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Council Room Borough of Neptune City
April 27, 2015

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The Regular Council Meeting of the Mayor and Council was called to order by Mayor Robert Brown at 7:00 pm.

The Mayor asked everyone to join in on the Flag Salute.

Council Present: Pryor, Cross, Zajack, More, Renee, Brady, Mayor Brown
Absent: None

Mayor Brown announced that the Notice Requirements of Chapter 231 P.L. 1975 have been satisfied by the publication of said notice in the Asbury Park Press, and Coaster and by filing a copy with the Municipal Clerk.

Moved and seconded (More/Renee) to receive and file the Neptune City Library Report for March 2015. Carried.

Moved and seconded (Cross/Zajack) to received and file the Neptune City Police Report for March 2015. Carried.

Moved and seconded (Zajack/Cross) to receive and file a letter of correspondence from Robert Auth to support Assembly Bill in support of the Transparent Tax Act. Carried.

Mayor Brown gave a presentation on the Neptune City Junior Sailing Program.

In Mayor and Council Reports:

Mayor Brown announced the New Jersey Department of Transportation are preparing permits to put the project out to bid in late summer to dredge Shark River in the Fall.

Mayor Brown thanked Freeholder Arnone, Randy Bishop and Senator Beck for acting as liaisons and being persistent in getting this project done.

Mayor Brown reported he has been working with Mr. Zajack on a land transfer with Neptune Township that is not utilized and there will be resolution read this evening regarding this.

The Mayor reported the Land Use Board had a meeting to regarding the A & J Produce site on Steiner Avenue for improvements to the facility that have been approved.

The Mayor reported there is an application for the Wonder Bread site that will go before the Land Use Board in May.

The Mayor announced the Business Fair will be Saturday, May 2nd from 10 a.m. to 2:00 p.m. at the Community Center.

The Mayor announced the Memorial Day Parade will be Monday, May 25th and Neptune City resident Natalie Shepherd will sing the National Anthem.

Mayor Brown announced he attended the PBA Steak Bake.

Mayor Brown announced he attended the Neptune City Annual Fire Department Dinner and was honored to give two 50 year Proclamations to Glen Hulsart and Leroy Goodwin.

Mayor Brown announced there was a 50 year Ladies Auxiliary Proclamation to Stella Hulsart.

Mayor Brown announced a 25 year Proclamation to John Matthews and a Firefighter of the Year award to Robert Reynolds Sr.
Mayor Brown announced he attended the Rebuilding Warriors event at the Headliner this past Sunday which is an event to raise money for service dogs for wounded veterans.

Councilwoman Renee attended the Steak Bake Friday April 25th and congratulated the police officers for doing a wonderful job.

Ms. Renee reported she met with her Committee April 1st and will be meeting again soon to discuss the reports from the Construction Officials.

Councilman More reported leaf collection will continue until May 31st and advised residents to keep leaves and brush separate.

Mr. More announced the bathrooms at Memorial Park will be open as of this weekend.

Mr. More reported Mayor Brown's swearing in at the Board of Directors for the Conference of Mayors was absent from the recent Mayor's Report and congratulated Mr. Brown.

Councilman Zajack announced there will be a Budget Work Session on Wednesday, May 6th at 6:00 p.m. in the Council Chambers to hopefully introduce the budget at the next Council Meeting on Monday, May 11th.

Councilwoman Brady announced the Special Services Committee is scheduled to meet in early May to discuss the resignation of Librarian Patty Scott.

Councilman Cross had no report and congratulated sailors, Glen Hulsart, Roy Goodwin on their 50 years service and John Matthews on his 25 years service.

Councilman Pryor reported the Fire Department had 10 active calls this month.

Mr. Pryor announced there will be a benefit this Sunday, May 3rd at the Neptune City First Aid Building for Rich Hulsart's daughter.

Mr. Pryor congratulated the Junior Sailors and announced the Summer Recreation Program will also include Bradley Beach residents this year.

Mr. Pryor announced he attended the Little League opening day.

Moved and seconded (Renee/Cross) to Open Hearing for the following Ordinance 2015-5.

Moved and seconded (Cross/Renee) to Close Hearing for the following Ordinance 2015-5.

Councilwoman Renee offered the following resolution and moved its adoption. Seconded by Councilman Cross.

