapter 139, "Zoning", Article III, General Regulations and Provisions, §Section 139-27 Prohibited Uses. is hereby amended to read as follows:

(A.-GG. No changes)

HH.
Class1- Licensed Cannabis Cultivator
Class 2- Licensed Cannabis Manufacturer
Class 3- Licensed Cannabis Wholesaler
Class 4- Licensed Cannabis Distributor
Class 6- Licensed Cannabis Delivery Service
Cannabis Consumption Areas associated with Class 5 Cannabis Retailer licenses

Chapter 139, "Zoning", Article IV, Zone Regulations, §Section 139-41 C Commercial Zone, is hereby amended to read as follows:

A. No premises shall be used and no structure shall be erected, altered or occupied for any purposes except the following:

(1-5 no changes)

(6) Class 5 Licensed Retailer without a Cannabis Consumption Area[1]

Chapter 139, "Zoning", Article V, General Performance Standard, is hereby amended to create new **§ 139-53 Class 5 Licensed Cannabis Retailer**. To read as follows:

§Section 139-53 Class 5 Licensed Cannabis Retailer.

A. Limitation on Number of Licenses.

Within the geographic boundaries of the Borough of Neptune City, the maximum number of Class 5 licensed Cannabis Retailers shall be 2

B. Limitation on Location.

An existing Class 5 licensed Cannabis Retailer shall not be permitted within 600 feet of any existing Class 5 licensed Cannabis Retailer premises within the C Commercial zone. The distance shall be measured in the same manner as that required by statute for the measuring of the distance businesses between licensed retail sale of alcohol premises, schools and churches.

C. Hours of Sale.

Hours of operation for Class 5 Cannabis Retailer License businesses shall be limited to 9 A.M. to 10 P.M. in the C Commercial zone.

D. Prohibition of Certain Activities.

It is hereby established that it is unlawful for any person, who is of legal age to consume cannabis products, to smoke, vape, aerosolize, ingest or otherwise consume in any public place any cannabis products on a public street, highway, avenue, alley or road of the Borough; or upon any public or quasi-public parking lots, or any other parking facilities in the Borough; or on any public grounds, parks, sidewalks, beaches, marine basins, promenade or quasi-public areas; or any shopping center common areas; or in any automobile, or other vehicle or in any other means of transportation on the public streets, highways, alleys, avenues, grounds, sidewalks, parks, marine basins, beachfronts or promenade or quasi-public areas in the Borough. Any unlawful consumption shall be a disorderly persons offense. Any person who is found to be in violation of this Section may be subject to a penalty as provided in Chapter 1, Art III Violations and Penalties §1-16 to 1-20.

[1] **Hours of operation for Class 5 Retailer License shall be limited to 9 A.M. to 10 P.M. in the C Commercial Zone**

SECTION II

Chapter 95, "Parks and Playgrounds" is hereby amended by amending § 95-10 "No Smoking and Refuse" as follows:

A. No Smoking. It is hereby established that no person shall smoke any cigarettes, cigars, ~~or~~ other tobacco products **or smoke, vape, or aerosolize any cannabis products** in any Borough of Neptune City Park, playground or park areas as herein defined at any time. ~~except in designated "smoking areas as indicated by signs posted in such park. The penalty for a violation of this section shall be $25.~~ **The penalty for a violation of this section shall be a disorderly persons offense. Any person who is found to be in violation of this Section shall be subject to a penalty as provided in Chapter 1, Art III Violations and Penalties §1-16 to 1-20.**

B. (no changes)

SECTION III

Chapter 39, entitled "Alcoholic Beverages" is hereby amended to be titled, "Alcoholic Beverages **and Cannabis Consumption"**

Chapter 39, "Alcoholic Beverages and Cannabis Consumption", Article III Drinking in Public Places is hereby amended to be titled "Drinking **or using Cannabis products** in Public Places" and by creating a new § 39-27 "**Smoking cannabis in public or quasi-public places prohibited"**

§ 39-27 ~~(Reserved)~~ **Smoking cannabis in public or quasi-public places prohibited.**
It shall be unlawful for any person to smoke, vape, aerosolize or ingest cannabis on a public street, highway, avenue, alley or road of the Borough of Neptune City; or upon any public grounds, parks, sidewalks, beaches, marine basins, beachfronts, shopping center common area or public places in the Borough including within any Drug Free Zone, as established by Chapter 57 "Drug Free Zones" of the Code of the Borough of Neptune City. See also § 139-53 D. "Prohibition of Certain Activities". Any person who is found to be in violation of this Section shall be subject to a penalty as provided in Chapter 1, Art III Violations and Penalties §1-16 to 1-20.

SECTION IV.

BE IT FURTHER ORDAINED THAT NEW CHAPTER 121 IS HEREBY CREATED ENTITLED "ESTABLISHMENT OF CANNABIS TRANSFER TAX AND USER TAX IN THE BOROUGH OF NEPTUNE CITY"

CHAPTER 121 Establishment of Cannabis Transfer Tax and User Tax in the Borough of Neptune City

A. The cannabis transfer tax in Borough of Neptune City shall be fixed at a uniform percentage rate of two percent (2%) on all sales or transfers of cannabis products

from any of the cannabis establishments that are located within the geographical boundaries of the Borough. This tax shall be imposed on:

1. **Receipts from the sale of cannabis by a cannabis cultivator to another cannabis cultivator;**
2. **Receipts from the sale of cannabis items from one cannabis establishment to another cannabis establishment;**
3. **Receipts from the retail sales of cannabis items by a cannabis retailer to retail consumers who are 21 years of age or older; or any combination thereof.**

B. **A one percent (1%) transfer tax shall be collected from receipts from each sale by a cannabis wholesaler located within the geographical boundaries of the Borough.**

C. **A user tax is hereby also established at the same rate of the transfer tax as contained herein and shall be imposed on the value of each transfer or use of cannabis or cannabis items not otherwise subject to the transfer tax imposed pursuant to subsection A, from the license holder's establishment that is located in the Borough to any of the other license holder's establishments, whether located in the Borough or another municipality.**

The transfer tax or user tax imposed by this ordinance shall be in addition to any other tax imposed by law. Any transaction for which the transfer tax or user tax is imposed, or could be imposed pursuant to this section, other than those which generate receipts from the retail sales by cannabis retailers, shall be exempt from the tax imposed under the "Sales and Use Tax Act" (N.J.S.A. 54:32B-1 et seq). The transfer tax or user tax will be assessed and collected pursuant to established State law and Administrative rules and regulations adopted regarding same.

