****
****

Council Room Borough of Neptune City
March 9, 2015

****

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, More, Renee, Mayor Brown
Absent: Zajack, Brady

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.

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

Be it resolved that the Mayor and Council recessed to Executive Session to discuss a Legal and Personnel matter pertaining to the Public Works Department and the Library.

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

The Mayor and Council returned at 7:17 pm.

Mayor Brown announced that minutes were kept of the Executive Session but will not be made public until such a time as they have no bearing on the operation of the Borough.

Roll Call: Pryor, Cross, More, Renee, Mayor Brown
Absent: Zajack, Brady

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

Moved and seconded (Renee/More) to receive and file a Letter of Resignation from Patricia Scott. Carried.

In Mayor and Council Reports:

Mayor Brown thanked Patty Scott for her years of service with the library and wished best of luck with her retirement.

Mayor Brown thanked everyone who attended the Mayor's Round Table Meeting February 26th.

Mayor Brown met with State Representative Shannon McManus to discuss and clarify some of the Borough's issues with the State and Business Owners.

Mayor Brown thanked Freeholder Arnone and Amy Fitzgerald for attending the meeting.

The Mayor announced he and representatives from Bradley Beach, Belmar, Wall and Avon will be attending the State Recreation Convention in Atlantic City to honor Friends of Belmar Harbor Sailing Program Award.

The Mayor thanked Tom Adcock for being part of the Friends of Belmar Harbor Program.

Mayor Brown thanked Councilwoman Renee, Councilman More, the Police Department, Fire Department Honor Guard for marching in the Belmar St. Patrick's Day Parade and representing Neptune City.

Mayor Brown announced he had the privilege to swear in the 2015 Officers for the Neptune City Senior Club.

Councilman Cross reported he had a Police Committee Meeting Thursday, February 26th to discuss the upcoming budget.

Councilman Pryor announced the Board of Recreation All-Star Jam has been rescheduled for Thursday, March 19th. Mr. Pryor thanked Louis Trocchio Jr for doing a great job with this event.

Mr. Pryor reported the Fire Department has been very active responding to secondary heat source calls.

Mayor Brown reminded everyone to change the batteries in their smoke detectors.

Councilwoman Renee reported the Special Services Committee discussed Patty Scott's resignation.

Ms. Renee commended the Public Works for doing a wonderful job during the snow storm.

Ms. Renee thanked Grow Monmouth for coming to Neptune City to speak with business owners and felt the meeting was very informative and had a good response from business owners.

Councilman More reported the Department of Public Works Committee have completed their budget meetings and made their recommendations.

Mr. More commended the Public Works Department for their proficiency in preparation and planning during inclement weather.

In Public Participation:

Michael Skudera of 105C West Sylvania Avenue asked for clarification on the Ordinance for Streets and Sidewalks in regards to keeping cars parked on the street.

Administrator Mary Sapp and Mayor Brown answered residents are asked to remove vehicles from the street during a snow storm or park their vehicle at Adams Field in order for Department of Public Works to remove the snow safely.

Moved and seconded (Renee/Cross) to Open Hearing for the following Ordinance 2015-1.

Moved and seconded (More/Cross) to Close Hearing for the following Ordinance 2015-1.

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

BOROUGH OF NEPTUNE CITY

ORDINANCE NO. 2015 - 1

AN ORDINANCE TO AMEND AND SUPPLEMENT CERTAIN SECTIONS OF CHAPTER 113 ENTITLED ASTREETS AND SIDEWALKS OF THE CODE OF THE BOROUGH OF NEPTUNE CITY

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

Section 1. ***Chapter 113*** **of the Code of the Borough of Neptune City is hereby amended as follows:**

ARTICLE III

TEMPORARY NO PARKING AND SNOW REMOVAL

'113-15. **Temporary Parking and Snow Removal.**

Whenever there is snow covering on the streets or highways in the Borough, in the discretion of the Borough Administrator or his/her designee, the following prohibitions shall take effect:

A. **Any vehicle parked in violation of this Chapter or abandoned on a public street shall be deemed to be a nuisance and a menace to public safety and any public safety officer may provide for the removal of such vehicle. The owner shall pay the reasonable costs of removal and storage of such vehicle before redeeming possession thereof.**

B. **This parking prohibition shall remain in effect until after the snow has ceased and the streets have been plowed for the full width as well as until parking will not interfere with the normal flow of traffic.**