BOROUGH OF NEPTUNE CITY

ORDINANCE 2015-5

AN ORDINANCE TO CHANGE THE NAME OF THE BOROUGH PUBLIC STREET HERETOFORE KNOWN AS TFH WAY AND NOW TO BE KNOWN AS FLEXCRAFT DRIVE

BE IT ORDAINED, by the Mayor and Council of the Borough of Neptune City as follows:

SECTION 1. That, in accordance with the provisions of N.J. Revised Statute 40:67-1 (k), the Boroughs public street heretofore known as TFH WAY and located south of West Sylvania Avenue be, and the same is hereby changed, and said street shall hereafter be known as FLEXCRAFT DRIVE.

SECTION 2. That all signs, maps and other public records referring to said TFH WAY are hereby amended, and said TFH WAY as shown on said signs, maps and other public records is hereby changed to read FLEXCRAFT DRIVE.

SECTION 3. That this Ordinance shall take effect when finally passed and published according to law.

On Roll Call the following vote was recorded:
Aye: Pryor, Cross, Zajack, More, Renee, Brady
Nay: None
Absent: None

The Mayor declared the motion carried and the resolution adopted.

Moved and seconded (Renee/Brady) to advertise the Ordinance. Carried.

Councilman Zajack offered the following resolution and moved its adoption. Seconded by Councilman Cross.

Bill List April 27, 2015
Be it resolved that the following payroll and bills be paid:

Current Payroll	$118,251.30
Current Bills	$1,219,668.16
Current Agency	$4928.02
Sewer Payroll	$5534.40
Sewer Bills	$22,854.75
Sewer Agency	$423.38

Animal Control Checking

- Associated Humane Societies (Animal Services for March 2015) — $1109.00

Special Trust Checking

- Leon S. Avakian (99 Steiner Avenue) — $1197.50
- Leon S. Avakian (TFH Way) — $675.00
- Collins, Vella & Casello (De Vos Application) — $217.50
- Collins, Vella & Casello (National Parts Supply Application) — $652.50

Capital Checking

- FF1 Professional Safety (Fire Truck Equipment) — $2517.15

On Roll Call the following vote was recorded:
Aye: Pryor, Cross, Zajack, More, Renee, Brady
Nay: None
Absent: None

The Mayor declared the motion carried and the resolution adopted.

Councilman More offered the following resolution and moved its adoption. Seconded by Councilman Zajack.

RESOLUTION 2015-48
TONNAGE GRANT APPLICATION

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Neptune City that Neptune City hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Gerrit De Vos to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

On Roll Call the following vote was recorded:
Aye: Pryor, Cross, Zajack, More, Renee, Brady
Nay: None
Absent: None

The Mayor declared the motion carried and the resolution adopted.

Councilwoman Brady offered the following resolution and moved its adoption. Seconded by Councilman Pryor.

RESOLUTION 2015-49
AUTHORIZATION TO HOLD MUNICIPAL AUCTION

WHEREAS, the Borough of Neptune City is in possession of unclaimed bicycles, personal property and Borough Equipment that is no longer needed for public use.

NOW THEREFORE BE IT RESOLOVED, that the Borough Administrator or her designee be authorized to hold a public auction on Saturday, May 16, at 10:30 a.m. preview will e at 10:00 a.m. at the Neptune City Municipal Building, 106 W. Sylvania Avenue, to dispose of the abovementioned items, and

BE IT FURTHER RESOLVED, that this public auction be posted and advertised no more than 14 days or less than 7 days prior to the auction.

On Roll Call the following vote was recorded:
Aye: Pryor, Cross, Zajack, More, Renee, Brady
Nay: None
Absent: None

The Mayor declared the motion carried and the resolution adopted.

Councilman Cross offered the following resolution and moved its adoption. Seconded by Councilwoman Renee.

RESOLUTION 2015-50
WAIVE FEES FOR PERMITS FOR DAMAGE TO SUPER STORM SANDY

WHEREAS, Super Storm Sandy has created a need for repairs and reconstruction for many homes in the Borough of Neptune City; and

WHEREAS, due to unforeseen circumstances it has been certified by the Construction Official of the Borough that Bijou Villa is need of certain repairs and replacement necessitated by Super Storm Sandy, and

WHEREAS, the Mayor and Council wishes to reduce the impact on the homeowners in the Borough of Neptune City by waiving permit fees for repairs and replacement necessitated by Super Storm Sandy.