SECTION V. Each clause, section or subsection of this ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the ordinance shall not be affected.

SECTION VI. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed as the extent of such inconsistency.

SECTION VII. This ordinance shall take effect immediately upon adoption and publication according to law.

NOTICE

BOROUGH OF NEPTUNE CITY

ORDINANCE NO. 21-04

AN ORDINANCE PROHIBITING CLASSES 1, 2, 3, 4 AND 6 OF CANNABIS LICENSED BUSINESSES AND CONSUMPTION AREAS IN THE BOROUGH OF NEPTUNE CITY; PERMITTING THE OPERATION OF CLASS 5 CANNABIS RETAILER LICENSED BUSINESSES WITHOUT CONSUMPTION AREAS ONLY IN THE C (COMMERCIAL) ZONE WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE BOROUGH OF NEPTUNE CITY BYAMENDING CHAPTER 139 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEPTUNE CITY ENTITLED "ZONING"; BY AMENDING SECTIONS OF CHAPTERS 39 AND 95 REGARDING THE PUBLIC CONSUMPTION OF CANNABIS; AND BY CREATING A NEW CHAPTER 121 ENTITLED "ESTABLISHMENT OF CANNABIS TRANSFER AND USER TAX"

NOTICE is hereby given that the foregoing Ordinance was introduced and passed at a regular meeting of the Mayor and Council of the Borough of Neptune City held Monday May 24, 2021 at 7:00 p.m. and will be finally final adoption at the regular meeting of the Mayor and Council to be held at the Borough Hall, 106 West Sylvania Avenue, Neptune City, New Jersey, on Monday, June 28, 2021 at 6:00 p.m.

Tamara Brown, Municipal Clerk

BOROUGH OF NEPTUNECITY

ORDINANCE 2021-05

AN ORDINANCE AMENDING CHAPTER 129, ENTITLED "VEHICLES AND TRAFFIC" BY AMENDING §129-25, "SCHEDULE I: NO PARKING" OF THE CODE OF THE BOROUGH OF NEPTUNE CITY

WHEREAS, the Borough of Neptune City (the "Borough"), has received a recommendation from the Neptune City Police Department Traffic Bureau to add a no parking zone between Memorial Day and Labor Day on Saturdays and Sundays only on Riverview Ave between Windsor Court and Green Avenue for easier access for emergency vehicles, the safety of the residents and everyone who utilizes the park;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Neptune City that the Borough Code be and is hereby amended by adding the following new parking prohibition to § 129-25, Schedule I as follows:

SECTION I
§ 129-25 Schedule I No Parking.

Name of Street	Side	Location
Riverview Ave	North	Between Windsor Court and Green Ave., Saturdays and Sundays only between the hours of 8 a.m. and 6 p.m. from Memorial Day to Labor Day

SECTION II. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and publication in accordance with law.

BOROUGH OF NEPTUNECITY
ORDINANCE 2021-05

AN ORDINANCE AMENDING CHAPTER 129, ENTITLED "VEHICLES AND TRAFFIC" BY AMENDING §129-25, "SCHEDULE I: NO PARKING" OF THE CODE OF THE BOROUGH OF NEPTUNE CITY

N O T I C E

NOTICE is hereby given that the foregoing Bond Ordinance was introduced and passed at a regular meeting of the Mayor and Council of the Borough of Neptune City held Monday June 28, 2021 at 6:00 p.m. and will be considered for passage and final adoption at the regular meeting of the Mayor and Council to be held at the Borough Hall, 106 West Sylvania Avenue, Neptune City, New Jersey, on Monday, July 26, 2021 at 6:00 p.m.

Tamara Brown, Municipal Clerk

BOROUGH OF NEPTUNECITY

ORDINANCE # _____

AN ORDINANCE AMENDING CHAPTER 129, ENTITLED "VEHICLES AND TRAFFIC" BY AMENDING §129-25, "SCHEDULE I: NO PARKING" OF THE CODE OF THE BOROUGH OF NEPTUNE CITY

WHEREAS, the Borough of Neptune City (the "Borough"), has received a recommendation from the Neptune City Police Department Traffic Bureau to add a no parking zone between Memorial Day and Labor Day on Saturdays and Sundays only on Riverview Ave between Windsor Court and Green Avenue for easier access for emergency vehicles, the safety of the residents and everyone who utilizes the park;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Neptune City that the Borough Code be and is hereby amended by adding the following new parking prohibition to § 129-25, Schedule I as follows:

SECTION I
§ 129-25 Schedule I No Parking.

Name of Street	Side	Location
Riverview Ave	North	Between Windsor Court and Green Ave., Saturdays and Sundays only between the hours of 8 a.m. and 6 p.m. from Memorial Day to Labor Day

SECTION II. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and publication in accordance with law.

ORDINANCE NO. 2021-06

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

BE IT ORDAINED by the Mayor and Council of the Borough of Neptune City, 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 Borough of Neptune City (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 $770,000 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

Borough of Neptune City

Equipment	Useful Life (Years)	Lease Term (Years)	Estimated Cost
Pumper Truck	10	10	$700,000
Total			**$700,000**

NOTICE

The Ordinance published herewith was introduced and passed upon first reading at a regular meeting of the governing body of the Borough of Neptune City, New Jersey, held on June 28, 2021. It will be further considered for final passage after public hearing thereon at a meeting of the governing body to be held at the Municipal Building, 106 West Sylvania Avenue, Neptune City, New Jersey in said Borough on July 26, 2021 at 6:00 o'clock p.m. and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office to the members of the general public who shall request the same.

Tamara Brown
Municipal Clerk

STATEMENT

The Ordinance published herewith has been finally adopted on July 26, 2021 and the 20-day period of limitation within which a suit, action or proceeding questioning the validity of such Ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement.

Tamara Brown
Municipal Clerk

BOROUGH OF NEPTUNE CITY

BOND ORDINANCE 2021 - 07

BOND ORDINANCE PROVIDING FOR THE 2020 ROAD IMPROVEMENT PROGRAM APPROPRIATING $250,000 AND AUTHORIZING THE ISSUANCE OF $38,897 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF.

BE IT ORDAINED by the Borough Council of the Borough of Neptune City, in the County of Monmouth, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. The capital improvement described in Section 3 of this Bond Ordinance is hereby authorized by the Borough of Neptune City, New Jersey. For the capital improvement described in Section 3, there is hereby appropriated the sum of $250,000, which includes $50,000 in costs as permitted by *N.J.S.A. 40A:2-20* and a New Jersey Department of Transportation Grant in the amount of $211,103 that satisfies the down payment for the said purpose as required by the Local Bond Law.

