TOWNSHIP OF NEPTUNE CAPITAL ORDINANCE NUMBER 23-10

CAPITAL ORDINANCE AMENDING AND RESTATING IN ITS ENTIRETY CAPITAL ORDINANCE NUMBER 22-23 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON JUNE 27, 2022 TO DECREASE THE TOTAL APPROPRIATION THEREIN FROM \$500,000 TO \$370,000, TO DECREASE THE AMOUNT OF THE REGIONAL GREENHOUSE GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND TO INCREASE THE AMOUNT APPROPRIATED FROM THE TOWNSHIP'S GENERAL CAPITAL FUND

WHEREAS, the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), heretofore finally adopted Capital Ordinance Number 22-23 on June 27, 2022, entitled "CAPITAL ORDINANCE PROVIDING FOR THE ACQUISITION OF AN ELECTRIC POWERED GARBAGE TRUCK AND THE ACQUISITION AND INSTALLATION OF ELECTRIC CHARGING STATIONS AT THE DEPARTMENT OF PUBLIC WORKS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$500,000 TO PAY FOR THE COST THEREOF, WHICH AMOUNT WILL BE FUNDED BY A \$476,966.16 REGIONAL GREENHOUSE GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND BY \$23,033.84 FROM THE TOWNSHIP'S GENERAL CAPITAL FUND" (the "Original Ordinance"); and

WHEREAS, the amount of the Regional Greenhouse Fund Grant the Township has received or expects to receive from the New Jersey Department of Environmental Protection's Equipment Modernization Program (the "NJDEP Grant") to fund part of the Capital Improvements (as defined in the Original Ordinance) is less than the amount of such NJDEP Grant contemplated in the Original Ordinance; and

WHEREAS, the Township Committee of the Township desires to amend and restate the Original Ordinance in its entirety in order to decrease the total appropriation therein by \$130,000, from \$500,000 to \$370,000 due to (i) a decrease in the NJDEP Grant received or expected to be received from \$476,966.16 to \$346,135.45 and (ii) an increase in the appropriation from the Township's Capital Surplus Account in the General Capital Fund from \$23,033.84 to \$23,864.55.

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

Section 1. The recitals 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 ordinance of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), heretofore finally adopted by the Township Committee on June 27, 2022, numbered 22-23 and entitled, "CAPITAL ORDINANCE PROVIDING FOR THE ACQUISITION OF AN ELECTRIC POWERED GARBAGE TRUCK AND THE ACQUISITION AND INSTALLATION OF ELECTRIC CHARGING STATIONS AT THE DEPARTMENT OF PUBLIC WORKS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$500,000 TO PAY FOR THE COST THEREOF, WHICH AMOUNT WILL BE FUNDED BY A \$476,966.16 REGIONAL GREENHOUSE GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND BY \$23,033.84 FROM THE TOWNSHIP'S GENERAL CAPITAL FUND" (the "Original Ordinance"), is hereby amended and restated in its entirety as set forth below:

"CAPITAL ORDINANCE PROVIDING FOR THE ACQUISITION OF AN ELECTRIC POWERED GARBAGE

TRUCK AND THE ACQUISITION AND INSTALLATION OF ELECTRIC CHARGING STATIONS AT THE DEPARTMENT OF PUBLIC WORKS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$370,000 TO PAY FOR THE COST THEREOF, WHICH AMOUNT WILL BE FUNDED BY A \$346,135.45 REGIONAL GREENHOUSE GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND BY \$23,864.55 FROM THE TOWNSHIP'S GENERAL CAPITAL FUND

WHEREAS, the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), wishes to undertake the acquisition of capital equipment consisting of the acquisition of an electric powered garbage truck and the acquisition and installation of electric charging stations at the Department of Public Works within the Township, all as shall be more particularly described in documents on file in the Office of the Clerk of the Township and by this reference incorporated herein (collectively, the "Capital Improvements"); and

WHEREAS, the cost of said Capital Improvements is estimated to be \$370,000; and

WHEREAS, the Township has received or is expected to receive a Regional Greenhouse Fund Grant from the New Jersey Department of Environmental Protection's Equipment Modernization Program in the amount of \$346,135.45 (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 \$23,864.55 from the Township's Capital Surplus Account in the General Capital 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 \$346,135.45 and the Township Funds in the amount of \$23,864.55 for said Capital Improvements or purposes stated in Section 3 hereof.