NOW THEREFORE BE IT RESOLVED, that the Construction Code Official is hereby advised to waive such fees providing that appropriate documentation of damage is submitted with the building application; and

BE IT FURTHER RESOLVED, that a copy if this resolution be forwarded to the Construction Code Official and to the New Jersey Department of Community Affairs, Office of Regulatory Affairs.

On Roll Call the following vote was recorded:
Aye: Pryor, Cross, Zajack, More, Renee, Brady
Nay: None
Absent: None

The Mayor declared the motion carried and the resolution adopted.

Councilwoman Brady offered the following resolution and moved its adoption. Seconded by Councilman Zajack.

Paint the Town Pink
Resolution of the Borough of Neptune City

WHEREAS, Paint the Town Pink is an annual month long event sponsored by Meridian Health to raise awareness of the ways to prevent breast cancer; and

WHEREAS, Breast Cancer is the most common cancer found in American Women today and one out of eight women are diagnosed with breast cancer each year, and

WHEREAS, there are more than 2.5 million breast cancer survivors in the United States, and

WHEREAS, it is recommended that women between the ages of 40 and 50 years old should have a mammogram every one to two years, and

WHEREAS, the Borough of Neptune City understands that early detection is a woman's best defense against breast cancer, and

WHEREAS, the Borough is proud to be a part of the community-wide effort to raise awareness of the importance of the annual mammography across Monmouth County, and

WHEREAS, the Borough has been invited to participate in the "Paint the Town Pink" Program for 2015 and proudly accepts the invitation and encourages participation in the program with the community, and NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Neptune City proclaim the month of May as "Paint the Town Pink" and the Borough of Neptune City is proud to be known as "PINKTUNE CITY" for the month of May, and it is hoped that all residents and businesses wil join in to help educate the Community on early detection of breast cancer.

On Roll Call the following vote was recorded:
Aye: Pryor, Cross, Zajack, More, Renee, Brady
Nay: None
Absent: None

The Mayor declared the motion carried and the resolution adopted.

Councilman Cross offered the following resolution and moved its adoption. Seconded by Councilman Pryor.

RESOLUTION FOR MEMBER PARTICIPATION IN COOPERATIVE PRICING SYSTEM:

A RESOLUTION AUTHORIZING THE BOROUGH OF NEPTUNE CITY TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

RESOLUTION NUMBER: 2015-52

WHEREAS, N.J.S.A. 40A:11-11 (5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Cranford Police Cooperative Pricing System (ID #47-CPCPS), hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

TITLE

This RESOLUITON shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Neptune City.

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40:A 11-11 (5)*, the Borough Administrator, Mary Sapp is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

On Roll Call the following vote was recorded:
Aye: Pryor, Cross, Zajack, More, Renee, Brady
Nay: None
Absent: None

The Mayor declared the motion carried and the resolution adopted.

Councilman Pryor offered the following resolution and moved its adoption. Seconded by Councilman Zajack.

RESOLUTION 2015-53
RESOLUTION AUTHORIZING THE BOROUGH OF NEPTUNE CITY TO PARTICIPATE IN INTRA- COUNTY MUTUAL AID AND ASSISTANCE AGREEMENTS IN THE COUNTY OF MONMOUTH

WHEREAS, the Uniformed Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. Seq., ("Act") provides that any local governmental unit may enter into a contract with any other local governmental unit to provide or receive any service that each local unit is empowered to provide or receive any service that each local unit is empowered to provide or receive within its own jurisdiction; and

WHEREAS, mutual aid and assistance agreement between municipalities, counties, law enforcement agencies, police, emergency medical service, fire departments, fire companies, or EMS organizations and fire departments situated in fire districts operated by a Board of Fire Commissioners, are permitted pursuant to N.J.S.A. 40A:14-26 and 40A:14-156.1; and

WHEREAS, the President in Homeland Security Directive (HSPD-5), directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System ("NIMS"), which would provide a consistent nationwide approach to Federal, State, Local and Tribal Governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, "The New Jersey Civilian Defense and Disaster Control Act" App. A9-33 et. seq., provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency; and