Section 2. In order to finance the cost of the 2020 Road Improvement Program not covered by the aforementioned grant, negotiable bonds are hereby authorized to be issued in the principal amount of $38,897 pursuant to the Local Bond Law. In anticipation of issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The 2020 Road Improvement Program are hereby authorized and the purpose for which the bonds are to be issued. The minimum period of usefulness is ten years.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as

may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of *N.J.S.A. 40A:2-8(a)*. 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 plus accrued interest 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 ordinance is made. Such report must include the amount, the description, the interest rate, and the maturity schedule of the notes sold, the price obtained, and the name of the purchaser.

Section 5. The capital budget of the Borough of Neptune City is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency therewith; and the resolutions promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Municipal Clerk and is available for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purchase described in Section 3 of this bond ordinance is not a current expense. It is an improvement that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property

specially benefitted thereby.

(b) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the Office of the Clerk, and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The gross debt of the Borough of Neptune City is increased by the authorization of the bonds or notes provided in this bond ordinance by $38,897, and the obligations authorized herein will be within all debt limitations prescribed by law.

(c) An aggregate amount not exceeding $50,000 for items of expense listed in and permitted under *N.J.S.A. 40A:2-20* may be included in the costs of the purchase authorized in Section 3 hereof and is included in the foregoing estimate thereof.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of an interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and interest thereon without limitation on rate or amount.

Section 8. That in the event any moneys are received by the Borough from the United States of America, or from the State of New Jersey or any of its agencies, or from any other sources for the purchase provided for herein prior to the issuance of any of the bonds or notes authorized by this ordinance, the amount of such bonds or notes authorized herein shall be reduced by the amount so received prior to the issuance of any such bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

BOROUGH OF NEPTUNE CITY

NOTICE

NOTICE is hereby given that the foregoing Bond Ordinance was introduced and passed at a regular meeting of the Mayor and Council of the Borough of Neptune City held Monday July 28, 2021 at 6:00 p.m. and will be considered for passage and final adoption at the regular meeting of the Mayor and Council to be held at the Borough Hall, 106 West Sylvania Avenue, Neptune City, New Jersey, on Monday, August 23, 2021 at 6:00 p.m.

BOROUGH OF NEPTUNE CITY

BOND ORDINANCE 2021 - 08

BOND ORDINANCE PROVIDING FOR THE 2021 ROAD IMPROVEMENT PROGRAM APPROPRIATING $285,000 AND AUTHORIZING THE ISSUANCE OF $43,868 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF.

BE IT ORDAINED by the Borough Council of the Borough of Neptune City, in the County of Monmouth, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. The capital improvement described in Section 3 of this Bond Ordinance is hereby authorized by the Borough of Neptune City, New Jersey. For the capital improvement described in Section 3, there is hereby appropriated the sum of $285,000, which includes $50,000 in costs as permitted by *N.J.S.A. 40A:2-20* and a New Jersey Department of Transportation Grant in the amount of $241,132 that satisfies the down payment for the said purpose as required by the Local Bond Law.

Section 2. In order to finance the cost of the 2021 Road Improvement Program not covered by the aforementioned grant, negotiable bonds are hereby authorized to be issued in the principal amount of $43,868 pursuant to the Local Bond Law. In anticipation of issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The 2021 Road Improvement Program are hereby authorized and the purpose for which the bonds are to be issued. The minimum period of usefulness is ten years.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as

may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of *N.J.S.A. 40A:2-8(a)*. 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 plus accrued interest 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 ordinance is made. Such report must include the amount, the description, the interest rate, and the maturity schedule of the notes sold, the price obtained, and the name of the purchaser.

Section 5. The capital budget of the Borough of Neptune City is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency therewith; and the resolutions promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Municipal Clerk and is available for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purchase described in Section 3 of this bond ordinance is not a current expense. It is an improvement that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property

specially benefitted thereby.

(b) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the Office of the Clerk, and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The gross debt of the Borough of Neptune City is increased by the authorization of the bonds or notes provided in this bond ordinance by $43,868, and the obligations authorized herein will be within all debt limitations prescribed by law.

(c) An aggregate amount not exceeding $50,000 for items of expense listed in and permitted under *N.J.S.A. 40A:2-20* may be included in the costs of the purchase authorized in Section 3 hereof and is included in the foregoing estimate thereof.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of an interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and interest thereon without limitation on rate or amount.

Section 8. That in the event any moneys are received by the Borough from the United States of America, or from the State of New Jersey or any of its agencies, or from any other sources for the purchase provided for herein prior to the issuance of any of the bonds or notes authorized by this ordinance, the amount of such bonds or notes authorized herein shall be reduced by the amount so received prior to the issuance of any such bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

BOROUGH OF NEPTUNE CITY

NOTICE

NOTICE is hereby given that the foregoing Bond Ordinance was introduced and passed at a regular meeting of the Mayor and Council of the Borough of Neptune City held Monday July 28, 2021 at 6:00 p.m. and will be considered for passage and final adoption at the regular meeting of the Mayor and Council to be held at the Borough Hall, 106 West Sylvania Avenue, Neptune City, New Jersey, on Monday, August 23, 2021 at 6:00 p.m.

ORDINANCE NO. 2021-09

BOROUGH OF NEPTUNE CITY
COUNTY OF MONMOUTH

ORDINANCE WAIVING REQUIREMENT FOR CLAIMANT CERTIFICATIONS FOR CLAIMS $1,000 OR LESS AND REMOVING FINANCE COMMITTEE APPROVAL OF BILLS

WHEREAS, N.J.S.A. 40A:5-16 requires that all claims for payment being made include claimant certifications for the processing of purchase orders for payments; and

WHEREAS, N.J.A.C. 5:30-9A.6(c)(3) gives municipalities discretion to not require claimant certification by enacting a standard policy for vendors or claimants who do not provide such certification as part of its normal course of business; and

WHEREAS, consistent with same, the Borough's Chief Financial Officer has recommended waiving the claimant certification requirement for all claims under $1,000, except those for reimbursement of employee expenses, or for services provided exclusively and entirely by an individual; and

WHEREAS, the Borough Council seeks to amend the relevant Borough ordinance in order to provide for the amendments.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Neptune City in the County of Monmouth, State of New Jersey, as follows:

SECTION 5.