C. **During a snow emergency, if off-street parking is available, any vehicle shall not be parked on any street.**

D. **Any owner or owners, occupant or occupants, tenant or tenants, building superintendent, rental agent or person in charge of premises abutting or bordering upon any public street in the Borough shall remove all snow and ice from the abutting sidewalks of such streets, or in the case of ice which may be so frozen as to make removal impracticable, shall cause the same to be thoroughly covered with appropriate ice melt material, within 24 hours of daylight after the same shall fall or be formed thereon.**

E. **The penalty provisions of Chapter 1 (§1-14) shall apply to a violation of this Ordinance. In addition, the Police Department shall have the option of towing any vehicle in violation of this Ordinance at the owner's expense.**

F. **During a snow emergency, vehicles may be parked in the parking areas of Holmes A. Adams Recreation Complex, West Sylvania Avenue, notwithstanding the provisions of** ***'95-4.***

'113-16. **Removal costs.**

In addition to the provision for penalties herein made for violations of this section, and in case such snow or ice shall not be removed from such sidewalks by the owner or owners, tenant or tenants, occupant or occupants, building superintendent, rental agent or person in charge of any premises, as provided in Subsection 113-15 D, the same shall be removed forth with and under the direction of the Director of Public Works, and the cost of such removal as nearly as can be ascertained shall be certified by the Director of Public Works to the governing body. The

governing body shall examine such certification and, if found to be correct, shall cause such cost to be charged against such real estate so abutting or bordering upon such sidewalk or street, and the amount so charged shall forth with become a lien and a tax upon such real estate or land and be added to, recorded and collected in the same manner as the taxes next to be levied and assessed upon such premises and shall bear interest and be enforced and collected by the same officers and in the same manner as other taxes.

'113-17. Depositing snow on street restricted.

No person, firm or corporation, the owner, tenant or occupant of any premises abutting on any street shall shovel, throw, cast, place or deposit any snow or ice into or upon any public street in the Borough, it being the intent and purpose of this provision to prohibit all such persons from shoveling, throwing, casting, placing or depositing snow and ice which accumulated on the private property abutting the street or sidewalk on the sidewalks or streets of the Borough.

Section 2. Severability. Each section of this ordinance is an independent section, and the holding of any section, or part thereof, to be unconstitutional, void or ineffective for any cause, shall not be deemed to affect the validity or constitutionality of other sections or parts thereof.

Section 3. This Ordinance shall become effective when passed and published as required by law.

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

The Mayor declared the motion carried and the resolution adopted.

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

Moved and seconded (Renee/Cross) to Open Hearing for the following Ordinance 2015-2.

Moved and seconded (Renee/Cross) to Close Hearing for the following Ordinance 2015-2.

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

BOROUGH OF NEPTUNE CITY

ORDINANCE NO. 2015-2

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 127 ENTITLED "VEHICLES ABANDONED" OF THE CODE OF THE BOROUGH OF NEPTUNE CITY

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

Section 1. **Chapter 127** of the Code of the Borough of Neptune City, entitled ***"Vehicles, Abandoned"*** is hereby amended as under:

ARTICLE 1

§127-2. Definitions;

B. Has been continuously parked in any public street or on any public land for a period of ten (10) days, or on private land for a period of thirty (30) days, unless same is extended, for good cause, by the Police Department.

Section 2. All portions of the prior Ordinance not inconsistent herewith shall continue in full force and effect.

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, More, Renee
Nay: None
Absent: Zajack, Brady

The Mayor declared the motion carried and the resolution adopted.

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

Moved and seconded (Renee/Pryor) to Open Hearing for the following Ordinance 2015-3.

Moved and seconded (More/Renee) to Close Hearing for the following Ordinance 2015-3.

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

BOROUGH OF NEPTUNE CITY

ORDINANCE NO. 2015-03

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 28 ENTITLED "RECREATION COMMISIONERS, BOARD OF" OF THE CODE OF THE BOROUGH OF NEPTUNE CITY

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

Section 1. **Chapter 28** of the Code of the Borough of Neptune City, entitled ***"Recreation Commissioners, Board of"*** is hereby amended as under:

ARTICLE 1

§28-1. Creation of Board

There shall be created in the Borough of Neptune City, by virtue of this chapter, a Board of Recreation Commissioners, consisting of seven (7) members.

Section 2. All portions of the prior Ordinance not inconsistent herewith shall continue in full force and effect.

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, More, Renee
Nay: None
Absent: Zajack, Brady

The Mayor declared the motion carried and the resolution adopted.