WHEREAS, the Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the "Fire Service Resource Emergency Deployment Act", N.J.A.C. 52:14E-11 et. seq., commonly referred to as the "Fire Service Resource Emergency Deployment Regulations" N.J.A.C. 5:57A et.seq.; and

WHEREAS, the Governing Body of the Borough of Neptune City deem it to be in the best interests of the Borough of Neptune City to enter into Mutual Aid and Assistance Agreements with governmental entities throughout Monmouth County and all of their departments, authorities, boards, commissions and other functions under the auspices of each participating governmental entity including but not limited to, law enforcement, public works, emergency medical services, emergency management, human services, hazardous materials, response units technical or special operations teams, Community Emergency Response Team ("CERT") members, Medical Reserve Corps ("MRC") members or other volunteers and other jurisdictions defined "local governments" in the Homeland Security Act of 2002; and

WHEREAS, N.J.S.A. 40A:14-26 and 156.1 et. seq. has authorized interjurisdictional mutual aid; and

WHEREAS, the Governing Body of the Borough of Neptune City and the Participating Units recognize the benefit of entering into an Agreement for mutual aid and assistance with each other to protect against loss, damage or destruction by fire, civil unrest, hazardous material, major criminal or emergency events, natural and man-made disaster or catastrophe and to address those situations when additional aid and assistance is needed to protect the best interests of the persons and property of each individual jurisdiction.
NOW THEREFORE BE IT RESOLVED, that the Intra-County Mutual Aid and Assistance Agreements between the Borough of Neptune City and Participating Units be and are hereby accepted.

BE IT FURTHER RESOLVED, that Mayor Robert Brown and Borough Administrator Mary Sapp are authorized to execute the Intra-County Mutual Aid and Assistance Agreements once they have been authorized and executed by each Participating Unit.

BE IT FURTHER RESOLVED, that the Borough Administrator Mary Sapp forward a certified true copy of this resolution to the Monmouth County Sheriff, Office of Emergency Management Coordinator, and the Borough of Neptune City Appropriate Departments.

On Roll Call the following vote was recorded:
Aye: Pryor, Cross, Zajack, More, Renee, Brady
Nay: None
Absent: None

The Mayor declared the motion carried and the resolution adopted.

Councilman Zajack offered the following resolution and moved its adoption. Seconded by Councilman More.

RESOLUTION 2015-54
AUTHORIZE THE TAX AND ASSESSMENT SUPERVISION OF BLOCK 4701, LOT 1 FROM THE TOWNSHIP OF NEPTUNE TO THE BOROUGH OF NEPTUNE CITY

WHEREAS, there is a property known as Block 4701, Lot 1 as designated on the Tax Map of the Township of Neptune and Block 117.01, Lot 3 as designated on the Tax Map of the Borough of Neptune City; and

WHEREAS, the municipal boundary line between the Borough of Neptune City and the Township of Neptune bisects the property in question. Each of the subject premises are, in addition to being located in two separate municipalities, are also subject to two separate land use zones; and

WHEREAS, the Mayor and Council of the Borough of Neptune City finds it would be in the best interest of the Township of Neptune, the Borough of Neptune City and owners of Block 4701, Lot 1 that the sole supervision of the lands and buildings on the subject property shall be under the authority of the Borough of Neptune City; and

WHEREAS, N.J.S.A. 54:4-25 and N.J.S.A. 40A:13-19 provide that, when a boundary line between adjoining municipalities divides lands, the municipalities in which the lands are situated may determine by Resolution which municipality shall have the authority to access and collect taxes and exercise sole supervision of said lands and buildings, and

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Neptune City that the Borough of Neptune City is granted sole tax and assessment supervision over the above parcel and further directed to make the appropriate amendments to the tax and assessment records of the Borough of Neptune City, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Tax Collectors and Tax Assessors of both the Township of Neptune and the Borough of Neptune City, Neptune City Municipal Clerk, Monmouth County Tax Board, and Mark Walsifer, the owner of Block 4701, Lot 1.

On Roll Call the following vote was recorded:
Aye: Pryor, Cross, Zajack, More, Renee, Brady
Nay: None
Absent: None

The Mayor declared the motion carried and the resolution adopted.

Councilman More offered the following resolution and moved its adoption. Seconded by Councilman Zajack.