Chapter 5 of the Revised General Ordinances of the Borough of Neptune City is hereby amended as follows:

5-1 Submission of bill demand required; duty of Treasurer (Collector)

Any person claiming payment from the Borough of Neptune City shall first submit a detailed statement of the items or demand necessitating such claim to the Borough, specifying particularly how the bill or demand is made up, and a certification of the party claiming payment is correct. The certification requirement shall not apply to any claims for $1,000 or less, unless such claim is for reimbursement of employee expenses, or for services provided exclusively and entirely by an individual, in which case this exemption is inapplicable. No bill, claim or demand shall be considered for payment unless the voucher has attached to it or includes a certification of a designated Borough employee, or other municipal official responsible for certain functions, or of his/her duly designated representative, having personal knowledge of the facts that the goods have been received by or the services rendered to the Borough, and that those services or goods are consistent

with any existing contract or purchase order. The Treasure (Collector) shall have the duty to audit, warrant and make recommendations on all claims and bills.

SECTION 2. Severability.

If any section, subsection or paragraph of this ordinance be declared unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, such chapter, section subchapter or paragraph shall to the extent that is not held unconstitutional, invalid or inoperative remain in full force and effect and shall not affect the remainder of this ordinance.

SECTION 3. Repealer.

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION 4. Effective Date.

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

RESOLUTION 21-101
AUTHORIZING PAYMENT OF THE BILLS

BE IT RESOLVED that the bills as presented, all have been certified and approved as complete as to form, goods having been delivered, and/or services performed and sufficient funds being available for payment for said bills, be paid in the amount of ***$131,963.94***

Councilperson	Motion	2nd Motion	Aye	Nay	Abstain
Calhoun					
Kocsis					
Pappas					
Pietrunti					
Renee					
Thomas					

CERTIFICATION

I, Tamara Brown, Municipal Clerk of the Borough of Neptune City, hereby certify the foregoing to be a true copy of a resolution adopted by the Council of the Borough of Neptune City at their meeting held June 28, 2021.

WITNESS, my hand and the seal of the Borough of Neptune City this 28th day of June, 2021.

TAMARA BROWN, MUNICIPAL CLERK

RESOLUTION 2021-102
APPROVAL OF ALCOHOLIC BEVERAGE CONTROL LICENSES

WHEREAS, the following Alcoholic Beverage Control Licenses have met the requirements to renew their licenses for the period of July 1, 2021 through June 30, 2022:

Jay & Reddy, Inc. T/A Foley's Liquor Mart 76 Highway 35 Neptune City, NJ 07753	1335-44-004-002	$720.00
Neptune City Liquors, Inc. T/A Max's Beer, Wine & Liquor 116 Third Avenue Neptune City, NJ 07753	1335-44-003-008	$720.00
Kelly's Tavern 43 Laird Avenue Neptune City, NJ 07753	1335-33-006-005	$1400.00
96 Woodland Avenue Corporation T/A Pete & Elda's Bar and Grill 93 Summit Avenue Neptune City, NJ 07753	1335-33-008-002	$1400.00
Banitarun, Incorporated T/A Bilows Wine & Liquor/Buy Rite Molinari's Restaurant Pizzeria & Grill 310 W. Sylvania Avenue Neptune City, NJ 07753	1335-33-001-009	$1400.00
PFF3, Inc. T/A Brennen's 62 W. Sylvania Avenue Neptune City, NJ 07753	1335-33-007-011	$1400.00
KM FITZ, LLC T/A Patrick's Pub 9 Holly Avenue Neptune City, NJ 07753	1335-33-005-014	$1400.00

Maavida LLC. 1335-44-002-004 $720.00
T/A Munchies
314 W. Sylvania Avenue
Neptune City, NJ 07753

NOW THERFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Neptune City hereby approve the renewal of the above listed applications for renewal of their Alcoholic Beverage Control License.

Councilperson	Motion	2nd Motion	Aye	Nay	Abstain
Calhoun					
Kocsis					
Pappas					
Pietrunti					
Renee					
Thomas					

CERTIFICATION

I, Tamara Brown, Municipal Clerk of the Borough of Neptune City, hereby certify the foregoing to be a true copy of a resolution adopted by the Council of the Borough of Neptune City at their meeting held June 28th, 2021.

WITNESS, my hand and the seal of the Borough of Neptune City this 28th day of June, 2021.

TAMARA BROWN, MUNICIPAL CLERK

RESOLUTION NO. 21-103

A RESOLUTION OF THE BOROUGH OF NEPTUNE CITY, NEW JERSEY APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LETTER OF REPRESENTATION AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY'S CAPITAL EQUIPMENT POOLED LEASE REVENUE BONDS, SERIES 2021 AND AUTHORIZING AN AUTHORIZED MUNICIPAL REPRESENTATIVE TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS

WHEREAS, the Borough of Neptune City, New Jersey (the "Municipality") desires to lease and permanently finance the cost of acquisition of certain capital equipment (the "Equipment") from The Monmouth County Improvement Authority (the "Authority"); and

WHEREAS, the Authority will provide for the financing of the cost of the acquisition of the Equipment by the issuance of its Capital Equipment Lease Revenue Bonds, Series 2021 (Neptune City Project) (the "Bonds") payable from rentals by the Municipality pursuant to a Lease and Agreement by and between the Municipality and the Authority (the "Lease"); and

WHEREAS, in order to induce the Authority to issue and deliver the Bonds and its Capital Equipment Pooled Lease Revenue Bonds, Series 2021, there has been prepared and submitted to the Municipality a Letter of Representative in the form attached hereto as Exhibit A; and

WHEREAS, there has been prepared and submitted to the Municipality a Continuing Disclosure Agreement in the form appended hereto as Exhibit B for execution by the Municipality if the Authority shall determine that the Municipality is or will be an "obligated person" with respect to the Authority's Capital Equipment Lease Revenue Bonds, Series 2021 within the meaning of Rule 15c2-12 of the United States Securities and Exchange Commission (an "Obligated Person"):

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF NEPTUNE CITY AS FOLLOWS:

Section 1. That the Letter of Representation, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative (as that term is defined in the Lease) is hereby authorized to, and one of such officers shall execute the Letter of Representation, with such additions, deletions or modifications as such officer shall approve, and to deliver the same to the addressees designated on such Letter of Representation, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 2. That the Continuing Disclosure Agreement in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative is hereby authorized to, and one of such officers shall execute the Continuing

Disclosure Agreement, with such additions, deletions or modifications as such officer shall approve, and to deliver the same upon the determination by the Authority that the Municipality is or will be an Obligated Person, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3. That any Authorized Municipal Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or property for carrying out the sale, issuance and delivery of the Bonds, the Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2021 and all related transactions contemplated by this resolution.

