

**Council Room Borough of Neptune City
October 14, 2013**

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: Mitchell, Pryor, Cross, Zajack, More, Mayor Brown
Absent: Shafer

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 (Cross/Zajack) to receive and file the Neptune City Municipal Court Report for September 2013. Carried.

Moved and seconded (More/Cross) to receive and file the Neptune City Public Works Report for September 2013. Carried.

Moved and seconded (Zajack/Pryor) to receive and file the Neptune City Fire Department Report for September 2013. Carried.

In Mayor and Council Reports:

Councilman More announced two ordinances will be read this evening regarding height restrictions and signage.

Councilman Zajack commended the Fire Department for doing a nice job with the Fire Truck Ceremony Sunday, October 6th.

Councilwoman Mitchell complimented the Fire Department on the Fire Truck Ceremony.

Councilman Cross had no report.

Councilman Pryor announced his committee are looking at some new programs for the Community Center.

Mr. Pryor announced Trunk or Treat will be Sunday, October 27th from 3 P.M. to 6:00 P.M.

Mr. Pryor thanked Mrs. Audrey Gilmore for her generous donation to the Board of Recreation.

Mayor Brown commended the Fire Department for doing a good job with the Fire Truck Dedication.

Mayor Brown thanked Mary Sapp and the staff in the Tax Office for doing a great job with the tax bills, sewer rate changes and the Tax Sale.

The Mayor announced Red Ribbon Week will be held October 23rd to October 30th and will have programs for the school.

Councilman Cross offered a resolution to amend the Agenda to add Resolution 2013-115. Seconded by Councilman Pryor.

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

The Mayor declared the motion carried and the resolution adopted.

Moved and seconded (More/Mitchell) to Open Hearing for the following Ordinance 2013-5.

Moved and seconded (Mitchell/Pryor) to Close Hearing for the following Ordinance 2013-5.

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

ORDINANCE 2013-5

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF NEPTUNE CITY CHAPTER 139, ENTITLED "ZONING" SCHEDULE OF AREA AND BUILDING REQUIREMENTS THEREOF

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

The Code of the Borough of Neptune City, Chapter 139 thereof, is hereby amended to modify the schedule of area, yard and building requirements as follows:

SCHEDULE OF AREA, YARD AND BUILDING REQUIREMENTS

Section 1. RC Residential Commercial Zone is hereby amended to modify the existing text as follows:

(11) Maximum height – 35 feet

Section 2. Commercial Zone is hereby amended to modify the existing text as follows:

(11) Maximum height – 35 feet

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 any other sections or parts thereof.

Section 4. This ordinance shall become effective when passed and published according to law.

On Roll Call the following vote was recorded:

Aye: Mitchell, Pryor, Cross, Zajack, More

Nay: None

Absent: Shafer

The Mayor declared the motion carried and the resolution adopted.

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

Moved and seconded (Mitchell/Zajack) to Open Hearing for the following Ordinance 2013-6.

Moved and seconded (Mitchell/More) to Close Hearing for the following Ordinance 2013-6.

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

ORDINANCE 2013-6

AN ORDINANCE TO AMEND AND SUPPLEMENT CERTAIN SECTIONS OF CHAPTER 139 ENTITLED "ZONING" 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. Section 139-50 B is hereby deleted and replaced as follows:

B. Building Signs

- (1) Definition. A building sign shall be defined as a sign attached to or painted upon a building wall and it is not extended above the roof line.

- (2) Building signs are permitted in the commercial or industrial zones advertising the business conducted on the property.
- (3) A Single commercial or industrial use building is permitted one building sign not to exceed one hundred (100) square feet.
- (4) In case of multiple business or shopping centers, each business or store shall be permitted one building sign provided that the total sign area on the face of the business or store shall not exceed ten percent (10%) of the area of the face of the wall of that business or store, excluding roof areas or 100 square feet, whichever is less.
- (5) When a business or store is located on a corner lot, one (1) sign shall be permitted on each side of the building facing each street. The areas of each sign shall be as permitted in the Ordinance Section 139-50 b (4).