SECTION 3. The Capital Improvements or purposes hereby authorized are for the acquisition of an electric powered garbage truck and the acquisition and installation of electric charging stations, including any equipment related thereto, at the Department of Public Works within the Township, in accordance with the Regional Greenhouse Grant Project, 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."

Section 3. This ordinance shall take effect in accordance with applicable New Jersey law, including N.J.S.A. 40:49-1 et seq.

Motion/	Roll Call To Adopt On First Reading Adopted on First Reading					
Second		YAY	NAY	ABSTAIN	ABSENT	Dated: March 13, 2023
Motion	Dr. Michael Brantley	X				
Second	Robert Lane, Jr.	X				
	Tassie D. York	X				
	Nicholas Williams				X	Gabriella Siboni, RMC
	Keith Cafferty	X				Township Clerk
Motion/	Roll Call To Adopt	On Sec	ond and	d Final Read	ing	A1 . 1 . C . 1D . I'
Second	•	YAY	NAY	ABSTAIN	ABSENT	Adopted on Second Reading
Motion	Dr. Michael Brantley	X				Dated: March 27, 2023
Second	Robert Lane, Jr.	\mathbf{X}				
	Tassie D. York			\mathbf{X}		C 1 : 11 C'1 : DMC
	Nicholas Williams	X				Gabriella Siboni, RMC
	Keith Cafferty	\mathbf{X}				Township Clerk

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

The capital ordinance, 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 March 13, 2023. 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 March 27, 2023 at 7:00 p.m. Information regarding remote access to the meeting may be found on the Township's website at www.neptunetownship.org. During the week prior to and up to and including the date of such meeting, copies of the full 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 AMENDING AND RESTATING IN ITS ENTIRETY CAPITAL ORDINANCE NUMBER 22-23 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON JUNE 27, 2022 TO DECREASE THE TOTAL APPROPRIATION THEREIN FROM \$500,000 TO \$370,000, TO DECREASE THE AMOUNT OF THE REGIONAL GREENHOUSE GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND TO INCREASE THE AMOUNT APPROPRIATED FROM THE TOWNSHIP'S GENERAL CAPITAL FUND

Purpose(s):

Amend and restate in its entirety Capital Ordinance Number 22-23 (the "Original Ordinance", which provides for the acquisition of an electric powered garbage truck and the acquisition and installation of electric charging stations, including any equipment related thereto, at the Department of Public Works within the Township) to decrease the total appropriation therein by \$130,000, from \$500,000 to \$370,000 due to (i) a decrease in the Regional Greenhouse Fund Grant the Township has received or expects to receive from the New Jersey Department of Environmental Protection's Equipment Modernization Program from \$476,966.16 to \$346,135.45 and (ii) an increase in the appropriation from the Township's Capital Surplus Account in the General Capital Fund from \$23,033.84 to \$23,864.55

Appropriation and Grant:

\$370,000 (decreased from \$500,000 in the Original Ordinance), consisting of (i) a Regional Greenhouse Fund Grant received or expected to be received from the New Jersey Department of Environmental Protection's Equipment Modernization Program in the amount of \$346,135.45 (decreased from \$476,966.16 in the Original Ordinance), and (ii) the amount of \$23,864.55 (increased from \$23,033.84 in the Original Ordinance), which amount is from the Township's Capital Surplus Account in the General Capital Fund