Section 4. All resolutions or proceedings or parts thereof, in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed.

Section 5. This resolution shall become effective immediately.

Date: June 28, 2021

Councilperson	Motion	2nd Motion	Aye	Nay	Abstain
Calhoun					
Kocsis					
Pappas					
Pietrunti					
Renee					
Thomas					

CERTIFICATION

I, Tamara Brown, Municipal Clerk of the Borough of Neptune City, hereby certify the foregoing to be a true copy of a resolution adopted by the Council of the Borough of Neptune City at their meeting held June 28th, 2021.

WITNESS, my hand and the seal of the Borough of Neptune City this 28th day of June, 2021.

TAMARA BROWN, MUNICIPAL CLERK

Councilperson	Motion	2nd Motion	Aye	Nay	Abstain
Calhoun					
Kocsis					
Pappas					
Pietrunti					
Renee					
Thomas					

CERTIFICATION

I, Tamara Brown, Municipal Clerk of the Borough of Neptune City, hereby certify the foregoing to be a true copy of a resolution adopted by the Council of the Borough of Neptune City at their meeting held June 28, 2021.

WITNESS, my hand and the seal of the Borough of Neptune City this 28th day of June, 2021.

TAMARA BROWN, MUNICIPAL CLERK

RESOLUTION 2021-104

A RESOLUTION TO APPROVE
SHARED SERVICES AGREEMENT WITH MONMOUTH COUNTY

WHEREAS, The State of New Jersey had mandated the use of the MOD IV Property Assessment Computer System for all New Jersey Municipalities; and

WHEREAS, The Board of Chosen Commissioners of the County of Monmouth, in conjunction with the County Board of Taxation, is offering the County's MOD IV Property Assessment Computer System services to the municipalities; and

WHEREAS, a Shared Services Agreement has been proposed for this purpose, pursuant to N.J.S.A. 40A:65-1 et seq.; and

WHEREAS, it is in the best interest of the Borough of Neptune City to renew the current Agreement;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Neptune City, that the agreement entitled, **"Agreement Between the County of Monmouth and the Borough of Neptune City for MOD IV Property Assessment Computer Services"**, a copy of which is attached hereto, be approved for the First of January, 2022 through December 31, 2031; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk be and are hereby authorized and directed to execute the contract agreement.

Councilperson	Motion	2nd Motion	Aye	Nay	Abstain
Calhoun					
Kocsis					
Pappas					
Pietrunti					
Renee					
Thomas					

CERTIFICATION

I, Tamara Brown, Municipal Clerk of the Borough of Neptune City, hereby certify the foregoing to be a true copy of a resolution adopted by the Council of the Borough of Neptune City at their meeting held June 28, 2021.

WITNESS, my hand and the seal of the Borough of Neptune City this 28th day of June, 2021.

TAMARA BROWN, MUNICIPAL CLERK

RESOLUTION 2021-105

Open Space Grant Program

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Mayor and Council of the Borough of Neptune City desires to obtain County Open Space Trust Funds in the amount of $250,000.00 to fund Improvements to Adams Field-Phase II, and

WHEREAS, the total cost of the project including all matching funds is $626,750.00; and

WHEREAS, the Borough of Neptune City is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and Council of the Borough of Neptune City **THAT:**

1. Kevin Kane, Administrator or his successor is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above named municipality; and

2. The Borough of Neptune City is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and

3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Fund in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and

4. Kevin Kane, Borough Administrator or his successor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and

5. This resolution shall take effect immediately.

Councilperson	Motion	2nd Motion	Aye	Nay	Abstain
Calhoun					
Kocsis					
Pappas					
Pietrunti					
Renee					
Thomas					

I, ***Tamara Brown*** do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Neptune City at a meeting held on 28th day of June, 2021.

In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 28th day of June, 2021.

_____

Tamara Brown, Municipal Clerk

BOROUGH OF NEPTUNE CITY
COUNTY OF MONMOUTH
Resolution 2021-106

RESOLUTION AUTHORIZING THE BOROUGH ENGINEER TO PROVIDE SERVICES RELATING TO ADAMS FIELD IMPROVEMENTS

WHEREAS, CME Associates is currently retained as Borough Engineer to the Borough of Neptune City; and

WHEREAS, there exists a need to obtain professional engineering and land surveying services for improvements to Adams Field; and

WHEREAS, the recreational project is supported by a Monmouth County Open Space Grant in the amount of $250,000; and

WHEREAS, CME Associates has submitted the attached proposal, which is attached hereto and incorporated by reference, proposing to complete the foregoing tasks for a total fee of $38,800; and

WHEREAS, the governing body wishes to have the Borough Engineer complete the professional services outlined in the attached document; and

WHEREAS, the Chief Financial Officer has certified as to the sufficiency of funds in budget line account Ordinance .

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Neptune City hereby approves the attached proposal and directs the Borough Engineer to proceed with same, consistent with the foregoing.

CERTIFICATION

I, Tamara Brown, Municipal Clerk of the Borough of Neptune City, hereby certify the foregoing to be a true copy of a resolution adopted by the Council of the Borough of Neptune City at their meeting held June 28, 2021.

WITNESS, my hand and the seal of the Borough of Neptune City this 28th day of June 2021.

TAMARA BROWN, MUNICIPAL CLERK

JOHN H. ALLGAIR, PE, PP, LS (1963-2008)
DAVID J. SAMUEL, PE, PP, CME
JOHN J. STEFANI, PE, LS, PP, CME
JAY B. CORNELL, PE, PP, CME
MICHAEL J. McCLELLAND, PE, PP, CME
GREGORY R. VALESI, PE, PP, CME

TIM W. GILLEN, PE, PP, CME (1961-2018)
BRUCE M. KOCH, PE, PP, CME
LOUIS J. PLOSKONKA, PE, CME
TREVOR J. TAYLOR, PE, PP, CME
BEHRAM TURAN, PE, LSRP
LAURA J. NEUMANN, PE, PP
DOUGLAS ROHMEYER, PE, CFM, CME
ROBERT J. RUSSO, PE, PP, CME
JOHN J. HESS, PE, PP, CME

April 21, 2021

Sent via Email (administrator@neptunecitynj.com)

Borough of Neptune City
106 W Sylvania Ave
Neptune City, NJ 07753

Attn: Kevin Kane – Borough Administrator

Re: Proposal for Professional Engineering Services
Improvements to Adams Field
Borough of Neptune City, Monmouth County, New Jersey
Our Proposal No. 2021-083

Dear Mr. Kane:

We are pleased to present our fee estimate for the professional engineering services for the Improvements to Adams Field project. It is our understanding that the Borough has received a Monmouth County Open Space Grant in the amount of $250,000. The project generally consist of upgrades to existing facilities at Adams Field. As described in the grant application, upgrades to the following site amenities are included:

- Walking trails
- Exercise stations
- Basketball courts
- Playground with safety surface
- New multipurpose field for lacrosse and soccer
- Baseball dugouts, fencing, removable mounds

Attached is a preliminary construction cost estimate which was made part of the grant application totaling $350,000.