SECTION 2. The following New Section 139-50 E is hereby added:

E. Sign Area Measurement. The area of a sign shall be computed as the total square foot content of the background upon which the lettering illustration or display is presented. The area of a sign consisting of individual letters or figures shall be considered as the total area of the smallest rectangle which can enclose all letters and/or figures.

SECTION 3. 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 4. Effective Date. This Ordinance shall become effective when passed and published as required by law.

On Roll Call the following vote was recorded:

Aye: Mitchell, Pryor, Cross, Zajack, More

Nay: None

Absent: Shafer

The Mayor declared the motion carried and the resolution adopted.

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

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

Bill List October 14, 2013

Be it resolved that the following payroll and bills be paid:

Current Payroll	\$120,642.08
Current Bills	\$415,942.13
Current Agency	\$5556.80
Sewer Payroll	\$5624.06
Sewer Bills	\$203,986.58
Sewer Agency	\$430.24
Admin P.A. Checking	\$4434.00
Special Trust Checking	
• Leon S. Avakian (Ray's Service Center)	\$1777.50
• Leon S. Avakian (Christian Cathedral Ministries)	\$217.50
• Leon S. Avakian (99 Steiner Avenue)	\$3902.50
• Leon S. Avakian (99 Steiner Avenue)	\$3622.50
• Leon S. Avakian (99 Steiner Avenue)	\$507.50
Capital Checking	
• Fire Hooks Unlimited (Tool Brackets & Locks)	\$158.00
• Leon S. Avakian (Curbs & Sidewalks)	\$725.00
• Fernandes Construction (Sidewalk Improvements)	\$4470.43

On Roll Call the following vote was recorded:

Aye: Mitchell, Pryor, Cross, Zajack, More

Nay: None
Absent: Shafer

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 2013-112
APPROVAL OF VOLUNTEER FIREFIGHTER APPLICATIONS**

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

WHEREAS, the following persons have made application to become a member of the Neptune City Fire Department; Brandon S. Clifton, Mark A. Marrucca and Christine Paladino, and

WHEREAS, the applicants have been recommended for membership by the Neptune City Fire Department, and

NOW THEREFORE BE IT RESOLVED, that Brandon S. Clifton, Mark A. Marrucca and Christine Paladino be approved as members of the Neptune City Fire Department.

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

The Mayor declared the motion carried and the resolution adopted.

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

**LEAD AGENCY RESOLUTION
FOR THE ESTABLISHMENT OF**

A JOINT PURCHASING SYSTEM

**A RESOLUTION AUTHORIZING THE
BOROUGH OF NEPTUNE CITY
TO ESTABLISH A JOINT PURCHASING SYSTEM
AND TO ENTER INTO JOINT PURCHASING AGREEMENTS
WITH OTHER CONTRACTION UNITS**

RESOLUTION NUMBER 2013-113

WHEREAS, N.J.S.A. 40A: 11-10 authorizes two or more contracting units to establish a Joint Purchasing System and enter into a Joint Purchasing Agreement for its administration; and

WHEREAS, the Borough of Neptune City, County of Monmouth, State of New Jersey is desirous of establishing a Joint Purchasing System and entering into said Joint Purchasing Agreement with other contraction units; and

WHEREAS, the Borough of Neptune City has agreed to serve as the Lead Agency for a Joint Purchasing System with other contracting units; and

WHEREAS, on October 15, 2013 the governing body of the Borough of Neptune City, County of Monmouth, State of New Jersey duly considered the establishment of a Joint Purchasing System for the provision and performance of goods and services,

NOW, THEREFORE BE IT RESOLVED as follows:

JOINT PURCHASING SYSTEM ESTABLISHED

The Mayor and Committee of the Borough of Neptune City hereby authorizes the creation of a Joint Purchasing System with the Borough of Neptune City serving as the Lead Agency.