GABRIELLA SIBONI, Clerk of the Township of Neptune

TOWNSHIP OF NEPTUNE PUBLIC NOTICE

NOTICE OF PENDING CAPITAL ORDI-NANCE AND SUMMARY

The capital ordinance#23-10, 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 March 13, 2023. It will be fur-Jessey, on March 13, 2023. 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 Noptune Boujevard, Neptune, in said County, on Narch 27, 2023 at 7:00 p.m. Information regarding remote access to the meeting may be found on the Township's website at www.neptunelownship.org. Duffing 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 membars of the general public who shall request the same. The summary of the terms of such capital ordinance ry of the terms of such capital ordinance

Title: CAPITAL ORDINANCE AMEND-ING AND RESTATING IN ITS ENTIRETY CAPITAL ORDINANCE NUMBER 22-23 FINALLY ADOPTED BY THE TOWN-SHIP COMMITTEE OF THE TOWNSHIP
OF NEPTUNE, IN THE COUNTY OF
MONMOUTH, STATE OF NEW JERSEY
ON JUNE 27, 2022 TO DECREASE THE ON JUNE 27, 2022 TO DECREASE THE TOTAL APPROPRIATION THEREIN FROM \$50,000 TO \$370,000, TO DECREASE THE AMOUNT OF THE REGIONAL GREENHOUSE GRANT RECEIVED ON EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND TO INCREASE THE AMOUNT APPROPRIATED FROM THE TOWNSHIP'S GENERAL CAPITAL FUND

Purpose(s): Amend and restate in its entirety Capital Ordinance Number 22-23 (the "Original Ordinance", which provides for the acquisition of an electric powered garbage truck and the acquisition and installation of electric charging stations, including any equipment related thereto, at the Department of Public Works within at the Department of Public Votes Walling
the Township) to decrease the total
appropriation therein by \$130,000, from
\$500,000 to \$370,000 due to (f),
decrease in the Regional Greenhouse
Fund Grant the Township has received or
expects to receive from the New Jersey

Department of Environmental Protection's Equipment Modernization Program from \$476,986.16 to \$346,135.45 and (ii) an increase in the appropriation from the Township's Capital Surplus Account in the General Capital Fund from \$23,033.84 to \$23,864.55 Appropriation and Grant: \$370,000

(decreased from \$500,000 in the Original Ordinance), consisting of (i) a Regional Greenhouse Fund Grant received or expected to be received from the New Jersey Department of Environmental Protection's Equipment Modernization Program in the amount of \$346,135.45 (decreased from \$476,968.16 in the Original Ordinance), and (ii) the amount of \$23,864.55 (increased from \$23,033.84 in the Original Ordinance), which amount is from the Township's Capital Surplus Account in the General Capital Fund Gabriella Sihoni, Municipal Clerk

3/16/23

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, deposeth and saith that the statement, of which TANTROM the annexed is a true copy, has SEPT been published in the said news-STATE OF NEW JERS NOTARY PUBLIC EXPIRES (5017157 tinuing in the issue of MARIANNE # 0 COMMISSION Sworn and subscribed before me thisday of Manch

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

The capital ordinance, 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 March 27, 2023. 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 AMENDING AND RESTATING IN ITS ENTIRETY CAPITAL ORDINANCE NUMBER 22-23 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON JUNE 27, 2022 TO DECREASE THE TOTAL APPROPRIATION THEREIN FROM \$500,000 TO \$370,000, TO DECREASE THE AMOUNT OF THE REGIONAL GREENHOUSE GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND TO INCREASE THE AMOUNT APPROPRIATED FROM THE TOWNSHIP'S GENERAL CAPITAL FUND

Purpose(s):

Amend and restate in its entirety Capital Ordinance Number 22-23 (the "Original Ordinance", which provides for the acquisition of an electric powered garbage truck and the acquisition and installation of electric charging stations, including any equipment related thereto, at the Department of Public Works within the Township) to decrease the total appropriation therein by \$130,000, from \$500,000 to \$370,000 due to (i) a decrease in the Regional Greenhouse Fund Grant the Township has received or expects to receive from the New Jersey Department of Environmental Protection's Equipment Modernization Program from \$476,966.16 to \$346,135.45 and (ii) an increase in the appropriation from the Township's Capital Surplus Account in the General Capital Fund from \$23,033.84 to \$23,864.55