With that being said, we anticipate the following scope of work necessary to achieve the Borough's goals:

A. Survey and Base Map Services

Work in this phase will include preparation of base mapping for use in the design of the park improvements. Our office anticipates collecting detailed survey information of the existing ballfields, basketball court, playground, parking lot, and surrounding areas to establish the project sites' existing conditions. Field survey work will include the gathering of existing grading, existing fence lines, field limits, existing amenities, and any other utilities in the surrounding

CONSULTING AND MUNICIPAL ENGINEERS
1460 ROUTE 9 SOUTH • HOWELL, NEW JERSEY 07731 • (732) 462-7400 • FAX: (732) 409-0766

area. Once a base map is established for the project area, our office will develop construction plans for the anticipated park improvements.

Survey and Base Map Services $15,700

B. Design Phase Services

This phase of work shall consist of the refinement of the concept plan included in the grant application and development of the necessary bid documents to reflect the improvements required for the project. Once the construction plans are prepared, the conceptual cost estimate included in the grant application will be updated to reflect the final improvements. It is anticipated that no changes will be required to any existing irrigation system, and the improvements will not result in an increase in impervious area. Work in this phase will involve, but not be limited to, the following:

1. Perform site visits and collect existing site information to advance design;
2. Preparation of Final Construction Plans including:
    a. Cover and Index Sheet
    b. Existing Conditions Plan
    c. Site Plan and Field Layouts
    d. Grading and Drainage Plan
    e. Overall Construction Details;
3. Preparation of Bid Specifications;
4. Final Construction Cost Estimate;
5. Obtain Township Approval for final contract documents.

Design Phase Services.....$15,400

C. *Permit Phase Services*

This project will disturb more than 5,000 square feet of soil; therefore, a plan certification will be required from the Freehold Soil Conservation District. Our office will prepare, submit, and obtain the plan certification during this phase. Permit plan certification fees will be calculated upon completion of the plans and have been excluded from this fee estimate.

Permit Phase Services $2,700

D. *Preparation of Bid Documents*

This work will consist of the preparation of contract documents and specifications required for public bid in accordance with the New Jersey Local Public Contracts Law. Detailed specifications will be provided for the items to be included in the contract.

Preparation of Bid Documents $2,500

E. *Bid Phase Services*

This phase will include the following services to publicly bid the project in accordance with the Local Public Contracts Law. It should be noted that this fee is based upon bidding all work under one contract.

1. Provide Bid Documents to Prospective Bidders as needed
2. Provide Addenda for Clarification of Project Specifications
3. Attend Bid Opening
4. Analyze Responsible Bids and Recommend Contract Award
5. Coordinate with the Borough as needed
6. Coordinate with Monmouth County CDBG as needed.

Bid Phase Services.....$2,500

To summarize, our fee breakdown is as follows:

Survey and Base Map Services	*$15,700*
Design Phase Services	*$15,400*
Permit Phase Services	*$2,700*
Preparation of Bid Documents	*$2,500*
Bid Phase Services	*$2,500*
Total Estimated Fee for Services	***$38,800***

Exceptions

- *Any engineering services not indicated in this proposal will be invoiced at a mutually agreed upon price and as specifically authorized by the Administrator and/or the Borough Governing Body.*
- *Construction phase services have been excluded at this time. At the time of award, based upon final scope of work, we will request an additional authorization. However, at this time it is recommended the Borough budget approximately $40,000.*
- *It is anticipated that the existing facilities will be refurbished resulting in no additional impervious area. Thereby not requiring stormwater management facilities.*
- *Application fees for a soil erosion and sediment control permit will be calculated at the time the application is prepared and we will request same from the Borough at that time.*
- *Parcel mapping and property acquisition related services have not been included as part of this fee estimate. Right-of-way lines will be established using GIS and tax map information and will not be identified based on deed research and survey monumentation.*
- *It is anticipated that no modifications will be made to the existing irrigation system. Therefore, irrigation design has been excluded.*
- *The above fee estimate assumes no Areas of Concern (AOCs) are found in the Preliminary Environmental Assessment.*

The above fee estimate is based on information provided to us by the Borough. Should the scope of the project change requiring additional professional fees, we will detail same in writing and seek authorization prior to proceeding.

Should you accept this proposal, kindly prepare a professional services Resolution as authorization for us to proceed.

Thank you again for the opportunity to offer our professional services, and should you have any questions or require additional information, please do not hesitate to contact this office.

Very truly yours,

CME Associates

Bennett A. Matlack, PE, CME, CFM
Borough Engineer's Office

LEON S. AVAKIAN, INC. *Consulting Engineers*
788 WAYSIDE ROAD • NEPTUNE, NEW JERSEY 07753

LEON S. AVAKIAN, P.E., P.L.S. (1953-2004)
PETER R. AVAKIAN, P.E., P.L.S., P.P.
MEHRYAR SHAFAI, P.E., P.P.
GREGORY S. BLASH, P.E., P.P.
LOUIS J. LOBOSCO, P.E., P.P.
GERALD J. FREDA, , P.E., P.P.
RICHARD PICATAGI, L.L.A., P.P.
JENNIFER C. BEAHM, P.P., AICP
CHRISTINE L. BELL, P.P., AICP
SAMUEL J. AVAKIAN, P.E.