JOINT PURCHASING AGREEMENT

The Borough Administrator is hereby authorized to enter into separate Joint Purchasing Agreements with the participating contracting units and said Agreement shall be deemed a single Agreement.

On Roll Call the following vote was recorded:

Aye: Mitchell, Pryor, Cross, Zajack, More

Nay: None

Absent: Shafer

The Mayor declared the motion carried and the resolution adopted.

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

RESOLUTION 2013-114

**AUTHORIZING THE TERMINATION OF PARTICIPATION IN THE
CENTRAL JERSEY HIF**

The Borough of Neptune City here by resolves to terminate participation in the Central Jersey HIF effective January 1, 2014:

BE IT RESOLVED:

1. The Borough of Neptune City hereby resolves to terminate its participation in the Central Jersey HIF for all its active and retired employees.
2. We shall notify all active and retired employees of the date of the termination of coverage under the program.
3. We understand that all COBRA participants will be notified by Neptune City.
4. We understand that this resolution shall take effect the first of the month following a 90-day period beginning with the receipt of the resolution by the Central Jersey Fund.

On Roll Call the following vote was recorded:

Aye: Mitchell, Pryor, Cross, Zajack, More

Nay: None

Absent: Shafer

The Mayor declared the motion carried and the resolution adopted.

Councilman More offered to amend Resolution 2013-114. Seconded by Councilman Pryor.

On Roll Call the following vote was recorded:

Aye: Mitchell, Pryor, Cross, Zajack, More

Nay: None

Absent: Shafer

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 2013-115

**A RESOLUTION TO AUTHORIZE PARTICIPATION IN THE STATE HEALTH BENEFITS
AND/OR EMPLOYEES' HEALTH BENEFITS PROGRAM
OF THE STATE OF NEW JERSEY**

BE IT RESOLVED:

The Borough of Neptune City hereby elects to participate in the Health Program provided by the New Jersey State Health Act of the State of New Jersey (N.J.S.A. 52:14-17.46.2) and to authorize coverage for all the employees and their dependents thereunder in accordance with the statute and regulations adopted by the State Health Benefits Commission and/or School Employees' Health Benefits Commission.

We elect to participate in the Employee Prescription Drug Plan defined by N.J.S.A. 52:14-17.25 et seq. and authorize coverage for all employees and their dependents in accordance with the statute and regulations adopted by the State Health Benefits Commission and/or School Employees' Health Benefits Commission.

We elect to participate in the Employee Dental Plans defined by N.J.S.A. 52:14-17.25 et seq. and authorize coverage for all employees and their dependents in accordance with the statute and regulations adopted by the State Health Benefits Commission.

We will be maintaining Horizon Blue Cross Blue Shield as our dental plan.

We elect 35 hours per week (average) as the minimum requirement for full time status in accordance with N.J.S.A. 17:9-4.6.

As a participating employer we will remit to the State Treasury all charges due on account of employee and dependent coverage and periodic charges in accordance with the requirements of the statute and the regulations duly promulgated thereunder.

We hereby appoint Mary Sapp, Municipal Clerk/Administrator to act as Certifying Officer in the administration of this program.

This resolution shall take effect immediately and coverage shall be effective as of January 1, 2014 or as soon thereafter as it may be effectuated pursuant to the statutes and regulations (can be no less than 75 or 90 days pursuant to the provisions of N.J.S.A. 17:9-1.4).

On Roll Call the following vote was recorded:

Aye: Mitchell, Pryor, Cross, Zajack, More

Nay: None

Absent: Shafer

The Mayor declared the motion carried and the resolution adopted.

Councilman Pryor 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 matter pertaining to Redevelopment and the Community Center.

Roll Call the following vote was recorded:

Aye: Mitchell, Pryor, Cross, Zajack, More

Nay: None

Absent: Shafer

The Mayor declared the motion carried and the resolution adopted.

The Mayor and Council returned at 8:17 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: Mitchell, Pryor, Cross, Zajack, More, Mayor Brown

Absent: Shafer

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

Mayor Robert Brown

Mary Sapp, Municipal Clerk