

**TOWNSHIP OF NEPTUNE  
CAPITAL ORDINANCE NUMBER 22-35**

**CAPITAL ORDINANCE PROVIDING FOR ENVIRONMENTAL SITE REMEDIATION AT THE WELSH FARMS PROPERTY, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$325,000 TO PAY FOR THE COST THEREOF, WHICH AMOUNT WILL BE FUNDED BY A \$321,573.75 HAZARDOUS DISCHARGE SITE REMEDIATION FUND GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND BY \$3,426.25 FROM THE TOWNSHIP'S GENERAL CAPITAL SURPLUS FUND**

**WHEREAS**, the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), wishes to undertake environmental site remediation at the Welsh Farms property within the Township, all as shall be more particularly described in documents on file in the Office of the Township Engineer and by this reference incorporated herein (collectively, the "Capital Improvements"); and

**WHEREAS**, the cost of said Capital Improvements is estimated to be \$325,000; and

**WHEREAS**, the Township has received or is expected to receive a Hazardous Discharge Site Remediation Fund Grant from the New Jersey Department of Environmental Protection in the amount of \$321,573.75 (the "NJDEP Grant") to finance a portion of the Capital Improvements; and

**WHEREAS**, the Township Committee desires to authorize the appropriation and expenditure of (i) the NJDEP Grant and (ii) the amount of \$3,426.25 from the Township's General Capital Surplus Fund (the "Township Funds"), in order to finance the aforesaid Capital Improvements.

**BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY** (a majority of the full membership thereof affirmatively concurring), **AS FOLLOWS:**

**SECTION 1.** The recitals set forth in the preambles to this capital ordinance are fully incorporated by this reference as if set forth in full herein.

**SECTION 2.** The Capital Improvements or purposes described in Section 3 of this capital ordinance are hereby authorized as general capital improvements to be undertaken by the Township. There is hereby appropriated the NJDEP Grant in the amount of \$321,573.75 and the Township Funds in the amount of \$3,426.25 for said Capital Improvements or purposes stated in Section 3 hereof.

**SECTION 3.** The Capital Improvements or purposes hereby authorized are for the environmental site remediation at the Welsh Farms property within the Township, all as shall be more particularly described in documents on file in the Office of the Township Engineer and by this reference incorporated herein, and also including all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

**SECTION 4.** The expenditure of the NJDEP Grant and the Township Funds for the Capital Improvements or purposes set forth in Section 3 hereof is hereby authorized and approved. The Mayor, the Clerk, the Chief Financial Officer and any other official/officer of the Township are each hereby authorized and directed to execute, deliver and perform any agreement with the New Jersey Department of Environmental Protection or any other agreement necessary to undertake the Capital Improvements or purposes set forth herein and to effectuate any transaction contemplated thereby and hereby.

**SECTION 5.** The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services, New Jersey Department of Community Affairs.

**SECTION 6.** Capitalized terms used herein and not otherwise defined, shall have the meanings ascribed to such terms in the preambles of this capital ordinance.

**SECTION 7.** This ordinance shall take effect in accordance with applicable New Jersey law, including N.J.S.A. 40:49-1 et seq.

|                           |  |                        |  |
|---------------------------|--|------------------------|--|
| <b>Motion/<br/>Second</b> | <b>Roll Call To Adopt On First Reading</b> |                        | Adopted on First Reading<br>Dated: June 27, 2022 |
|                           |  | YAY NAY ABSTAIN ABSENT |  |
|                           | Dr. Michael Brantley                       | X                      |  |
|                           | Keith Cafferty                             | X                      |  |
| Second                    | Robert Lane, Jr.                           | X                      |  |
| Motion                    | Tassie D. York                             | X                      |  |
|                           | Nicholas Williams                          |                        | X  |
|                           |  |                        | _____<br>Gabriella Siboni, RMC<br>Township Clerk |

|                           |   |                        |   |
|---------------------------|---|------------------------|---|
| <b>Motion/<br/>Second</b> | <b>Roll Call To Adopt On Second and Final Reading</b> |                        | Adopted on Second Reading<br>Dated: July 25, 2022 |
|                           |   | YAY NAY ABSTAIN ABSENT |   |
|                           | Dr. Michael Brantley                                  |                        | X   |
| Motion                    | Keith Cafferty  | X                      |   |
|                           | Robert Lane, Jr.                                      | X                      |   |
| Second                    | Tassie D. York  | X                      |   |
|                           | Nicholas Williams                                     | X                      |   |
|                           |   |                        | _____<br>Gabriella Siboni, RMC<br>Township Clerk  |

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

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

**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
PUBLIC NOTICE  
NOTICE OF PENDING CAPITAL ORDINANCE AND SUMMARY**

The capital ordinance #22-35, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Neptune, in the County of Monmouth, State of New Jersey, on June 27, 2022. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, on July 25, 2022 at \_\_\_ p.m. Information regarding remote access to the meeting may be found on the Township's website at [www.neptunetownship.org](http://www.neptunetownship.org). During the week prior to and up to and including the date of such meeting, copies of the full capital ordinance will be available at no cost and during regular business hours at the Office of the Clerk for the members of the general public who shall request the same. The summary of the terms of such capital ordinance follows:

**Title:** CAPITAL ORDINANCE PROVIDING FOR ENVIRONMENTAL SITE REMEDIATION AT THE WELSH FARMS PROPERTY, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$325,000 TO PAY FOR THE COST THEREOF, WHICH AMOUNT WILL BE FUNDED BY A \$321,573.75 HAZARDOUS DISCHARGE SITE REMEDIATION FUND GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND BY \$3,426.25 FROM THE TOWNSHIP'S GENERAL CAPITAL SURPLUS FUND

**Purpose(s):** The Capital Ordinance appropriates and authorizes the amount of \$325,000 to finance the environmental site remediation at the Welsh Farms property within the Township.