ENGINEER'S ESTIMATE
ADAMS FIELD
IN THE BOROUGH OF NEPTUNE CITY
MONMOUTH COUNTY, NEW JERSEY

ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
1	Clearing Site, Grading, Topsoiling, and Seeding	1 LS	$20,000.00	$20,000.00
2	5' Walking Path	1,100 SY	$50.00	$55,000.00
3	Exercise Stations	1 LS	$13,650.00	$13,650.00
4	Open Air Dug Outs	4 EA	$8,000.00	$32,000.00
5	Removeable Baseball	2 EA	$500.00	$1,000.00
6	New Fencing at Baseball Fields	1 LS	$50,000.00	$50,000.00
7	Swing Set	1 LS	$10,000.00	$10,000.00
8	Solid Rubber Play Surface	1 LS	$65,000.00	$65,000.00
9	Pavement Milling	1,150 SY	$5.00	$5,750.00
10	Resurfacing Basketball Court	130 TON	$120.00	$15,600.00
11	Basketball Goal Assembly	6 UN	$8,000.00	$48,000.00
12	Soccer Goals	2 UN	$1,000.00	$2,000.00
13	Lacrosse Goals	2 UN	$1,000.00	$2,000.00
14	Drainage Improvements	1 LS	$30,000.00	$30,000.00
	TOTAL CONSTRUCTION COST ESTIMATE			$350,000.00

Matt Shafai, P.E.
NJPE License No. 32538

PHONE (732) 922-9229 FAX (732) 922-0044

BOROUGH OF NEPTUNE CITY
COUNTY OF MONMOUTH
Resolution 2021-107

RESOLUTION AUTHORIZING THE BOROUGH ENGINEER TO PROVIDE SERVICES RELATING TO THE CDBG PEDESTRIAN & ADA IMPROVEMENTS, PHASE III

WHEREAS, CME Associates is currently retained as Borough Engineer to the Borough of Neptune City; and

WHEREAS, there exists a need to obtain professional engineering and land surveying services for the CDBG Pedestrian & ADA Improvements, Phase III; and

WHEREAS, the pedestrian improvement project is by a Community Development Block Grant (CDBG) in the amount of $179,605; and

WHEREAS, CME Associates has submitted the attached proposal, which is attached hereto and incorporated by reference, proposing to complete the foregoing tasks for a total fee of $42,500; and

WHEREAS, the governing body wishes to have the Borough Engineer complete the professional services outlined in the attached document; and

WHEREAS, the Chief Financial Officer has certified as to the sufficiency of funds in budget line account Ordinance

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Neptune City hereby approves the attached proposal and directs the Borough Engineer to proceed with same, consistent with the foregoing

CERTIFICATION

I, Tamara Brown, Municipal Clerk of the Borough of Neptune City, hereby certify the foregoing to be a true copy of a resolution adopted by the Council of the Borough of Neptune City at their meeting held June 28, 2021.

WITNESS, my hand and the seal of the Borough of Neptune City this 28th day of June, 2021.

TAMARA BROWN, MUNICIPAL CLERK

JOHN H. ALLOAIR, PE, PP, CME (1985-2001)
DAVID J. SAMUEL, PE, PP, CME
JOHN J. STEFANI, PE, LS, PP, CME
JAY B. CORNELL, PE, PP, CME
MICHAEL J. McCLELLAND, PE, PP, CME
GREGORY R. VALESI, PE, PP, CME

TIM W. DILLEN, PE, PP, CME (1991-2010)
BRUCE M. KOCH, PE, PP, CME
LOUIS J. PLOSKONKA, PE, CME
TREVOR J. TAYLOR, PE, PP, CME
BEHRAM TURAN, PE, LSRP
LAURA J. NEUMANN, PE, PP
DOUGLAS ROHMEYER, PE, CFM, CME
ROBERT J. RUSSO, PE, PP, CME
JOHN J. HESS, PE, PP, CME

April 6, 2021
Revised April 12, 2021

Sent via Email (administrator@neptunecityni.com)

Borough of Neptune City
106 W Sylvania Ave
Neptune City, NJ 07753

Attn: Kevin Kane – Borough Administrator

Re: Proposal for Professional Engineering Services
CDBG Pedestrian & ADA Improvements Phase III
Borough of Neptune City, Monmouth County, New Jersey
Our Proposal No. 2021-082

Dear Mr. Kane:

We are pleased to present our fee estimate for the professional engineering services for the CDBG Pedestrian & ADA Improvements Phase III project. It is our understanding that the Borough has received a Community Development Block Grant (CDBG) in the amount of $179,605. The project generally consist of the removal and replacement of concrete curb and sidewalk, including ADA compliant curb ramp upgrades, and other associated work. As described in the grant application, the project limits and priority roads are as follows:

Priority 1
- Steiner Avenue (County Route 5) – Rosewood Place to Smock Street
- Riverdale Avenue – Summerlan Place to West Sylvania Avenue
- Third Avenue – Springdale Avenue to Locust Avenue

Priority 2
- Summerlan Place – Springdale Avenue to Locust Avenue
- Locust Avenue – Fifth Avenue to West Sylvania Avenue

Based on a meeting with Monmouth County held April 9, 2021, the County will be re-paving Steiner Ave. in an upcoming road program. Attached is a preliminary construction cost estimate which was made part of the grant application totaling $365,000. It is our intent to fully design all of the above roads with the understanding that the project may be implemented in phases. It is anticipated that addition/deletion items will be included in the bid in order to maximize available funding.

With that being said, we anticipate the following scope of work necessary to achieve the Borough's goals:

CONSULTING AND MUNICIPAL ENGINEERS
1460 ROUTE 9 SOUTH • HOWELL, NEW JERSEY 07731 • (732) 462-7400 • FAX: (732) 409-0766

A. *Survey and Base Map Services*

Work in this phase will include limited field surveying existing features including utility locations, existing landscaping, structures, curb ramps, and other relevant physical features at the project location. Survey work will be performed at the corners of each intersection only. Based on our meeting with Monmouth County, grades will be required along the full length of Steiner Ave which will require survey data collected at fifty-foot cross sections. Survey data on Borough roads will be limited to curb ramps at each intersection. It is our understanding paving will be done at a later date, and grades will not be collected for pavement within the project limits. The specific field information will be plotted and drafted, in combination with GIS maps and information, to serve as the Existing Conditions Map and basis for the design, permitting, details, and grading to the surrounding area. Property lines will be established utilizing located property markers and tax maps.

Survey and Base Map Services $18,000

B. *Design Phase Services*

The work in this phase will involve the preparation of the necessary plans and designs for the proposed work described above and will involve but not be limited to the following:

a. Perform site visits and collect existing site information.
b. Coordination with utility companies on proposed work and their respective existing utility infrastructure.
c. Coordination with Monmouth County regarding work on Steiner Avenue (County Route 5). We anticipate attendance at one (1) design meeting with the County.
d. Preparation of Construction Plans including:
    i. Construction Layout Plans
    ii. Traffic Striping Plans
    iii. Traffic Control Plan
    iv. Soil Erosion and Sediment Control Plan
    v. Curb Ramp Details
    vi. Construction Details
e. We will direct the contractor to utilize typical curb ramp details included on the plans, and we will verify compliance during construction

f. Calculations of construction quantities and a construction cost estimate
g. Coordination with the office of Community Development as required
h. Preparation of a construction cost estimate.