Appropriation and Grant:

\$370,000 (decreased from \$500,000 in the Original Ordinance), consisting of (i) a Regional Greenhouse Fund Grant received or expected to be received from the New Jersey Department of Environmental Protection's Equipment Modernization Program in the amount of \$346,135.45 (decreased from \$476,966.16 in the Original Ordinance), and (ii) the amount of \$23,864.55 (increased from \$23,033.84 in the Original Ordinance), which amount is from the Township's Capital Surplus Account in the General Capital Fund

GABRIELLA SIBONI, Clerk of the Township of Neptune

CERTIFICATE OF INTRODUCTION

I, the undersigned Clerk of the Township of Neptune, in the County of Monmouth, State of New Jersey (the "Township"), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Township duly called and held on March 13, 2023 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:

Motion/	Roll Call To Adopt On First Reading				Adopted on First Reading	
Second		YAY	NAY	ABSTAIN	ABSENT	Dated: March 13, 2023
Motion	Dr. Michael Brantley	X				
Second	Robert Lane, Jr.	X				
	Tassie D. York	X				
	Nicholas Williams				X	Gabriella Siboni, RMC
	Keith Cafferty	X				Township Clerk

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body 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 seal of the Township this		eunto set my hand and affix	ked the corporate
sear of the Township this	day or	_, 2023.	
(SEAL)			
	GABRIE	ELLA SIBONI,	

Clerk of the Township of Neptune

#13656363.1 119294.012

Ordinance 23-10

CERTIFICATE OF FINAL ADOPTION

, 0	REBY CERTIFY that the foregoing is an extract from
5 7 \ 1 //	y of the Township duly called and held on March 27,
	Complex, 25 Neptune Boulevard, Neptune, in said
County, and that the following was the roll call:	
, c	
Present:	
Absent:	
original minutes as officially recorded in my off	e foregoing extract has been compared by me with the fice in the Minute Book of the governing body of the copy thereof and of the whole of the original minutes red to in the extract.
IN WITNESS WHEREOF, I is seal of the Township this day of	nave hereunto set my hand and affixed the corporate, 2023.
(SEAL)	
(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 March 13, 2023 and finally adopted on March 27, 2023.
2. After introduction, the capital ordinance was published as required by law in the (name of the newspaper) on
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
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, 2023.
(SEAL) GABRIELLA SIBONI,
Clerk of the Township of Neptune

TOWNSHIP OF NEPTUNE IN THE COUNTY OF MONMOUTH, NEW JERSEY

CERTIFICATE OF PAYMENT FROM CAPITAL SURPLUS ACCOUNT CONCERNING CAPITAL ORDINANCE

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

"CAPITAL ORDINANCE AMENDING AND RESTATING IN ITS ENTIRETY CAPITAL ORDINANCE NUMBER 22-23 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON JUNE 27, 2022 TO DECREASE THE TOTAL APPROPRIATION THEREIN FROM \$500,000 TO \$370,000, TO DECREASE THE AMOUNT OF THE REGIONAL GREENHOUSE GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND TO INCREASE THE AMOUNT APPROPRIATED FROM THE TOWNSHIP'S GENERAL CAPITAL FUND",

there was available as an appropriation for the improvements or purposes authorized by said capital ordinance the amount of \$23,864.55 (the "Township Funds"), which Township Funds were available from the Township's Capital Surplus Account in the General Capital Fund and which Township Funds have been appropriated for the improvements or purposes authorized by said capital ordinance.

IN WITNESS WHEREOF, I have hereunto set my hand as of this __ day of _____, 2023.

MICHAEL J. BASCOM, Chief Financial Officer