**Appropriation and Grant:** \$325,000, consisting of (i) a Hazardous Discharge Site Remediation Fund Grant received or expected to be received from the New Jersey Department of Environmental Protection in the amount of \$321,573.75, and (ii) the amount of \$3,426.25, which amount is from the Township's General Capital Surplus Fund

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

**TOWNSHIP OF NEPTUNE  
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Gabriella Siboni, Municipal Clerk  
6/30/22 (\$24.80)

**AFFIDAVIT OF PUBLICATION**

Printer's fee \$ \_\_\_\_\_ State of New Jersey  
Monmouth County ss: \_\_\_\_\_

Of the Legal Department of THE COASTER, a newspaper printed and published in Asbury Park in the County and State who, being duly sworn, deposes and saith that the statement, of which the annexed is a true copy, has been published in the said newspaper.....times successfully, once each week commencing on the 20 day of June A.D. 2022 and continuing in the issue of \_\_\_\_\_

Sworn and subscribed before me this.....day of .....

A.D. 2022  
*Marianne Tantrum*

MARIANNE TANTRUM  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
ID # 50771579  
MY COMMISSION EXPIRES SEPT. 16, 2026

**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE  
PUBLIC NOTICE  
CAPITAL ORDINANCE NOTICE OF FINAL PASSAGE AND SUMMARY**

The capital ordinance #22-35, the summary terms of which are included herein, has been finally adopted by the governing body of the Township of Neptune, in the County of Monmouth, State of New Jersey on July 25, 2022. Copies of the full capital ordinance are available at no cost and during regular business hours at the Office of the Clerk of the Township for members of the general public who request the same. The summary of the terms of such capital ordinance follows:

**Title:** CAPITAL ORDINANCE PROVIDING FOR ENVIRONMENTAL SITE REMEDIATION AT THE WELSH FARMS PROPERTY, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$325,000 TO PAY FOR THE COST THEREOF, WHICH AMOUNT WILL BE FUNDED BY A \$321,573.75 HAZARDOUS DISCHARGE SITE REMEDIATION FUND GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND BY \$3,426.25 FROM THE TOWNSHIP'S GENERAL CAPITAL SURPLUS FUND

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

**TOWNSHIP OF NEPTUNE**  
PUBLIC NOTICE  
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Gabriella Siboni, Municipal Clerk  
10/22 (\$20.15)

**AFFIDAVIT OF PUBLICATION**

Printer's fee \$ \_\_\_\_\_

State of New Jersey  
Monmouth County ss: \_\_\_\_\_

Of the Legal Department of THE COASTER, a newspaper printed and published in Asbury Park in the County and State who, being duly sworn, depose and saith that the statement, of which the annexed is a true copy, has been published in the said newspaper.....times successfully, once each week commencing on the ..... day of ..... A.D. 2022 and continuing in the issue of \_\_\_\_\_

Sworn and subscribed before me this.....day of .....

A.D. 2022  
*[Signature]*

MARIANNE TANTRUM  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
ID # 50171579  
MY COMMISSION EXPIRES SEPT. 16, 2026

**CERTIFICATE OF INTRODUCTION**

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the “Township”), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Township duly called and held on June 27, 2022 at 7:00 p.m. at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, and that the following was the roll call:

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this 4th day of August, 2022.

(SEAL)

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

**CERTIFICATE OF FINAL ADOPTION**

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the “Township”), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Township duly called and held on July 25, 2022 at 7:00 p.m. at the Township Municipal Complex, 25 Neptune Boulevard, Neptune, in said County, and that the following was the roll call:

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this 4th day of August, 2022.

(SEAL)

---

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

**CLERK'S CERTIFICATE**

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

1. Attached hereto is the capital ordinance introduced on June 27, 2022 and finally adopted on July 25, 2022.

2. After introduction, the capital ordinance was published as required by law in the Coaster on June 30, 2022.

3. Following the passage of the capital ordinance on first reading, and at least seven (7) days prior to the final adoption thereof, I caused to be posted in the public place in the principal municipal building of the Township at the place where public notices are customarily posted, a copy of said capital ordinance or a summary thereof and a notice that copies of the capital ordinance would be made available to the members of the general public of the Township who requested copies up to and including the time of further consideration of the capital ordinance by the governing body. Copies of the capital ordinance were made available to all who requested same.

4. After final passage, the capital ordinance was duly approved by the Mayor of the Township on July 25<sup>th</sup>, 2022 and was duly published as required by law in the Coaster on August 4, 2022 2022.

5. The capital ordinance has not been amended, added to, altered or repealed and said ordinance is now in full force and effect.

6. A certified copy of this capital ordinance and a copy of the amended capital budget form have been filed with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, as applicable.

7. The official seal of the Township is the seal, an impression of which is affixed opposite my signature on this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this \_\_\_\_ day of \_\_\_\_\_, 2022.

(SEAL)

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