Design Phase Services.....$18,200

C. ***Preparation of Bid Documents***

This work will consist of the preparation of contract documents and specifications required for public bid in accordance with the New Jersey Local Public Contracts Law. Detailed specifications will be provided for the items to be included in the contract.

Preparation of Bid Documents $3,300

D. ***Bid Phase Services***

This phase will include the following services to publicly bid the project in accordance with the Local Public Contracts Law. It should be noted that this fee is based upon bidding all work under one contract.

1. Provide Bid Documents to Prospective Bidders as needed
2. Provide Addenda for Clarification of Project Specifications
3. Attend Bid Opening
4. Analyze Responsible Bids and Recommend Contract Award
5. Coordinate with the Borough as needed
6. Coordinate with Monmouth County CDBG as needed.

Bid Phase Services..... $3,000

To summarize, our fee breakdown is as follows:

Survey and Base Map Services	*$18,000*
Design Phase Services	*$18,200*
Preparation of Bid Documents	*$3,300*
Bid Phase Services	*$3,000*
Total Estimated Fee for Services	***$42,500***

Exceptions

- *Any engineering services not indicated in this proposal will be invoiced at a mutually agreed upon price and as specifically authorized by the Administrator and/or the Borough Governing Body.*
- *It is anticipated that permits will not be required for this project, therefore permit phase services have been excluded.*
- *Parcel mapping and property acquisition related services have not been included as part of this fee estimate. Right-of-way lines will be established using GIS and tax map information and will not be identified based on deed research and survey monumentation.*
- *It is anticipated that this project may need to be implemented in phases based on available funding. This fee estimate is for one set of bid documents and to perform one bid phase. If funding limits the number of roads indicated above, the remaining roads may be included in a future project(s).*
- *Construction phase services have been excluded at this time. At the time of award, based upon final scope of work, we will request an additional authorization.*

The above fee estimate is based on information provided to us by the Borough. Should the scope of the project change requiring additional professional fees, we will detail same in writing and seek authorization prior to proceeding.

Should you accept this proposal, kindly prepare a professional services Resolution as authorization for us to proceed.

Thank you again for the opportunity to offer our professional services, and should you have any questions or require additional information, please do not hesitate to contact this office.

Very truly yours,

CME Associates

Bennett A. Matlack, PE, CME, CFM
Borough Engineer's Office

BOROUGH OF NEPTUNE CITY - COUNTY OF MONMOUTH

CAPITAL BUDGET AMENDMENT

RESOLUTION 2021-108

WHEREAS, the local capital for the year 2021 was adopted on the 24th day of May 2021,

WHEREAS, it is desired to amend said adopted capital budget section,

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Neptune City, County of Monmouth, that the following amendment to the introduced capital budget be made:

Recorded Vote: (insert last names)

(	(	(
(	(	(
Ayes (	Nays (	Abstain (
(	(	(
(	(	Absent (
(	(	(

FROM
CAPITAL BUDGET (CURRENT YEAR ACTION)
2021

Project	Estimated Total Cost	Amounts Reserved in Prior Years	Planned Funding Services for Current Year 2021					
			2021 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants-in-Aid & Other Funds	Debt Authorized	To Be Funded in Future Years
	$	$	$	$	$	$	$	$
Total All Projects	$ 1,681,100	$	$	$ 105,000	$	$	$ 1,263,500	$ 312,600

FROM
6 YEAR CAPITAL PROGRAM 2021 - 2026
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT

Project	Estimated Total Cost	Estimated Completion Time	Funding Amounts per Budget Year					
			2021	2022	2023	2024	2025	2026
	$		$	$	$	$	$	$
Total All Funds	$ 1,681,100		$ 1,433,100	$ 132,000	$ 116,000	$	$	$

FROM
6 YEAR CAPITAL PROGRAM 2021 - 2026
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

Project	Estimated Total Cost	Budget Appropriations		Capital Improvement Fund	Capital Surplus	Grants in-Aid and Other Funds	Bonds and Notes	
		Current Year 2021	Future Years				General	Self-Liquidating
	$	$	$	$	$	$	$	$
Total All Funds	$ 1,681,100	$	$	$ 182,000	$	$	$ 1,499,100	$

TO
CAPITAL BUDGET (CURRENT YEAR ACTION)
2019

Project	Estimated Total Cost	Amounts Reserved in Prior Years	Planned Funding Services for Current Year 2019					
			2021 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants-in-Aid & Other Funds	Debt Authorized	To Be Funded in Future Years
Steiner Avenue Phase 3	$ 425,000	$	$	$	$	$ 179,605	$ 245,395	$
Adams Field	400,000					250,000	150,000	
2020 Road Program	250,000					211,103	38,897	
2021 Road Program	285,000					241,132	43,868	
Total All Funds	$ 3,041,100	$	$	$ 105,000	$	$ 881,840	$ 1,741,660	$ 312,600

6 YEAR CAPITAL PROGRAM 2021 - 2026
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT

Project	Estimated Total Cost	Estimated Completion Time	Funding Amounts per Budget Year					
			2021	2022	2023	2024	2025	2026
Steiner Avenue Phase 3	$ 425,000		$ 425,000	$	$	$	$	$
Adams Field	400,000		400,000					
2020 Road Program	250,000		250,000					
2021 Road Program	285,000		285,000					
Total All Funds	$ 3,041,100		$ 2,793,100	$ 132,000	$ 116,000	$	$	$

TO
6 YEAR CAPITAL PROGRAM 2021 - 2026
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

Project	Estimated Total Cost	Budget Appropriations Current Year 2021	Budget Appropriations Future Years	Capital Improvement Fund	Capital Surplus	Grants in-Aid and Other Funds	Bonds and Notes General	Bonds and Notes Self-Liquidating
Steiner Avenue Phase 3	$ 425,000	$	$	$	$	$ 179,605	$ 245,395	$
Adams Field	400,000					250,000	150,000	
2020 Road Program	250,000					211,103	38,897	
2021 Road Program	285,000					241,132	43,868	
Total All Funds	$ 3,041,100	$	$	$ 182,000	$	$ 881,840	$ 1,977,260	$

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution amending the capital budget section adopted by the governing body on the 28th day of June, 2021.

Certified by me

Date

Tamara Brown
Borough Clerk

TRENTON, NEW JERSEY
APPROVED _____, 2021

Director of Local Government Services