RESOLUTION 2015-55
AUTHORIZE THE TAX AND ASSESSMENT SUPERVISION OF BLOCK 117.01, LOT 3 FROM THE BOROUGH OF NEPTUNE CITY TO THE TOWNSHIP OF NEPTUNE

WHEREAS, there is a property known as Block 4701, Lot 1 as designated on the Tax Map of the Township of Neptune and Block 117.01, Lot 3 as designated on the Tax Map of the Borough of Neptune City; and

WHEREAS, the municipal boundary line between the Township of Neptune and the Borough of Neptune City bisects the property in question. Each of the subject premises are, in addition to being located in two separate municipalities, are also subject to two separate land use zones; and
WHEREAS, the Mayor and Council of the Borough of Neptune City finds it would be in the best interest of the Township of Neptune, the Borough of Neptune City and the owners of Block 117.01, Lot 3 that the sole supervision of the lands and buildings on the subject property shall by under the authority of the Township of Neptune; and

WHEREAS, N.J.S.A. 54:4 and N.J.S.A. 40A:13-19 provide that, when a boundary line between adjoining municipalities divides lands, the municipalities in which the lands are situated may determine by Resolution which municipality shall have the authority to access and collect taxes and exercise sole supervision of said lands and buildings; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Neptune City that the Township of Neptune is granted sole tax and assessment supervision over the above parcels and further directed to make the appropriate amendments to the tax and assessment records of the Township of Neptune; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Tax Collectors and Tax Assessors of both the Township of Neptune and the Borough of Neptune City, Neptune City Municipal Clerk, Monmouth County Tax Board, and Hollybrook Corporation.

On Roll Call the following vote was recorded:
Aye: Pryor, Cross, Zajack, More, Renee, Brady
Nay: None
Absent: None

The Mayor declared the motion carried and the resolution adopted.

Councilman Zajack offered the following resolution and moved its adoption. Seconded by Councilman Cross.

RESOLUTION 15-56
TEMPORARY APPROPRIATION #2

WHEREAS, a condition has arisen (payment of 2015 Pension Bills) and no adequate provision has been made in the 2015 temporary appropriations for essential services and NJSA 40A: 4-20 provides for the creation of an temporary appropriation for the abovementioned purpose, and

WHEREAS, the total temporary budget adopted on January 1, 2015 was for the amount of $1,666,961.00, and

WHEREAS, the temporary budget adopted was amended on April 13, 2015 and thereby increased the total to $1,801,196.00, and

WHEREAS, in accordance with the provisions of NJSA 40A: 4-20, temporary appropriations are necessary and are hereby made in the amount of $500,000
in the 2015 temporary budget, and

WHEREAS, the above appropriation will be inserted in the 2015 Budget,

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Neptune City hereby approve the temporary appropriations in the total amount of $500,000.00, and

BE IT FURTHER RESOLVED, that one certified copy of this resolution be filed with the Director of Local Government Services.

On Roll Call the following vote was recorded:
Aye: Pryor, Cross, Zajack, More, Renee, Brady
Nay: None
Absent: None

The Mayor declared the motion carried and the resolution adopted.

In Public Participation:

Diane Baker of Riverview Avenue asked if there is a site plan showing where the spoilers are going to be located for the dredging.

The Mayor replied there are site plans for several different locatons in progress that are not able to be viewed at this time and assured Ms. Baker that the spoils will not be on the beach at Memorial Park.

Joanne Drennen asked if it has been determined whether the dredging sites will be in Neptune Township or Neptune City.

Mayor Brown replied there will be five different towns to get approval from.
Ms. Drennen asked if the Mayor had information as to what type of business will be going in there.

Mayor Brown answered the building will be renovated into storage and corporate office space for a beauty supply company.

Ms. Drennen asked of there are any plans for improvements to the East Coast Ice Property.

The Mayor responded the property is under environmental review with Najarian Associates due to contamination and the Borough does not own that piece of property.

Monique Ritacco of 91 Third Avenue stated that since the fence on the next store property has been taken down there is a lot of coal and asked if this can be a possible hazard and can be removed.

Mayor Brown replied he will speak with the construction office code official tomorrow to see what can be done.

Mayor Brown acknowledged the Director of Public Works for 30 years of service to the Borough.

Moved and seconded (Cross/Renee) to adjourn the meeting. Carried.

Mayor Robert Brown

Mary Sapp, Municipal Clerk