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

Moved and seconded (Renee/Pryor) to Open Hearing for the following Ordinance 2015-4.

Moved and seconded (Renee/Pryor) to Close Hearing for the following Ordinance 2015-4.

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

BOROUGH OF NEPTUNE CITY

ORDINANCE NO. 2015-04

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 55 ENTITLED "DISPOSAL AND CONTROL OF LITTER AND WASTE" OF THE CODE OF THE BOROUGH OF NEPTUNE CITY

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

Section 1. **Chapter 55-4.** of the Code of the Borough of Neptune City, entitled ***"Disposal and Control of Litter and Waste"*** is hereby amended as under:

§55-4. Yard waste collection program

C. Brush, tree limbs, wood and other organic debris shall be cut to a maximum length of six (6) feet and placed at curbside for collection on Mondays, March 1 through November 30, prior to 6:30 a.m. or at any other time as determined by the Borough Administrator or his/her designee. Christmas trees only shall be placed curbside for collection on Mondays, December through February, prior to 6:30 a.m. or any other time as determined by the Borough Administrator or his designee.

Section 2. All portions of the prior Ordinance not inconsistent herewith shall continue in full force and effect.

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, More, Renee
Nay: None
Absent: Zajack, Brady

The Mayor declared the motion carried and the resolution adopted.

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

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

Bill List March 9, 2015
Be it resolved that the following payroll and bills be paid:

Current Payroll	$123,395.58
Current Bills	$124,089.83
Current Agency	$5219.50
Sewer Payroll	$10,359.55
Sewer Bills	$2356.56
Sewer Agency	$591.25

Special Trust Checking

- Collins, Vella & Casello, LLC (Shore Collision Application) — $405.00
- Shirley M. Bishop, P.P., LLC (99 Steiner Investors) — $192.50
- Ray's Service Center (Escrow Refund) — $803.50

Developer Escrow Checking

- Ocean Cross Fit (Bond Return) — $2553.51

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

The Mayor declared the motion carried and the resolution adopted.

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

RESOLUTION 2015-35
APPROVAL OF VOLUNTEER FIREFIGHTER APPLICATION

WHEREAS, the Neptune City Fire Department is always in need of volunteers, and

WHEREAS, the following person has made application to become a member of the Neptune City Fire Department; Stephan Clark, and

WHEREAS, the applicant has been recommended for membership by the Neptune City Fire Department, and

NOW THEREFORE BE IT RESOLVED, that Stephan Clark be approved as a member of the Neptune City Fire Department.

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

The Mayor declared the motion carried and the resolution adopted.

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

RESOLOUTION 2015-36
APPROVAL OF DEDUCTION ON PROPERTY TAXES

WHEREAS, in accordance with N.J.S.A. 54:4 the Governing body a Municipality may approve a property tax deduction for a Senior Citizen; and

WHEREAS, the following deduction has been reviewed and recommended by the Neptune City Tax Assessor; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Neptune City hereby approve the following Senior Deduction for the year 2014 and 2015:

Block 56	Lot 62	Richard Gesualdi

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

The Mayor declared the motion carried and the resolution adopted.

In Public Participation:

Kevin Mackerowski of 17 Tucker Drive thanked Director Edward Kirschenbaum for responding to his call regarding snow removal throughout the town and the Department of Public Works Department for cleaning the sidewalks of snow and ice in front of Woodrow Wilson School.

Mayor Brown thanked Mr. Mackerowski for placing a call to Mr. Kirschenbaum.

Michael Skudera of 105C West Sylvania Avenue expressed his appreciation to the Department of Public Works for doing a great job keeping the roads clear during the snow storm.

Mr. Skudera inquired where the $25.00 Recreation Basketball Fee goes towards.

Captain Louis Trocchio, also a member of the Board of Recreation Committee answered the funds collected go towards trophies, uniforms, referees, celebrations and All Star Jams.

Captain Trocchio also informed Mr. Skudera he can come to the Board of Recreation meetings held on the first Sunday of every month to discuss any questions or concerns.

Mr. Skudera asked if funding has been approved for the dredging of Shark River and will this become an environmental issue of not done.

Mayor Brown responded Senator Beck, Freeholder Arnone have been in the process of getting funding for the last 15 to 16 years and that the funding has been approved.

Mayor Brown also responded this will not be an environmental issue. The main issue is where to the dredging material will be placed.

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

_____ _____

Mayor Robert Brown Mary Sapp, Municipal Clerk